

AY 2015-2016  
Annual Assessment  
of Effectiveness of Anti-Harassment Efforts,  
Including Proposed Recommendations for  
Improving the University's Anti-Harassment  
Program



University of Montana  
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## A. Background and Summary

This annual report highlights and assesses the effectiveness of anti-harassment efforts at the University of Montana. It covers the period from July 1, 2015, through June 30, 2016.<sup>1</sup> Safety is an essential and ongoing priority for our learning environment. Efforts focus on education and prevention, clear policies, reporting, collaboration across the campus and across the Missoula community, and student and employee involvement. Collaboration continues between University groups such as the Student Advocacy Resource Center (SARC), the University Police Department (UMPD), the Title IX Coordinator, the Dean of Students, Residence Life professionals and student staff, and academic advisors. In addition, the University remained active in the community coalitions such as JUST Response, formed to prevent and respond to sexual violence and discrimination in Missoula, Montana. Highlights of activities are summarized below:

### Resources and Policies

- Web Resources: A comprehensive “[Campus Safety](#)” link on the University home page gives immediate access to Policies, Online Reporting and resources.
- A [Title IX webpage](#) is hosted on the [Equal Opportunity website](#). That page contains information on: Reporting, Title IX at the University of Montana, the University Investigation Process, What Employees Need to Know, What Complainants Need to Know, What Respondents Need to Know, and Title IX Resources.
- Posters and flyers have been distributed on “Reporting Sexual Assault, Sexual Harassment, and Interpersonal Violence at the University of Montana,” and “Resources Available for Students.” They cover information on employee mandated reporting, confidential resources, the Title IX Coordinator, and how to report.
- Notices and information about the Title IX Coordinator were widely disseminated to the University community.
- All new Griz Cards (student IDs) are printed with contact information for UM Police, Title IX Coordinator, Dean of Students, and SARC.
- A description of the Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation policy and procedures is cross-referenced in the University Student Conduct Code.

### Education and Prevention

- Training occurs on an ongoing basis on the University’s [Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation policy](#) and procedures.

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<sup>1</sup> University fiscal year is being used for consistency.

- University personnel involved in processing, investigating, or resolving complaints of sexual misconduct received comprehensive training, as did all Resident Assistants, Athletics, University Police (UMPD), Curry Health Center employees, SARC, Academic Advisors, and other campus personnel who are likely to receive reports of relationship violence, sexual misconduct, or sexual violence.
- All University employees are required to take an online tutorial regarding discrimination, harassment, and their responsibility to report specific information regarding students who have experienced harassment and sexual misconduct to the Title IX Coordinator.
- University Police continue to train its personnel on its Sexual Assault Investigation Policy. The Policy includes consistent referrals to the Title IX Coordinator and other resources.
- University Police have completed more than 900 hours of training on sexual assault response, investigation, supervision, documentation, and campus and community resources in order to ensure a victim-centered investigation.
- University Police began training on lethality assessment in domestic violence cases. The Title IX Coordinator and office staff are involved in this training to discuss campus response.
- SARC trained every junior on campus in bystander intervention skills by offering more than 50 trainings. Many more students from first year students through seniors received this training through their involvement in student groups on campus, residence halls, SARC's two-day bystander blitz training and resource fair, and other opportunities. The 2015 Campus Climate Survey, which was taken by students even before 2015-2016 bystander trainings occurred, show that in 2014 and 2015, there was a large increase in the percentage of students who found the training "very much" helpful. Also, in 2014 and 2015, there was a large increase in the percentage of females and males who endorsed "very much" in response to the question "did you learn the skills to feel like you could step in to intervene?"!
- Additional revised student outreach training continued via Personal Empowerment Through Self-Awareness (PETS), UM's online specialized tutorial for sexual assault prevention; AlcoholEdu via EverFi, an online risk reduction module that also reinforces sexual assault prevention; Beer Goggles (via Curry Health Center's Wellness program), an in-person training program addressing alcohol consumption and safety tips to avoid risk factors regarding sexual assault on campus; and bystander intervention role play skits during orientation provided by UM Advocates via Residence Life.
  - "Slice of Life" orientation skits hosted by "New Student and Family Programs" and Residence Life occur during each of the four-day orientation sessions. Content includes role-plays of bystander situations that model prevention of a potential sexual assault situation.
  - "Beer Goggles" is a multimedia risk reduction presentation using skits regarding alcohol and drug use, and safe dating/relationship tips produced and implemented by the Wellness Department of Curry Health Center.
  - "AlcoholEdu," a product of EverFi, was implemented across the Montana University System. It contains prevention and risk reduction tips for

staying safe with alcohol consumption in general and as it relates to increased risk for sexual assault perpetration and victimization.

