

IMPROVING WASHINGTON UNIVERSITY'S RESPONSE TO SEXUAL ASSAULT & MISCONDUCT: A CALL TO ACTION

Executive Summary

On April 27, 2018, Chancellor Mark Wrighton charged Vice Chancellor for Student Affairs Lori White and a working group she would lead with responsibility for addressing the following four key areas of improvement in the university's response to sexual assault and misconduct:

- Reducing stress on students involved in the Title IX process; reducing timelines; and increasing sensitivity.
- Enhancing resources for mental health services and survivor support; Title IX investigative staff; and training, especially to make the process and those who support our students more trauma-informed and more sensitive to all identities.
- Providing a channel for peer advocacy to assist students going through the Title IX process and provide advice to the Title IX office.
- Establishing accountability measures with opportunities for student feedback.

The focus of this working group continued ongoing conversations with members of the campus community about Title IX improvements, including issues raised by students during the *Title Mine* rally in April 2018. In August 2018, the working group submitted to Chancellor Wrighton a report (a full copy of which is attached). Chancellor Wrighton has approved implementation of all of the recommendations, which include:

1. STAFFING

The university will add the following staff to deepen support for our students and complete investigations in a more timely and more sensitive way. In total, this represents 6 additional full-time staff and the increase of one part-time to full-time staff assigned to the Title IX Office, the RSVP Center, and the Habib Center. This is the largest single investment in staffing since the university launched the Title IX Office in January 2017. Additional details about the specific areas of expertise and responsibility can be found within the recommendations below.

Investigations

- 1 full-time investigator in the Title IX Office

Training/Education

- 1 full-time trainer for Title IX Office
- 1 full-time trainer for RSVP Center

Survivor Support

- 1 full-time counseling position in Habib Center to increase ongoing counseling sessions for survivors
- 1 full-time counseling position in RSVP Center to provide immediate counseling needs to survivors and to relieve the RSVP Director from being a primary counselor
- 1 full-time student support position in RSVP Center to specifically support marginalized students
- Increase administrative assistant in RSVP from half-time to full-time

2. TITLE IX INVESTIGATIONS

We acknowledge that our current process, while comprehensive and thorough, takes too long. It is important to note that the 60-day time frame for Title IX investigations recommended in the 2011 Dear Colleague Letter is not a mandated timeframe and, given the structure and organization of our current process, we do not believe a 60-day timeframe is feasible. However, we do believe that with additional resources, we can shorten the length of our current process, and we are committed to resolving Title IX cases as soon as practicable.

New Staffing/Resources Committed:

- One full-time investigator position in the Title IX Office.

Implementation:

With additional, full-time investigative staff, the university will be substantially better resourced to complete investigations in a timely manner. However, we will continue to work with faculty experts and others to review our process, make evidence-based improvements, and learn from best practices.

3. SURVIVOR SUPPORT

We will provide more and better support to survivors generally and, specifically, survivors from diverse student populations.

New Staffing/Resources Committed:

- Two additional counselors to enhance support provided through the RSVP and Habif Centers; and one student support position in the RSVP Center to work specifically with students from ethnic minority populations and other marginalized populations.
- Resources to update contract with on-call, 24-hour counseling service to provide direct after-hours counseling support.
- Resources for full-time administrative staff in the RSVP Center so that professional staff can commit more time to counseling support.

Implementation:

Beginning in the 2018-19 academic year, Washington University will implement the following related to Survivor Support:

- *Counseling Hours:* With additional counseling personnel, we will be able to expand counseling services for survivors and other students seeking counseling services through the Habif and RSVP Centers. We will also expand our 24-hour, on-call crisis counseling.
- *Accommodations:* We will make every effort to improve upon the timeframe in which accommodations are granted.
- *Summer-Specific USAIB Members:* We will explore two USAIB recruitment and training cycles, one in the fall and one in the spring, which will allow us to potentially recruit and train students in the spring so they are available during the summer. We will also increase our recruitment of graduate students for USAIB panels because many of them are available during the summer.

- *Responsible Employees:* We will more clearly define the meaning of *responsible employees*, include it on the Title IX Office website and explain why responsible employees are designated as such. We will also continue to remind RAs and the community of the RA role as a *responsible employee*.
- *Waiver of Responsible Employee Obligation to Report:* We will explore with students opportunities for students to share their experiences during particular programs without being fearful that their experiences will be reported to others outside of the program, including university administration. If a *responsible employee obligation* may, potentially, be waived, there would need to be a counselor available on-site for support, as well as notification to the participants that anything disclosed during the course of the program will not be considered a report to the university. Reporting options would have to also be provided.

4. TRAINING AND EDUCATION

We will enhance training for all of those offices and individuals directly involved in the Title IX process and for those offices and individuals in student-facing positions, where and to whom students might report an assault. Training will be both trauma-informed and also culturally informed, with training focused on implicit bias and intersectionality. We will also increase training and education for students overall, particularly beyond the first two years, and students from particular groups. We also are open to partnering with experts in the field to develop and deliver our training sessions.

New Staffing/Resources Committed:

- Two new training specialists to work as part of the RSVP and Title IX teams.
- Resources for training consultants with specific areas of expertise.
- Resources for staff professional development.

Implementation:

Beginning in the 2018-19 academic year, we will implement the following related to Training and Education:

- *USAIB Panels:* We will increase the amount of training for those sitting on USAIB panels by requiring monthly training sessions and providing make-up sessions, adding a four-hour spring training session, and augmenting the training booster prior to a USAIB panel hearing a case.
- *Title IX Staff:* The Title IX staff, including coordinators and investigators, will continue to attend conferences and trainings to enhance their skills and train with experts in the field.
- *Habif Center Staff:* Habif Center providers and staff will annually receive trauma-informed training and also provide more information to students about each Habif Center counselor's specialty area. Students will be able to request a counselor with a specific specialty area to meet their counseling needs.
- *Student Affairs Staff:* We will offer additional targeted training for the RCD staff, Campus Life, the Center for Diversity and Inclusion, WUPD, academic advisors and athletic coaches.
- *Fraternity and Sorority Life/Student Organizations:* Campus Life will require all students participating in fraternity and sorority recruitment to participate in training for Title IX and the Green Dot program.
- *Other Student Training:* We will develop customized training for student-athletes; students in Fraternity and Sorority Life; international students; graduate students; upper-class students, and other student populations beyond first year students.