- StepUp was used in residence halls to reiterate positive behavioral intervention strategies.
  - For the coming 2016-2017 school year all first year students will be receiving training online through PETSAs and in person through bystander intervention training. Alcohol.edu will continue. Juniors will receive a refresher online training. Additional opportunities for learning will continue for all students.
- Thirteen courses taught on campus directly address the topics of relationship violence and/or sexual assault, including undergraduate and graduate level three-credit courses (e.g., Gender and Society, Psychology of Family Violence, Intimate and Family Relationships, Gender and Communication, and Human Sexuality). More than 500 students were enrolled in these courses this past year.
- Sexual Assault Awareness Month in April saw numerous activities on campus led by SARC including 14 bystander intervention opportunities, a poetry slam, display of the Hope quilt on the oval- an artistic patchwork with messages of support, hope and unity for those affected by sexual violence.
- A first year seminar open to all first year students was piloted, which covered many issues including campus safety, Title IX, and alcohol.
- DiverseU was expanded to two days to promote dialogue and understanding.
- Trans-101, a student led training open to all employees, created open sharing and information about the student transgender experience. The UM Allies training continued this year.

### Climate

- The University Council on Student Assault (UCSA) subgroup meets to conduct monthly case reviews of reports of sexual misconduct, relationship violence, sexual violence, and sexual harassment involving students.
- The third Safe Campus Survey (campus climate survey) was conducted during the 2015-2016 school year, and has been evaluated by a working group of professionals who reported back to the UCSA about gained knowledge and recommendations.<sup>2</sup>
- The University continued involvement in local multidisciplinary agency boards and councils in the community such as Just Response, a community criminal justice system response to domestic violence and sexual assault. One result of this working group was the creation of a community resource guide “It’s Your Call 911: Our Immediate Response to Sexual Assault is ‘How Can We Help?’” This resource guide, first published in 2012,

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• <sup>2</sup> The climate survey is further referenced in the next section.

contains information about community and campus resources as well as risk reduction and prevention tips.

- The Missoula branch of the American Association of University Women honored University of Montana President Royce Engstrom for his efforts to improve sexual assault response and prevention on campus.

## **B. Review of 2015-2016 Climate Survey**

The Campus Climate Survey for 2015-2016 has been administered, the third time since 2014, and was open for participants through the end of the Fall Semester 2015. The climate survey 1) assesses students' attitudes and knowledge regarding various types of sex-based harassment, including (i) sexual harassment, (ii) sexual assault, and (iii) retaliation; 2) gathers information regarding students' experience with sex discrimination while attending the University; 3) determines whether students know when and how to report such misconduct; 4) gauges students' comfort level with reporting such misconduct; 5) identifies any barriers to reporting; 6) assesses students' familiarity with the University's outreach, education, and prevention efforts to identify which strategies are effective; and 7) solicits student input on how the University can encourage reporting of sexual harassment, sexual assault, and retaliation, and better respond to such reports. The university advertised the climate survey and "prizes" for participating through posters, online in two key places: The University's main webpage and on Moodle, the tool all students, on and off campus, use for academic work, and also through the DEN screens in all residence halls.

Several additional changes were made to the 2015 climate survey to address some of the findings from the prior two years and recommendations from the DOJ/OCR about things such as barriers to reporting and effect on living environment.