- *Faculty Accommodations:* The Provost will continue to urge faculty to support accommodation requests from the Title IX Office, RSVP Center, Habif Center and/or Disability Resources Office in a timely manner, and to remind faculty they should liaise directly with administrative staff (i.e., RSVP, Title IX, Disability Resources) who make the accommodation requests. The Provost, in collaboration with the Dean of the Graduate School, will similarly advise Assistants in Instruction.

5. TRANSPARENCY

We acknowledge the importance of clear and easily accessible information regarding our Title IX policies and practices, including data related to Title IX reports and cases.

Implementation:

The Title IX website is one very important source for information, along with other university online resources. We already have begun an in-depth review of the university's web resources and will be conducting both user- and beta- testing in the fall. Student input is extremely important as any revisions should be driven by the needs of the individuals seeking information. As we revise the structure of the site(s), we also will be enhancing the information we share, including:

- More information about what students should expect during the Title IX process.
- A mock case.
- Clearly explained protocols for filing a complaint and other aspects of the Title IX process.
- General sanction information.
- Information about the recruitment, selection, appointment and training process for USAIB members, including student eligibility.
- Easy links to statistics reported in the Clery report.
- On the Habif Center website, better articulate the medical and mental health services provided to survivors, and provide clearer information on the billing process.
- An explanation of the university's threat assessment protocol.

6. IMPLEMENTATION AND ACCOUNTABILITY

Implementation: Several new and important groups will be established to guide successful implementation and ensure continued improvement.

Concern for Students Team:

The university will establish an administrative Concern for Students Team, reporting to the Office of the Provost, and headed up by the Vice Chancellor for Student Affairs and a representative of the Provost. The purpose is to:

- Strengthen **coordination** between and among the offices and programs with responsibility for prevention efforts, enforcement of Title IX policies, investigation and adjudication of complaints, and support services, including the Title IX Office, the Office of Student Conduct and Community Standards, the RSVP Center, the Habif Center, the Dean of Students, WUPD and others. Importantly, this coordination will ensure better case management during the Title IX process and that students' concerns are responded to immediately and with sensitivity.

- Regularly **convene** team, including representatives from the above offices and other campus partners to assess progress, areas of concern and opportunities for improvement, and to receive feedback from members of the university community.
- Enhance **communication** throughout the university community about progress, areas of concern and opportunities to improve, and to provide opportunities for input.

Advisory Committee on Title IX Policies and Practices:

The university will create a Title IX advisory committee, to include students, faculty and staff, which would provide regular feedback to the Provost and to the Director of the Title IX Office about the Title IX process, policies and practices, and the university's efforts in implementing this action plan.

Peer Consultants:

The university will work with students to develop a peer consultant program within the Title IX Office to work with complainants and respondents. Students participating in the Title IX process would have the opportunity to be assigned a peer consultant who would be an additional source of support and information as they go through the USAIB process.

Title IX Office:

With the previous addition of an assistant director, and the approved recommendations in this report to further enhance staffing to support training and complete investigations in a more timely manner, we have an opportunity to orient the expertise within the Title IX Office more efficiently and more effectively. Going forward, the Title IX Director will be able to focus attention broadly on overall process, policy, coordination with other offices and programs, and continued improvement. The Assistant Director, then, can assume more responsibility as a primary staff member serving as day-to-day, student-facing contact. This will ensure that we sustain our efforts in implementing these recommendations and also better meet individual students' needs.

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Significant Next Steps

Important note: The following represent select key next steps the university will take in implementing recommendations from the working group. Most will require close collaboration with students and other members of the university community. For further detail and a complete listing of action items planned for implementation, please refer to the full report of the working group.

Immediately

- Post and begin the recruitment process for new Title IX Office, RSVP Center and Habib Center positions.

By September 15

- Collaborate with students to identify those recommendations where student input is critical for implementation and establish implementation groups involving students (i.e., creation of a peer consultant program, scope and recruitment for advisory committee on Title IX, structure and focus of education and training programs, etc.).
- Begin process of website user testing with students to inform process of redesign and re-architecting of Title IX-related content.

By October 1

- Articulate the responsibilities and training requirements of student Title IX peer consultants.
- Articulate the focus of the Advisory Committee on Title IX, criteria for committee member selection, and selection process.

By October 31

- Members of the Title IX Advisory committee appointed, and meeting schedule for the academic year established.
- Begin the recruitment process for students who are interested in serving as peer consultants.

Throughout fall semester and on-going

- Regular meetings of implementation teams responsible for successful execution of the approved recommendations.
- Regular meetings of the Concern for Students team, an administrative team who will ensure coordination between and among offices and programs involved in the Title IX process, investigations/reporting, student support and student health, training and education, and learning from best practice. Importantly, this coordination will ensure better case management during the Title IX process and that students' concerns are responded to immediately and with sensitivity.

By March 1

- Launch enhanced web resources.
- Complete peer consultant training.

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August 2018

Our Objective

Washington University, like most universities in the nation, has been challenged to address the serious issues of sexual assault and misconduct on our campuses, and our students have rightly expressed their concern that these matters should be treated with the highest level of urgency and sensitivity. Our ultimate goal is to reduce the number of instances of sexual assault and misconduct at Washington University to none; however, we know that is extremely difficult to achieve. Even as we work to prevent incidents from occurring, we have to keep a firm focus on ensuring that our students are supported, treated fairly and respectfully, and given the appropriate tools to navigate the Title IX process. We also want to reduce the overall time to complete the Title IX adjudication process.