Nearly 1500 students completed the entire survey over the course of Fall Semester. The web button on the main page was also used to ease access, as well as center stage on Moodle online platform from October 2<sup>nd</sup> week until finals week. Fall Semester ended December 18, 2015 and winter break began for faculty and students. Faculty and students returned to school January 25, 2016. Dr. Chris Fiore and her team, the UCSA Educational Climate Subcommittee, cleaned and began to analyze the data. The team promptly shared survey results and analysis with the Title IX Coordinator, SARC and UMPD on a one-on-one basis by early March, 2016. The Climate Survey was also on the UCSA agenda monthly and presentations and communication with impacted service groups happened throughout spring semester 2016.

The team also made recommendations for appropriate and responsive actions to be taken by the University. The year three data confirmed true evidence of significant and meaningful positive change to the campus climate.

## **C. Recommendations from 2015-2016 Climate Survey Data**

In response to the significant increase in perceived level of comfort and familiarity in reporting to the Title IX office: *Continue to educate and represent the role and presence of Title IX office in training, materials, and online programs.*

In response to consistent increases in familiarity with UMPD services: *Keep up police visibility, participation in activities and committees on campus and interactions with students.*

In response to almost no change in student knowledge of the discrimination policies and where to locate them: *Discussion of the persistence of this finding among UCSA members resulted in agreement that the next revision of PETSAs would include a brief spot of the University webpage where policies can be located.*

In response to the fact that our students tend to do better rejecting rape myths than the national normative sample however, two subscales show the most need for education: “He didn’t mean to” and “She lied”: *Continued education is essential to challenging rape myths. This involves consistent messaging and ongoing educational opportunities. Also, exploring the impact of the gender of the trainer (SARC has MALE trainers), and looking to provide a safe environment to challenge myths among a same gender. Subjective data from trainers supports men preferring participation in trainings led by men. The UCSA subcommittee on prevention will also brainstorm alternative training formats and approaches given this data and explore impacts.*

These results on the Rape Myth Acceptance Scales have to do with impact on attitudes through University educational efforts. Attitudes are much harder to impact than knowledge and participation. This section should be viewed as more a barometer of deep culture change. This is not only an assessment of campus culture as attitudes are formed over a lifetime and with multiple influences. There is some belief prolonged educational efforts eventually can impact attitudes. Again, it is positive to note that overall, in most areas on the IRMA (Illinois Rape Myth Acceptance Scale) our students tend to do better rejecting rape myths than the national normative sample.

In response to strong positive response to Bystander training where students find they have learned new skills toward intervention: *Keep up this approach to making Bystander training accessible and desirable. This is a positive approach to engaging students in solutions and students change in enthusiasm is important.*

In response to student caution in “stepping in”: *More needs to be done to assist in confidence of using the skills. Such fine tuning is standard in the delivery of educational programming.*

Other topics covered included barriers to reporting. The climate survey was able to break down ideas about barriers to those endorsed specifically by individuals who have experienced sex-based discrimination sometime in their life. As just one piece of this data, in every category of discrimination, the largest number of students endorsed “I was concerned about media attention” if they reported to any entity. The second highest concern across all categories was “I don’t trust the justice system.” *One recommendation is to incorporate into training “mandated reporters” the specific barriers expressed so they understand likely attitudes and responses of students. Another recommendation is for the UCSA case review group to go over all barriers in light of*

*case reporting statistics to identify areas where the university could take action to remove barriers where possible. However, just like rape attitudes, influencing media and the justice system response to sexual violence requires culture change and directly impacting these particular areas may be beyond the scope of any University program. The area of barriers is clearly complex and yet extremely important and we will continue to consider areas for improvement and educational enhancement as possible in future efforts. Other barriers were and will continue to be reported to those working with students to consistently work on removing barriers.*

As one additional result of the analysis, Dr. Fiore and her team put together questions for focus groups in order to delve deeper into the climate survey results. They received feedback from the UCSA full committee on the focus group questions. Focus groups began in May 2016 with students who are involved on the campus as residence hall assistants, through fraternity and sororities, ASUM and as student athletes. The results of the focus groups will be shared with the same individuals and entities for responsive action.