On April 27, 2018, Chancellor Mark Wrighton charged Vice Chancellor for Student Affairs Lori White and a working group she would lead with responsibility for addressing the following four key areas of improvement in the university's response to sexual assault and misconduct:

- Reducing stress on students involved in the Title IX process; reducing timelines; and increasing sensitivity.
- Enhancing resources for mental health services and survivor support; Title IX investigative staff; and training, especially to make the process and those who support our students more trauma-informed and more sensitive to all identities.
- Providing a channel for peer advocacy to assist students going through the Title IX process and provide advice to the Title IX Office.
- Establishing accountability measures with opportunities for student feedback.

This report highlights the work that has been completed in these areas to date, and outlines next steps, including requests for additional staffing and financial resources where needed. Among the tangible outcomes that have been implemented or are proposed to be implemented are:

- The addition of two trauma-informed training and education specialists to work as part of the Relationship and Sexual Violence Prevention (RSVP) Center and Title IX teams;
- A robust schedule of trauma-informed training for Title IX, Habif Health and Wellness Center (Habif Center), and other staff, including Student Affairs; and trainings in Title IX and the Green Dot program required for students participating in Fraternity and Sorority Life, and strongly encouraged for students participating in other student organizations;
- Hiring of additional counselors in the Habif Center and RSVP Center, including one specializing in supporting students from ethnic minority populations and other marginalized student populations;
- Expanded on-call resources at the Habif Center;
- The addition of one full-time investigator for the Title IX Office;

- Creation of an Advisory Committee on Title IX Policies and Practices to include students, faculty and staff, which would provide regular feedback to the Provost and to the Director of the Title IX Office about the Title IX process, policies and practices, and the university's actions called for in this report;
- Creation of a Concern for Students Team to strengthen coordination among offices and programs, regularly convene a Title IX advisory committee to assess progress, and enhance communication throughout the university community; and
- Development of a peer consultants group for students involved with Title IX and to work with the Title IX Office on student outreach and feedback;
- Updated Title IX website to provide greater transparency into the Title IX process and easier access to resources, policies and institutional data, as well as better integration with other online sources of information.

Background – Student Movement

Over the years, even as we have worked to implement new processes and procedures and to enhance support resources, Washington University students have shared serious concerns about the university's processes for providing support to students who experience sexual assault or misconduct. That feedback culminated last spring when, on April 26, 2018, students held a *Title Mine* rally to protest the university's response to Title IX issues, express support for survivors of sexual assault and misconduct, and to suggest a number of improvements in the university's Title IX policies and related practices. Following the *Title Mine* rally, the student organizers provided a written list of demands, hereafter referred to as recommendations, to the university.

Acknowledging there is more the university must do to address student concerns, Chancellor Mark Wrighton charged Vice Chancellor for Student Affairs Lori White to consider the *Title Mine* recommendations, as well as other student feedback, and develop an action plan for improvement. Vice Chancellor White and Kim Webb, director of the RSVP Center, met with student organizers of the *Title Mine* rally on May 3, 2018 to discuss their recommendations in greater detail. Beginning on May 22, 2018 and throughout the summer, Vice Chancellor White met with various campus representatives to further review the student recommendations to determine feasibility and resources needed for implementation. Campus representatives included the following offices/departments: Academic Deans' offices, Center for Diversity and Inclusion, Dean of Students, Office of the Vice Chancellor and General Counsel, Habif Center, RSVP Center, Student Conduct and Community Standards, Office of the Provost, Title IX and the Office of the Vice Chancellor for Student Affairs.

The students' written document (See Appendix) provided an excellent framework for enhancing our Title IX efforts in these areas: *Training and Education, Survivor Support, Transparency, Staffing and Accountability*. What follows is a summary of the student recommendations in each area and the university's response, as well as a complete list of requests for additional staffing and other resources.

1. STAFFING

Summary of Student Recommendations: Students recommended a number of different staffing resources for the RSVP Center, the Title IX Office, and the Habif Center, as well as requests for legal assistance and trained survivor advocates.

University Response: Throughout the report, we have noted areas in need of additional investment – both in terms of staffing and other resources. Specific to staffing, the following will greatly deepen the university’s ability to support our students and complete investigations in a more timely and more sensitive way. In total, this represents 6 additional full-time staff and the increase of one part-time to full-time staff assigned to the Title IX Office, the RSVP Center, and the Habif Center. This is the largest single investment in staffing since the university launched the Title IX Office in January 2017. Additional details about the specific areas of expertise and responsibility can be found within the recommendations below.

Investigations

- 1 full-time investigator in the Title IX Office

Training/Education

- 1 full-time trainer for Title IX Office
- 1 full-time trainer for RSVP Center

Survivor Support

- 1 full-time counseling position in Habif Center to increase ongoing counseling sessions for survivors
- 1 full-time counseling position in RSVP Center to provide immediate counseling needs to survivors and to relieve the RSVP Director from being a primary counselor
- 1 full-time student support position in RSVP Center to specifically support marginalized students
- Increase administrative assistant in RSVP from half-time to full-time

2. TITLE IX INVESTIGATIONS

We acknowledge that our current process, while comprehensive and thorough, takes too long. It is important to note that the 60-day time frame for Title IX investigations recommended in the 2011 Dear Colleague Letter is not a mandated timeframe and, given the structure and organization of our current process, we do not believe a 60-day timeframe is feasible. However, we do believe that with additional resources, we can shorten the length of our current process, and we are committed to resolving Title IX cases as soon as practicable.

New Staffing/Resources Committed:

- One full-time investigator position in the Title IX Office.

Implementation:

With additional, full-time investigative staff, the university will be substantially better resourced to complete investigations in a timely manner. However, we will continue to work with faculty experts and others to review our process, make evidence-based improvements, and learn from best practices.

Process Review:

- During the 2018-19 academic year we will explore other Title IX models that might shorten the Title IX process even further. We will involve students, faculty and staff in this review.

3. SURVIVOR SUPPORT

Summary of Student Recommendations: Students have requested increased survivor support in a variety of ways through the RSVP Center and Habif Center, development of a peer consultant program, an immediate response to requests for no contact orders and for no contact orders to extend to social settings, and access to rape kits and drug testing in the Habif Center. Recommendations were also offered related to providing funding for students who cannot afford co-pays and to better articulate those who are designated responsible employees and the “why.”

Summary of University Response: We recognize the trauma survivors’ experience and know that we need to do more to provide support to survivors generally and for survivors from diverse student populations. We recommit ourselves to enhancing survivor support through the Habif Center and the RSVP Center — the two on-campus departments that survivors most frequently seek out for counseling and other support.

New Staffing/Resources Committed:

- Additional counselors to increase counseling capacity for survivors in the Habif Center and RSVP Center, including counselors in both centers to work specifically with students from ethnic minority populations and other marginalized populations. (Currently there is a counselor in the RSVP Center who works with students who identify as LGBTQ*).
- Resources to update contract with on-call, 24-hour counseling service to provide direct after-hours counseling support.
- Resources for full-time administrative staff (an increase from the current part-time staff) in the RSVP Center so that professional staff can commit more time to counseling support.

Implementation:

Beginning in the 2018-19 academic year, Washington University will implement the following related to Survivor Support:

- *Counseling Hours:* Once an additional counselor in the Habif Center is hired, the center will be able to expand counseling services for survivors and other students seeking counseling services. Habif Center providers will continue to practice ethical guidelines if and when they must determine whether counseling sessions should conclude or a referral to an off-campus provider should be

made. We are also expanding our 24-hour, on-call crisis counseling. We will continue to establish and maintain relationships with community providers who offer services that some students may prefer to access off-campus instead of on-campus and who may be able to treat students in need of long-term counseling.

- *Funding for Co-pays:* Insurance regulations do not allow for waiver of co-pays.
- *No Contact Orders:* We are committed to putting no contact orders into place within a timely manner. Additionally, we already extend no contact orders to social settings and implement social organization suspensions as interim measures, when appropriate. For example, depending upon the circumstances, we may impose a no contact order or place limitations on participation in student organizations if the complainant and respondent participate in the same group. It should be noted that we have limited ability to restrict respondent participation in informal social activities hosted in off-campus, private residences.
- *Accommodations:* We will make every effort to improve upon the timeframe in which accommodations are granted. While the Title IX Office and RSVP Center respond in a timely manner to accommodation requests, the review and implementation of these requests often require working with other campus offices and faculty, which can take time to coordinate. As noted in the previous section, we will continue to educate faculty and others about the importance of timely responding to accommodation requests from the RSVP Center, Title IX and/or Disability Resources offices.
- *SANE and Drug Testing:* We explored offering Sexual Assault Nurse Examiner (SANE) services through Habif in 2010. However, we made the decision not to offer SANE services at the Habif Center for several reasons. First, it takes many hours to be trained as a SANE. SANE providers also need to regularly perform SANE exams to stay current on their skills. In addition, the amount of time it takes to conduct a rape kit is significant, and we have good relationships with hospitals close to campus that provide SANE services. We will continue to evaluate whether SANE services should be offered at the Habif Center. Regarding drug testing, Kim Webb piloted drug testing when she was on staff at the University of Missouri and determined that drug testing was cost prohibitive. The drug testing that is currently available is limited and most often is not able to detect drugs due to how quickly predatory drugs are eliminated or absorbed. Therefore, at this time, we will not offer drug testing in the Habif Center.
- *Summer-Specific USAIB Members:* Currently, due to the amount of training in which USAIB members are required to participate, we recruit USAIB members once a year (at the beginning of each academic year). Moving forward, we will explore two USAIB recruitment and training cycles, one in the fall and one in the spring, which will allow us to potentially recruit and train students in the spring who have indicated they plan to be in the area during the summer. We will additionally explore the student participation in USAIB panels during the summer via Skype or phone. We will also increase our recruitment of graduate students for USAIB panels because many of them are available during the summer.
- *Responsible Employees:* We will more clearly define the meaning of *responsible employees*, include it on the Title IX Office website and explain why responsible employees are designated as such. While we certainly do not want to discourage students from reporting because we have designated most university employees (other than counselors, clergy and others as specified) as *responsible employees*, we also want to make sure that no incidents of sexual assault, harassment or other forms of sexual misconduct are unreported as has occurred on other college campuses (e.g., Penn State University, Michigan State University, the University of Southern California). We will also continue to remind RAs and the community of the RA role as a *responsible employee*. We appreciate

the nuance of RAs balancing their duty to report with their roles as supportive listeners and want to ensure that RAs have the skills to exercise these important dual roles. We know RAs may be the first individuals on campus to whom students turn when they or a friend have been sexually assaulted, and we want to make sure students continue to feel comfortable with RAs as a resource.

- *Waiver of Responsible Employee Obligation to Report:* We acknowledge the request from students to review spaces and programs where the obligation of a *responsible employee* to report is waived for a particular time and/or space. For example, *Destination Q* is a program where students might request the responsible employee obligation be waived during the program so that students can feel free to share their experiences without being fearful that their experiences will be reported to others, including university administration, outside of the program. **We would like to talk with students about other programs where they would like to request a *responsible employee waiver*.** In any instance where the *responsible employee obligation* is waived, there would need to be a counselor available on-site for support, as well as notification to the participants that anything disclosed during the course of the program will not be considered a report to the university. Reporting options should also be provided.
- *Peer Advocacy/Peer Consultant Program:* Please see our recommendations for a peer consultant program in the recommendations on *Accountability*.

4. TRAINING AND EDUCATION

Summary of Student Recommendations: Students have requested to increase the number of training hours and types of training (e.g., trauma-informed and with sensitivity to students from marginalized populations) for those who sit on USAIB panels; staff in Title IX and student health and in student-facing positions; and students who hold particular roles or are active in particular student organizations (e.g., RAs, student leaders, student-athletes, Fraternity and Sorority Life). Students also have requested better education for faculty on the need for accommodations.