#### **D. Review of Reports and Responses**

Between July 1, 2015 and June 30, 2016, the Office of Equal Opportunity and Affirmative Action/Title IX Coordinator received 96 Title IX reports.<sup>3</sup> Reports covered sexual harassment, sex-based discrimination, relationship violence, sexual misconduct, stalking, retaliation, sexual assault, and sexual intercourse without consent that involves at least one student.<sup>4</sup> Reports of other forms of discrimination are not included in this report. At the University of Montana, all University employees<sup>5</sup> are required to report sexual harassment, sex-based discrimination, relationship violence, sexual misconduct, stalking, retaliation, sexual assault, sexual intercourse without consent involving a student to the Title IX Coordinator. The majority of reports to the Title IX Coordinator were received from University employees. Students could decide if they wanted to respond to outreach from the Title IX Coordinator offering information and resources. Some students chose not to respond. Reports also came from students who directly experienced one of these behaviors as well as from third party reporters.

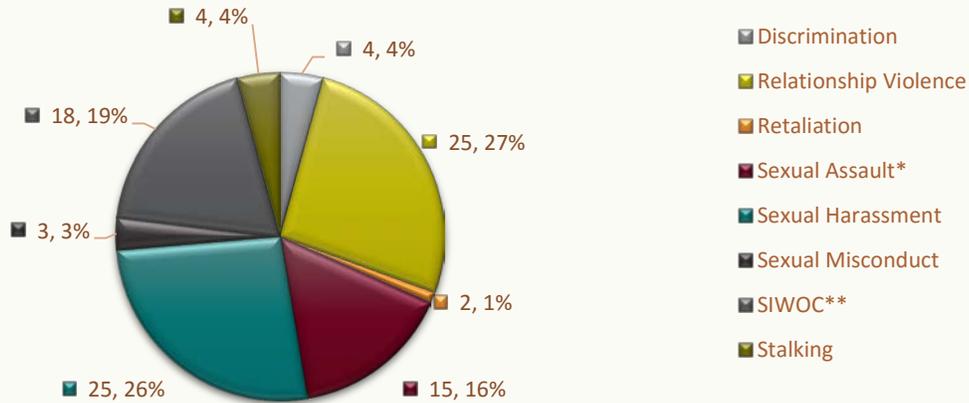
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<sup>3</sup> The data outlined in this document refers to any case reported to the Title IX Coordinator between July 1, 2015-June 30, 2016. It does not include any case that was reported prior to that time period that may still be under investigation. The data outlined above and discussed below should be treated as fairly accurate, but is not hard data.

<sup>4</sup> The Discrimination Policy also covers protected-class discrimination and harassment including ADA violations. Those cases are not covered in this report.

<sup>5</sup> Confidential resources such as Curry Medical Center employees, and SARC employees are not required to report.

## 2015-2016 Case Reports by Incident Type



\*Sexual Assault --An actual or attempted sexual contact with another person without that person's consent not including SIWOC

\*\*SIWOC-- Sexual Intercourse Without Consent, commonly known as rape.

### E. Resources and Interim Measures

In all cases where a report was received by the Title IX Coordinator, the Title IX office sent or emailed information about beginning a University investigation or police investigation, and information about resources to the complainant. Of these resources, called interim measures, 18 students received academic accommodations such as help asking to re-take a test they missed, 12 students obtained a campus no contact directive, at least 9 students obtained counseling by going through the Title IX office rather than on their own, 6 students received safety planning, and 6 students received enrollment assistance. The Title IX Office also provided other assistance, such as housing accommodations. SARC, the campus confidential advocacy center, also assisted a number of students in obtaining these same type of assistance and interim measures. Due to confidentiality restrictions, these numbers of services are not included.

## F. Investigations and Analysis

Seven students went through a university investigation. The accused was found responsible, by a preponderance of evidence, for violating the policy in 4 of the 7 cases. Sanctions in three cases included suspension for varied number of years, continuation of no contact directives and other measures. The sanction in the fourth case was disciplinary probation, continuation of a no contact directive and other measures. In reviewing reports made to the Title IX Coordinator over the past year, and results from the climate survey, a number of factors seem to be influencing whether a student chooses to pursue a formal university investigation:

- The interim measures (e.g., no-contact directive, academic accommodations, housing accommodations) and other informal actions the university puts in place are effective in addressing the issues
- Criminal proceedings are already occurring
- Considerations of the trauma cycle. Typically, students seek services, support and resources during the acute (immediate) phase of the cycle. Following this acute phase, the student survivor's brain has a natural reaction to avoid further trauma or situations that may trigger re-occurring trauma. As this phase dissipates (about one year after the trauma), there's a high likelihood that the survivor will reconnect with the initial services, support and resources that were available previously
- Some students choose to leave the University to return to be with family for support
- Some students wish to maintain complete confidentiality or do not link their healing with an investigation
- The amount of time it takes for an investigation and the unknown processes
- Media issues related to local and national university Title IX cases may be a dissuading factor as they consider pursuing an investigation—some of this is general and some is specific to the University of Montana. This year Missoula media was again filled with news as an author continued to seek confidential student records related to Title IX investigation and process

As noted in the climate survey recommendations, steps will be taken to continue to address those barriers to seeking a formal investigation that the University can influence.

## G. Title IX Reports by Type<sup>6</sup>

**Between the period of July 1, 2015-June 30, 2016, the Title IX Coordinator received 24 reports of relationship violence.**

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<sup>6</sup> Title IX reports covered sexual harassment, sex-based discrimination, relationship violence, sexual misconduct, stalking, retaliation, sexual assault, and sexual intercourse without consent that involves at least one student. They may have been reported by a student or a non-student and may have involved current or past harm. Other acts of discrimination that may violate the University's Discrimination Policy are not included in this report.

Relationship violence is defined in University policy as *“abuse or violence between partners or former partners involving one or more of the following elements:*

- *Battering that causes bodily injury;*
- *Purposely or knowingly causing reasonable apprehension of bodily injury;*
- *Emotional abuse creating apprehension of bodily injury or property damage;*
- *Repeated telephonic, electronic, or other forms of communication -- anonymously or directly -- made with the intent to intimidate, terrify, harass, or threaten.”*

Federal Law governing universities breaks relationship violence into two categories: “dating violence” and “domestic violence.” Under those definitions:

*“Dating violence,” means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.*

*“Domestic violence” includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.*

Many of these reports involved non-students. Fourteen of the respondents were not students. Three of the complainants were not students. In two cases, neither the complainant nor the respondent were known. Several other cases involved protected police information. The relationship violence occurred off-campus (5); on and off-campus (3); in campus housing (12); telephone/electronic communication (3); 2 unknown.

One student requested a university investigation and the respondent was found responsible for violating the policy. The respondent was suspended from campus. Six complainants declined an investigation and 7 complainants chose not to respond to outreach by the Title IX office.

In all cases, access to resources such as SARC, First STEP, Missoula’s Crime Victim Advocate program, and the YWCA were offered to students. Students were offered academic accommodations and safety measures, including no contact directives. In some cases, Residence Life staff worked closely with the complainant to make sure they maintained access to their housing even if their partner moved out or was required to move out of University housing. Three students obtained campus no contact directives.

**Between the period of July 1, 2015- June 30, 2016, the Title IX Coordinator received 15 reports of sexual assault. In addition, the Title IX Coordinator received 18 reports of sexual intercourse without consent, which includes acts commonly defined as rape. This made total of 33 reports.**

Sexual assault is defined in University policy as *“an actual or attempted sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to:*

1. *Involvement in any sexual contact when the victim is unable to consent.*

2. *Intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast).*
3. *Sexual intercourse without consent, including acts commonly referred to as 'rape.'*

*Consent is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent."*

Many of the reports were made by employees after a student spoke to a faculty member about a past incident of sexual assault that occurred at some point in their lives. Nineteen of these cases occurred off-campus. Six complainants were not students. Sixteen respondents were not students. Three no contact directives were implemented. Two (2) complainants chose to go forward with Title IX investigations. Respondents were found responsible in both cases and were suspended from campus. In each reported case, students were given information about advocacy, counseling, and medical resources, and/or were offered academic advocacy and other safety measures such as no contact directives or housing exchanges. Students took advantage of many of these resources. Locations: 19 occurred off campus, 2 in Greek housing, 4 on campus and the other locations were unknown.