Summary of University Response: The university recommit itself to enhancing training for all of those offices and individuals directly involved in the Title IX process and for those offices and individuals in student-facing positions, where and to whom students might report an assault. Training and education is critically important to reducing the number of sexual assaults that occur, and to providing survivors with well-trained professionals who are sensitive to their unique experiences and identities. Training will be both trauma-informed and also culturally-informed, with training focused on implicit bias and intersectionality. We will also increase training and education for students overall, particularly beyond the first two years, and students from particular groups. We are also open to partnering with experts in the field to develop and deliver our training sessions.

New Staffing/Resources Committed:

- Two new training specialists to work as part of the RSVP and Title IX teams. The RSVP training specialist will focus primarily on awareness, prevention education and risk reduction, and the Title IX training specialist will focus primarily on Title IX processes, reporting options, policies and procedures, and will also support the proposed Title IX peer consultant program, which is described further under the *Accountability* recommendations below. These two training specialists will work closely with one another and also work collaboratively with the existing training specialist in the Center for Diversity and Inclusion.

- Resources to hire training consultants with specific areas of expertise as needed, and to assist with training during fall semester in particular, which is the most intensive training period.
- Professional development funds for staff to engage in professional development activities focused on these critical issues with experts in the field.

Implementation:

Beginning in the 2018-19 academic year, Washington University will implement the following related to Training and Education:

- *USAIB Panels:* We will increase the amount of training for those sitting on USAIB panels. Currently, new USAIB members complete seven hours of fall training while returning members complete 3.5 hours of fall training. Eight monthly training sessions, 90 minutes each in length, are also provided to the USAIB members. Topics covered during these training sessions include:
 - trauma and trauma-informed practices in investigations;
 - how to conduct interviews and develop questions for the parties and witnesses;
 - the role alcohol and drugs play in sexual assault;
 - the USAIB process;
 - barriers to reporting;
 - prevention efforts at Washington University;
 - how to review investigation reports;
 - how to make decisions using the preponderance of evidence standard;
 - how to write a decision;
 - the role of WUPD in sexual assault investigations;
 - vicarious trauma and self-care;
 - Safe Zones training; and
 - impact of sexual assault in different communities and identities (e.g., international students, LGBTQ*, Fraternity and Sorority Life, etc.).

Beginning in the 2018-19 academic year, we will require additional monthly training sessions and make-up sessions, add a four-hour spring training session, and augment the training booster prior to a USAIB panel hearing a case.

- *Title IX Staff:* The Title IX staff, including coordinators and investigators, will continue to attend conferences and trainings to enhance their skills and train with experts in the field.
- *Habif Center Staff:* Habif Center providers and staff will annually receive trauma-informed training. A training for Habif Center staff has already occurred this summer on August 1, 2018. Front-line Habif Center staff will receive additional training on protocol for responding appropriately and sensitively to students who come into Habif Center indicating they have been sexually assaulted. Habif Center will also provide more information to students on their website about each Habif Center counselor's specialty area. Students will be able to request a counselor with a specific specialty area to meet their counseling needs.
- *Student Affairs Staff:* This summer, Student Affairs staff participated in trainings focused on trauma-informed approaches and Green Dot training. These trainings were also open to staff members on campus outside of student affairs and occurred on June 26, 2018 and on July 19, 2018. In addition, a training session was held in July for Residential Community Director (RCD) staff. We will offer additional targeted training for the RCD staff, staff in the Title IX Office, Campus Life, the Center for Diversity and Inclusion, WUPD, academic advisors and athletic coaches.

- *Fraternity and Sorority Life/Student Organizations:* Campus Life will require all students participating in fraternity and sorority recruitment to participate in training for Title IX and the Green Dot program. Campus Life will also work with Student Union to offer information about Title IX and Green Dot training for student organization leaders as part of the Student Group Leader Training that will take place on September 8, 2018. Campus Life will continue to offer Responsible Contact Training and Events with Alcohol Training as part of their Group Pathways to Success (GPS) Training Series for student groups. In addition, Campus Life will work proactively this fall with the RSVP Center and the Title IX Office to find ways to offer additional trainings relevant to student groups as part of this series.
- *Other Student Training:* We already have mandatory training for all first- and second-year students and will make sure that the RSVP Center and Title IX Offices and staff are introduced during these trainings, particularly at *The Date* program during new student orientation. Once hired, the new training specialists will be charged with developing and delivering customized training for student-athletes, students in Fraternity and Sorority Life; international students; graduate students; upper-class students, and other student populations beyond first- and second-year students. Additionally, we will explore the idea suggested by students that the Career Center work more directly with upper-class students to prepare them for potential harassment and discrimination in the workplace. We will also explore online training resources and determine whether and when these might be most appropriate and effective with particular populations.
- *Faculty Accommodations:* The Provost will continue his annual letter (See Appendix) to faculty providing information about accommodation requests, asking faculty to support accommodation requests from the Title IX Office, RSVP Center, Habif Center and/or Disability Resources offices in a timely manner, and emphasizing that faculty should not be asking students directly for information regarding their accommodation requests but should follow up with the office (i.e., RSVP, Title IX, Disability Resources) making the accommodation request. We will also ask the Provost, in collaboration with the Dean of the Graduate School, to write a similar letter to Assistants in Instruction. The Title IX Office and RSVP Center will also work more closely with the Academic Deans' offices as appropriate to help facilitate timely faculty responses to accommodation requests.

5. TRANSPARENCY

Summary of Student Recommendations: Students have requested improvement of the information available on the Title IX website including: data and resource information, information about the length and execution of the USAIB process, and transparency related to the selection and training of USAIB members. Students have also requested better information about services provided by the Habif Center and the university's protocol for threat assessment of students. Additionally, students requested that the overall Title IX process be shortened.

Summary of University Response: We acknowledge the importance of clear and easily accessible information regarding our Title IX policies and practices, including data related to Title IX reports and cases. We also acknowledge that our current process, while comprehensive and thorough, takes too long. It is important to note that the 60-day timeframe for Title IX investigations recommended in the 2011 Dear Colleague Letter is not a mandated timeframe, and given the structure and organization of our current process, we do not believe a 60-day timeframe is feasible. However, we do believe that with additional resources, we can shorten the length of our current process, and we are committed to resolving

Title IX cases as soon as practicable. We are also open to working with faculty experts to review our process and to make evidence-based recommendations to shorten and improve our process. We are also exploring other Title IX models that might shorten the process even further without compromising a thorough and fair investigation.