**Between the period of July 1, 2015- June 30, 2016, the Title IX Coordinator received 25 reports of sexual harassment.**

The University defines sexual harassment as: *unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, including sexual assault. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex. Consistent with the law, this policy prohibits two types of sexual harassment:*

1. *Tangible Employment or Educational Action - This type of sexual harassment occurs when the terms or conditions of employment, educational benefits, academic grades or opportunities, living environment or participation in a University activity is conditioned upon, either explicitly or implicitly, submission to or rejection of unwelcome sexual advances or requests for sexual favors, or such submission or rejection is a factor in decisions affecting that individual's employment, education, living environment, or participation in a University program or activity. Generally, perpetrators will be agents or employees with some authority from the University.*
2. *Hostile Environment - Sexual harassment may create a hostile environment. A Hostile Environment based on race, color, religion, national origin, creed, service in the uniformed services, veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation exists when harassment:*

- *is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit a person's ability to participate in or benefit from the University's programs, services, opportunities, or activities; or*
- *when such conduct has the purpose or effect of unreasonably interfering with an individual's employment.*

*Harassment that creates a hostile environment ("hostile environment harassment") violates this policy.*

*A hostile environment can be created by anyone involved in a university program or activity (e.g., administrators, faculty members, students, and even campus guests). Mere offensiveness is not enough to create a hostile environment. Although repeated incidents increase the likelihood that harassment has created a hostile environment, a serious incident, such as a sexual assault, even if isolated, can be sufficient."*

Twenty of the reports came from mandated reporters—employees of the university required to notify the Title IX Coordinator. From the reports, 9 respondents were unknown, 5 were non-affiliates, 7 respondents were employees, 9 were students and one complainant was not a student. One formal investigation led to a finding of a policy violation and disciplinary probation. Three students requested no contact directives. Five complainants declined investigations and 8 chose not to respond to outreach. In cases where the complainant did not want a formal investigation and/or wished to remain anonymous, the Title IX Coordinator identified what measures to take including meeting with the respondent and discussed the inappropriate behavior, trained the respondent on the policy and through follow-up with the complainant was assured that the conduct had stopped. In other cases, the respondent needed additional support and counseling, so actions were taken by the Behavioral Intervention Team to assist the student in stopping behaviors. Individuals were also referred to the Dean of Students. In all cases with informal processes, follow-up confirmed behaviors had stopped. Locations: 7 off campus; 2 on and off-campus; 8 on campus grounds; 4 in campus housing; 3 telephone/electronic communications; 1 unknown.

**Between the period of July 1, 2015- June 30, 2016, the Title IX Coordinator received four reports of stalking.**

The University policy defines stalking as *"repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method, that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death."*

In two of these cases, the respondent was unknown. In at least one of these cases the students worked with UMPD, Title IX, and SARC to create a safety plan. In one case, the University's directive for no contact from the respondent resulted in no additional contact or reported incident. Locations: 1 on campus grounds; 1 in campus housing; 1 telephone/electronic communication; 1 unknown.

**Between the period of July 1, 2015- June 30, 2016, the Title IX Coordinator received three reports of sexual misconduct.**

As counted here, the University policy defines sexual misconduct to include inducing incapacitation for sexual purposes and sexual exploitation. These definitions state:

- B. Inducing incapacitation for sexual purposes includes using drugs, alcohol, or other means with the intent to affect or having an actual effect on the ability of an individual to consent or refuse to consent (as “consent” is defined in this policy) to sexual contact.*
- C. Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone’s advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:*
  - Prostituting another person;*
  - Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;*
  - Non-consensual distribution of photos, other images, or information of an individual’s sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;*
  - Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);*
  - Engaging in non-consensual voyeurism;*
  - Knowingly transmitting an STI, such as HIV, to another without disclosing your STI status;*
  - Exposing one’s genitals in non-consensual circumstances, or inducing another to expose his or her genitals;*
  - Possessing, distributing, viewing or forcing others to view illegal pornography;*

Two complainants directly reported and received appropriate resources. Two complainants declined an investigation and the third complainant was not a student. Locations: 2 telephone/electronic communications; 1 unknown.

**Between the period of July 1, 2015- June 30, 2016, the Title IX Coordinator received two reports of retaliation.**

The reporting student declined an investigation for off-campus conduct, felt safe but wanted a record made. An investigation was completed in the other case and there was not a preponderance of evidence to find a policy violation. Other remedial measures remained in place, however.

## **Between the period of July 1, 2015- June 30, 2016, the Title IX Coordinator received four reports of sex-based discrimination.**

One student declined an investigation and one student requested an informal grievance procedure. One student received a no contact directive. All of the conduct occurred on campus.

### **H. Additional Evaluation and Analysis of Data Collected**

In this time period, overall reports to the Title IX Coordinator increased over last year. Experts typically view an increase in reporting as positive. Climate survey data supports this theory, noting student growing knowledge and comfort in obtaining campus resources. In addition, the number of reports from campus employees who are required to report has grown. This demonstrates an increased understanding and success from training on these issues and requirements. No significant patterns emerged as to the involvement of particular groups of students. The data shows that many students are accessing interim measures and other resources, ensuring that the educational environment of each student reporting harassment is improved.

Every reported case received a preliminary investigation to identify steps the University needs to take. After the preliminary investigation is completed and if no formal investigation is sought or required, those cases are closed with the option to reopen if more information is brought to light or a student makes a request. In those cases that have been closed with the option to reopen, 39% of those complainants received assistance rendered in the form of interim measures or other assistance. Another 25% of cases the complainant specifically declined an investigation but received assistance in the form of interim measures or other assistance. In 31% of cases the complainant did not respond directly to outreach from the Title IX office. Looking at this information in light of the assistance rendered, this data supports the fact that students receive the support they need to maintain their education without choosing to have a formal university investigation that would hold someone responsible.

In addition, the data again suggests that students took seriously the request provided in University outreach, written into the University's Discrimination Policy, and reiterated by PETSAs and other trainings to report behavior even if they were unsure if there was a policy violation. This is supported by the types of complaints received. In many cases, follow-up with complainants showed that safety measures and contacting the respondent to put them on notice of the policy and their behavior had the effect of stopping, preventing, and addressing the effects of the unwanted behaviors that were or would have become sex-based harassment.

### **I. Collaboration**

The year of data reflects that the Title IX Coordinator increased coordination with SARC, which increased access to resources for students. In addition, a significant amount of information about policies and resources was shared with University employees. Data tracked by the Title IX Coordinator reveals that students consistently and promptly received necessary services and information and that the University took steps to stop and remedy the effects of discrimination. Students were offered safety and interim measures, academic advocacy, and resources such as

advocacy and/or counseling and, where appropriate, medical assistance. Formal investigation times varied and the University will continue to look at this matter to work with students in the best and most appropriate way for each situation. Together, the Title IX team and SARC provided training across departments and answered first responder questions regarding how to support a survivor. The Title IX Coordinator and the SARC Director also continued a default advocate policy. This policy ensured that a SARC advocate was present for the Title IX team's initial meeting with a student. In addition, SARC worked closely with the Title IX Coordinator in assisting students with interim measures.

The Title IX Coordinator also collaborated closely with Residence Life professional staff, the Dean of Students, academic advisors, and UMPD. Where applicable, information about how to report to the police was given. Together they coordinated to provide necessary information about resources, safety planning, and choices regarding the University process, additional assistance, and follow-up. The University provided significant follow-up through personal phone calls, outreach by professional Residence Life staff, and appointments with academic advisors and the Dean of Students.

## **J. Recommendations from University Council on Student Assault**

The UCSA has a long history at the University. This year the UCSA met as an umbrella group that served as the Coordinated Campus Response to keep student, staff, faculty, the Missoula community, and State of Montana community groups apprised of efforts related to policies, programs, prevention efforts, trainings, and other issues relevant to relationship violence, sexual violence, and Title IX.

Changes were made to have the Director of SARC and the Title IX Coordinator, together with a faculty member co-chair the committee to ensure continued forward trend and continued focus on policy, prevention, welcoming and trauma informed practices and compliance.