New Staffing/Resources Committed:

- One full-time investigator position in the Title IX Office.

Implementation:

Title IX Website: The Title IX website is one very important source for information, along with other university online resources. We already have begun an in-depth review of these web resources and will be conducting both user- and beta- testing in the fall. Student input is extremely important as any revisions should be driven by the needs of the individuals seeking information. As we revise the structure of the site(s), we also will be enhancing the information we share, including:

- More information about what students should expect during the Title IX process.
- A mock case. **We would like to work with students to determine what information about a mock case would be most helpful in terms of understanding the process.**
- Clearly explained protocols for filing a *complaint* and clearer definitions of what constitutes a *formal complaint* as opposed to an informal report of an incident that is alleged to have occurred.
- General sanction information.
- Protocols for various parts of the process, including length of time to review and respond to investigation reports as well as circumstances under which extensions can be requested.
- Information about the recruitment, selection, appointment and training process for USAIB members including student eligibility for USAIB and aggregate demographic information of USAIB members, if known. Prior to serving on a USAIB Panel, the Title IX Office conducts a conflict check to confirm that there is no conflict of interest on the part of the panel members. To protect the integrity of the process, we do not publicly identify those individuals who are USAIB panel members. Any USAIB panel member determined to have a conflict of interest with a complainant or respondent is not allowed to serve on particular panels.
- Easy links to statistics reported in the Clery report. Links to the University's Clery statistics reported as part of its Annual Security Report are available on the WUPD and Protective Services websites and will be added to the Title IX website. The university does include the number of reports of sexual assault and sexual misconduct it receives, even if the incident happens on non-university property, in a footnote in the Annual Security Report. Also, anonymous reports on reportable Clery offenses are represented in the aggregate Clery data. With each anonymous report received, based upon the information provided, we determine whether there are any steps the university can take, including the need for additional training and safety measures.

Habif Website:

- By the start of the fall 2018 semester we will more clearly articulate on the Habif Center website the medical and mental health services provided to survivors, and provide clearer information on the billing process. Survivor confidentiality cannot be guaranteed in all cases if a student undergoes certain testing or procedures that must be submitted to the insurance carrier. With this in mind, the Habif Center will work to provide additional information so survivors can make

informed decisions about the treatment they are seeking at the Habif Center and other potential low- or no-cost alternatives.

Threat Assessment Protocol:

- Over the course of the 2018-19 academic year we will publish an explanation of the university's threat assessment protocol.

6. IMPLEMENTATION AND ACCOUNTABILITY

Summary of Student Recommendations: Students have requested a formal opportunity to provide feedback regarding the Title IX process and related policies and practices including the creation of a student oversight committee to prioritize student feedback.

Summary of the University Response: We acknowledge the importance of a Title IX system where there are substantive opportunities for regular review and evaluation, and where there is maximum opportunity for student feedback as well as feedback from other members of the campus community.

Implementation:

Concern for Students Team

In order to ensure that the university's actions described in this report — and future recommendations — are implemented and institutionalized, and that the university continues to improve, a Concern for Students Team will be created in the Office of the Provost, headed up by the Vice Chancellor for Student Affairs and a representative of the Provost.

The role of the Concern for Students Team will be to:

- Strengthen **coordination** between and among the offices and programs with responsibility for prevention efforts, enforcement of Title IX policies, investigation and adjudication of complaints, and support services, including the Title IX Office, the Office of Student Conduct and Community Standards, the RSVP Center, the Habif Center, the Dean of Students, WUPD and others. Importantly, this coordination will ensure better case management during the Title IX process and that students' concerns are responded to immediately and with sensitivity.
- Regularly **convene** team, including representatives from the above offices and other campus partners to assess progress, areas of concern and opportunities for improvement, and to receive feedback from members of the university community.
- Enhance **communication** throughout the university community about progress, areas of concern and opportunities to improve, and to provide opportunities for input.

While the Concern for Students Team will initially focus its work on Title IX, this team could also be used as model for responding to other issues impacting students that involve the need for a number of campus offices to work more effectively together.

Advisory Committee on Title IX Policies and Practices:

Expanding on the student recommendation to create a student oversight committee, we recommend the creation of a Title IX advisory committee, to include students, faculty and staff, which would provide regular feedback to the Provost and to the Director of the Title IX Office about the Title IX process, policies and practices, and the university's actions described in this document. The committee would meet regularly and the committee chair would be a senior member of the university administration appointed by the Provost. At least twice per year, the Title IX Office would share with the committee current data about the number of Title IX cases and their status. The group would also serve as a sounding board for any proposed changes to the Title IX process. **We would like to work with students on the development of this advisory committee and in particular to discuss how students would be selected/appointed to the committee.**

Peer Consultant Program:

We recommend working with students to develop a peer consultant program within the Title IX Office to work with complainants and respondents. Students participating in the Title IX process would have the opportunity to be assigned a peer consultant who would be an additional source of support and information as they go through the USAIB process. The members of the peer consultant program would also be able to provide the Title IX Office leadership with specific and important feedback about the process — feedback that may be more thorough and complete than survey data, which is often skewed toward those who choose to respond.

Title IX Office:

With the previous addition of an assistant director, and the approved recommendations in this report to further enhance staffing to support training and complete investigations in a more timely manner, we have an opportunity to orient the expertise within the Title IX Office more efficiently and more effectively. Going forward, the Title IX Director will be able to focus attention broadly on overall process, policy, coordination with other offices and programs, and continued improvement. The Assistant Director, then, can assume more responsibility as a primary staff member serving as day-to-day, student-facing contact. This will ensure that we sustain our efforts in implementing these recommendations and also better meet individual students' needs.

OTHER RECOMMENDATIONS: LEGAL ASSISTANCE

Student Recommendations: Students recommend that the role of attorneys in the Title IX process be clarified, that the university provide legal assistance at no cost to students throughout the case; and that in the event of retaliation, legal assistance should be available after the case closes.

University Response: While we do not allow attorneys to speak for students during the investigative process, by law, students have the right to obtain legal assistance if they choose and have that attorney serve as their support person during the course of the investigation. We agree that we should continue to clarify the role of attorneys in our process. We recently adopted a policy that students must certify that any written materials have been created solely by them. We are not able to provide legal assistance to students for Title IX cases or any other student conduct matters.

Appendix

Title Mine Student Organizers' Recommendations (April 2018)

Demand One – TRAINING: A more comprehensive, trauma-informed training program for all persons involved in the Title IX process so that they have an adequate understanding of the dynamics of sexual violence, the effects of trauma, and how to interact with survivors.

This includes, but is not limited to: Title IX Office staff and contractors, WUPD, USAIB, Habif Health and Wellness Center (SHS), Office of Student Conduct, and Residential Life Staff.

- Rigorous, trauma-informed and evidence-based training required before joining the University Sexual Assault Investigation Board (USAIB), with retraining immediately prior to becoming a member of a Title IX case panel
 - Training must be on par with RSVP/LIVE training requirements in terms of topics covered and hours trained.
 - USAIB member training must be reviewed and approved by the Oversight Committee (see Demand 5) in regards to intersectionality training (LGBTQ, race, class, ability, etc), and all members must receive training in all topics covered before serving on a panel.
- Implicit-bias training should be required of all individuals trained in the Title IX process.
- All Habif Health & Wellness Center providers and staff need extensive training on trauma-informed practice broadly, and specifically as it is related to sexual and interpersonal violence, especially administrators within Habif Health & Wellness Center
 - Currently Habif Health & Wellness Center has only 1 counselor with significant experience dealing specifically with sexual violence trained in DBT (dialectical behavioral therapy), 1 counselor trained in EMDR (Eye-movement desensitization and reprocessing), and only 2 trained in transgender care.
- Title IX coordinator should be updated on research literature involving sexual violence (e.g. correlations between sexual assault/violence and later physical violence/murder)
 - <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2573025/>
 - http://www.who.int/violence_injury_prevention/violence/global_campaign/en/chap6.pdf

Demand Two – SURVIVOR SUPPORT: A stronger investment into the support of survivors of sexual assault and intimate partner violence at WashU, including the expansion of survivor accommodations and support resources, stronger requirements for student group training, and identity-specific support and programming.

- No contact orders need to extend beyond the classroom and residential life, specifically in regards to student groups
 - Social suspension should be instituted for the respondent in student groups of which the complainant is a member
 - The respondent should be required to leave social settings when the complainant is present
- Requests for accommodations need to be met in a timely manner (1 day, not 1 week)
- There should be methods for survivors to receive free therapy outside of the 9 free sessions/16 total sessions in SHS

- There should be long-term care available on campus, rather than students being referred to off-campus resources that may not be accessible to students of all classes, race, gender, ability, etc.
- There should be a 24-hour on call trained counselor available for students who need that support immediately
 - Uncle Joe's/SARAH is not enough, as they are student volunteers and not trained professionals
- On campus medical care, including but not limited to: rape kits, drug testing, and access to free emergency contraceptives
- Require that all Category 1 student groups on campus have an annual facilitated dialogue about sexual violence prevention in conjunction with LIVE, SARAH, and/or the RSVP Center.
 - Programming can include, but is not limited to: Green Dot, LIVE Facilitations, SARAH Safe, facilitated group dialogue, co-programming about sexual violence or intimate partner violence.
- Create more culturally-informed prevention programming for both administrators and student group leaders
 - Marginalized communities are especially prone to and have nuanced cultural forces surrounding sexual violence. Cultural humility must be incorporated into programming; St. Louis-based identity-specific support/advocacy groups must be consulted when creating programming in dialogue with the above resources to ensure prevention programming is created by and for marginalized communities.
 - e.g. The LEAD Institute – education and advocacy for sexual assault in disabled communities
 - e.g. South Asian Women's Empowerment Regional Association (SAWERA)
 - e.g. Metro Trans Umbrella Group (MTUG)
 - Increased publicity of the on-campus and off-campus groups and resources available to specific identity groups and ensure all responders (RAs, WUPD, SARAH, Habif Health & Wellness Center, etc.) have this information available.
- Recruit summer-specific USAIB members, including students, so that complainants don't have to choose between a speedy process and a fair panel.
- Survivors who are also in a "Responsible Employee" position should be able to receive support from survivor-specific spaces without the obligation to report
 - e.g. Take Back the Night allows "Responsible Employees" to be relieved of their reporting duties in that time and space

Demand Three - TRANSPARENCY: More transparency in the execution of Title IX, along with the processes of all other relevant campus programs, including, but not limited to, Habif Health and Wellness Center, WUPD, OSC, ResLife, and CDI.

- More accurate and comprehensive information on the Title IX website - specifically about length of process.

- A detailed, annotated step-by-step mock case should be available online for students.
- The protocol for filing reports and what exactly that entails for different reporting processes should be clearly detailed and easily accessible
- RSVAI in the Institute for Public Health should perform a system dynamics evaluation of the Title IX process in order to identify evidence-based mechanisms to shorten and improve the process
- There should be a published and easily accessible list of specific recommended repercussions for specific violations in order to provide transparency on how decisions are made.
- Create, publish, and maintain consistent policy for the length of time to submit witnesses, the length of time to review/respond to their report, and the process to receive extensions
 - This process must fit in the 60-90 day framework as recommended in the Dear Colleague letter
 - These deadlines and extension request details should be readily available on the Title IX website
- Transparency in how USAIB panelists are selected and trained
 - Selection should be an open application that will be reviewed by the Oversight Committee (see Demand 5) rather than students, faculty and staff “appointed by the Chancellor”
 - Required yearly releases of the USAIB training to maintain accountability to update trainings regularly
- Easily accessible FAQ that includes statistics for all types of reporting, not just to WUPD, which includes the number and type of reports WashU has received, consolidated from all reporting systems, and number of individuals with more than one report.
- Habif must widely publicize the already available medical and mental health services and coverage that it provides for survivors including on-call counselors, prophylaxis treatment, etc.
- Habif must be more transparent about their billing processes and procedures in order to ensure that survivor confidentiality is being kept throughout patient interactions
- There should be transparency, publicity, and education on who is and who isn't a “Responsible Employee”, what being a “Responsible Employee” means, and what the consequences of reporting will be.
 - It has come to our attention that some “Responsible Employees” force survivors to go through the reporting process, rather than simply educating the survivor about all of their possible options
- WUPD should be transparent in protocol for responding to reports of sexual assault and other dangers to students.