UCSA meetings highlighted best practices on relevant issues through discussion of trainings members offered and attended on and off campus and in and out of state. Small working groups met on an ad hoc basis to delve into specific issues. As one example, a media committee partnered with the community Just Response CCR group to analyze how local media reporting of interpersonal violence may affect victim behavior and reporting practices. For example, the release of Jon Krakauer's book *Missoula: Rape and the Justice System in a College Town* has been reported on in the local *Missoulian* newspaper multiple times per month since at least February 2015. In addition, the working group has created a list of some reported stories during this reporting period and reflected on issues such as word choice and level of detail that could identify victims or their children in this small community. Students responding to the climate surveys confirmed that media can pose a barrier to reporting. The community CCR group will continue to meet and work with local media. Confidentiality and available confidential resources will be stressed to students in all training sessions so they are aware the University would not disclose their private information so they can get assistance they need.

The UCSA confidential case review working group was another group that met confidentially in order to monitor cases, make recommendations for actions and follow-up actions, and analyze trends. This group meets monthly and includes the Title IX Coordinator, UMPD, Residence Life, Dean of Students, Vice President of Student Affairs, and SARC. Some of the individuals in this group are part of the Behavioral Intervention Team and others are involved in the campus climate survey implementation and analysis. SARC does not reveal any confidential information but is present to provide input on a trauma-informed response. To date, the UCSA case review committee has reviewed every case that was reported through June 2016. Among other things, the group explicitly discussed whether/what action was needed where a complainant did not wish any action to be taken. It also addressed when/if a student needed to be referred to the Behavioral Intervention Team. The team has also discussed the duration of investigations and reasons students may or may not seek formal university investigations. Together they have looked at ways to reach and communicate with underrepresented groups on campus.

The UCSA made the following observations and recommendations. How the recommendations were followed to date appears in italics:

Below are the recommendations from UCSA:

- PETSAs feedback has shown that students want more information about the process in order to become more comfortable reporting to the Title IX Coordinator.  
Recommendation: Continue to publicize and educate all partners about the new [Title IX website](#) that contains this information. *PETSAs is currently being revised for the 2016-2017 school year with the Title IX Coordinator explaining her role, the Dean of Students talking about disciplinary outcomes and reminding students where to look on the University website for assistance.*
- Further study into different ways of reaching students—Could the University text information to students or provide them with information about helpful mobile phone apps? *The University has expanded to use, and will continue to use Moodle, cyberbear, DEN screens in residence halls, as well as the internet. The University is currently working on a UM mobile phone app that, when launched, will have a component relating to resources, policies and reporting.*
- Reach out to underrepresented or vulnerable student populations to make sure information is sent and received in an appropriate way for Native American students, LGBTIQ students, students with disabilities, and other diverse populations. *This is an ongoing goal and SARC has played a key role in this effort of identifying better communication.*
- Make more connections between bystander trainings, cultural awareness trainings, and Title IX trainings. *This year all juniors received in person bystander training followed by an education fair that made these connections. UCSA members involved with various student groups such as student athletes, Greek life and ROTC continue to create additional education opportunities.*
- Have the Title IX Coordinator be more visible at Orientation. *The Title IX Coordinator met with all of the students running the orientations, will host a table in the oval during orientation activities such as student welcome feast and will be*

*involved in first year student seminars. The Title IX Office also hosted a booth at the bystander education blitz held during Spring Semester.*

- Increased education for academic advisors, as climate survey shows that, after friends, academic advisors are the individuals to whom students most likely will turn for support. *The Title IX Coordinator provided training to advisors and open training for all employees.*
- Continue to provide information about mandated reporting as data shows that most reports to the Title IX Coordinator came from employees. *This is continued to all new employees and through the ongoing provision of resources to current employees.*
- Increased education and advertising of current resources will also allow students to make informed decisions about confidentiality, reporting to the Title IX Coordinator, and investigation and adjudication. *Resources guides will be handed out to all new students and placed in locations where students may seek such resources such as Curry Health Center and with advisors.*

## **K. Conclusion**

The University continues to monitor the effectiveness of its efforts to prevent and address sex-based harassment and retaliation and to promote a non-discriminatory school climate. In this past year the University has seen improved outcomes from the efforts made by the entire UM community pulling together to tackle these issues. More work can always be done and will be done to keep UM safe. At UM, we care; we are here for each other.