Demand Four - STAFFING: Additional staff must be hired in order to both handle cases of sexual and intimate partner violence with more nuance and to expand current resources for survivors.

- Hire a new Title IX director to begin to rebuild trust between the student body and the Title IX office, specifically replacing Jessica Kennedy.
- Hire more investigators in the Title IX office to make sure that things can be done quickly.
 - Removal of investigators that have failed to appropriately respond in a trauma-informed manner during investigation interviews
 - Ensuring trauma-informed training of these investigators before they are placed on a case
- Trained survivor advocates should be provided to support students through the process. These can be modeled after DV Court advocates.
- The school should provide legal assistance at no cost to the student for any party continuing throughout the case
 - In the event of retaliation through litigation, legal assistance should be available after a case has closed.
- Hire additional staff at the RSVP center who identify as and who have professional experience working with marginalized communities, including but not limited to: people of color, LGBTQIA* communities, disabled identities, male survivors
- Hire additional Habib Health & Wellness Center care providers, both in terms of physical and mental health, with minority-based identities, including but not limited to: POC (Black, Latinx, Asian, etc.), LGBTQIA+, people with additional needs/disabilities

Demand Five – ACCOUNTABILITY: Accountability in the form of creating an Oversight Committee for the reporting process that prioritizes student feedback about how the school handles sexual assault and intimate partner violence.

- The committee will be formed by a yearly open application process with members chosen by a panel including representatives from RSVP, CDI, ResLife, and Campus Life
 - Hire staff whose main role will be to coordinate and manage the Oversight Committee
 - This committee should be made up of mostly student representatives, besides the staff members
- The committee should ensure that requests for accommodations are met and that approved accommodations are actually provided.
- Complainant and Respondent can complete surveys about their investigator and/or USAIB Panel's conduct during the process, which will be sent to and reviewed by the committee.
 - If a member in the process receives too many negative reports, the committee will have the power to remove them from the process.
 - Transcripts of interviews with the investigator and panel should be available to participants for the purposes of filling out surveys
- The committee will address any issues brought to them regarding the handling of a case by the Title IX office or its affiliates

- This includes, but is not limited to: amount of time being taken, information about one side not being shared to the other, policies not being applied consistently or being applied inappropriately
- This committee should work closely with administration and WashU's various programs in the implementation of all of our demands.
- This committee should be chartered and contain bylaws.



Dear Colleagues,

Many of us receive requests from students for academic accommodations regarding a variety of issues, including sexual assault and harassment, mental health concerns, disabilities, and illness. Academic accommodations are important to help students in need maximize their learning, especially during difficult times. Who contacts you to request an accommodation and what they may ask of you often differs depending on the nature of the concern. For your convenience, attached is guidance about the types of accommodation requests and what to expect when receiving such a request.

If you have any questions, I encourage you to reach out to the individuals provided on the attached document or to your Dean or Department Chair.

Thank you for your help in this important endeavor and for all that you do to support our students.

Sincerely,

A handwritten signature in cursive script that reads "H. Holden Thorp".

Holden Thorp

Provost

[Attachment]

Accommodation Chart for Faculty – February 2018

What is the concern?	Who will contact you?	What might they ask of me?	What should I do?
Sexual Assault, Sexual Harassment, or any other Title IX issues	Kim Webb, Director, RSVP Center (kim_webb@wustl.edu); Jessica Kennedy, Director, Title IX Office (jwkennedy@wustl.edu) Or Academic Dean	Might ask for student to drop class, alter group project assignments, switch to a different section, rearrange seating charts, complete assignments remotely, receive alternate assignment due to subject matter, or move testing dates or assignment deadlines.	Refrain from contacting the student about this issue (unless you learn that is the student’s preference), ensure complete confidentiality about this student concern, and work with Kim and/or Jessica to offer reasonable accommodations to address the student’s needs to the best of your ability.
Acute Medical Issues - Mental and Physical Health	Student, Mental Health Counselor, or Academic Dean	Might ask to complete assignments remotely, or move testing dates or assignment deadlines.	<p>If a student is in distress as a result of mental health issues and approaches you with an academic request, we encourage you to consider granting reasonable requests from the student. If you ask the student for supporting documentation, the student can request that their counselor or treatment provider provide you with an email or letter to verify the provider’s support. Please note that if you reach out directly to Student Health Services or the student’s treatment provider, that provider may not be permitted to release details of a student’s health concerns to you without the student’s consent.</p> <p>If you are concerned about the physical or mental well-being of a student, please consider filing a WashU Cares report. https://washucares.wustl.edu/</p>
Disabilities under the American Disabilities Act or Section 504 of the Rehabilitation Act	The student, who has registered with Disability Resources, will give you their VISA (Verification of Individual Student Accommodation) to verify they have been approved for accommodations.	Student may require learning accommodations (note-takers, reduced courseloads), testing accommodations (extended time, use of a computer for essay exams, reduced distraction test location), or access accommodations (physically accessible classroom, accessible web, electronic and information technology).	<p>Provide the testing or course accommodations for which the student has been approved. If you have concerns about the accommodations in the context of your specific course, you may reach out to Disability Resources (disabilityresources@wustl.edu).</p> <p>More information can be found in this FAQ Section.</p>

Please note that if you have questions or concerns regarding whether an accommodation request is reasonable or might constitute a fundamental alteration of your course, please contact the Title IX Office, Disability Resources, or the appropriate School Dean’s Office, as applicable.