



YALE WOMEN'S
CENTER

Report on University
Sexual Misconduct Policies
and Procedures

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The following report considers Yale's systems for addressing sexual violence on campus. All findings are in aggregate and there is no discussion of individual student cases.

I. Executive Summary

As representatives of the Yale College Council and the Yale Women's Center, we set out to engage Yale undergraduates on their views of Yale's sexual misconduct resources. Over the course of several months, we designed a survey that we sent out to all undergraduates on January 14, 2015. Our goal was to give Yale College students from all corners of campus the opportunity to share their feedback regarding Yale's formal and informal complaint processes, as well as barriers to reporting sexual misconduct.

We were particularly fortunate to have the opportunity to work with the University's Title IX Steering Committee throughout this process. During several meetings, we discussed each survey finding and initial recommendation with the Committee, and learned about steps already being taken. We incorporated their feedback in order to develop a stronger and more feasible set of proposals. As a result of our collaboration, the Steering Committee offered written commitments to move forward with most of our recommendations.

What follows is a summary of our primary findings, the recommendations we provided to the Title IX Steering Committee, the Committee's responses and, where appropriate, expected dates for implementation.

A. Misinformation and Confusion

Core issue: Our findings indicate that students are confused by many aspects of Yale's formal and informal complaint processes, and often misinformed about current policies. This was true for students that did and did not have personal experience with the process.

Recommendation	Status
Make information more accessible and user-friendly by revamping web platforms.	In progress To be completed Fall 2015
Expand freshman orientation programming regarding sexual misconduct complaint reporting options and support services.	In progress To be completed Fall 2015
Broaden SHARE's outreach to better inform the campus of the breadth of its offerings.	Partially in progress Plans in place for focus groups To be completed Fall 2015

B. Reporting an Incident

Core issue: Survey respondents cited a wide range of barriers encountered in the reporting process, from concerns about timeline to social stigma in the community. Several students seemed to feel overwhelmed by the number of reporting options available, which in some instances contributed to decisions not to report.

Recommendation	Status
Streamline the information provided to students about possible reporting pathways.	In progress To be completed Fall 2015 with additional ongoing measures
Better manage expectations about the timeline of the formal UWC complaint process.	Largely completed; policy clarifications to be in place by Fall 2015

C. Navigating the Complaint Process

Core issue: Although many students spoke to the system’s strengths, others raised concerns with UWC composition and training, Title IX email communication policies, Title IX funding and resourcing, quality of advisors, and expectations of confidentiality.

Recommendation	Status
Increase funding and hire more staff for the Title IX Office and the UWC.	Some hiring expansion already complete; preliminary approval for additional staff next year
Build a UWC whose membership reflects the diversity of Yale’s community.	In progress Ongoing process
Increase the availability of quality advising resources for complaints and respondents.	In progress To be completed Fall 2015
Fortify follow-up protocol for email communication with students participating in a complaint process.	Under discussion

D. Support Systems and Services

Core issue: Many survey responses mentioned experiencing positive support from various services such as SHARE, but they also expressed a desire for stronger integration between SHARE and Yale’s broader mental health services, as well as a better enforcement mechanism for no-contact orders.

Recommendation	Status
Identify faculty and staff members, such as residential college deans and masters, to whom students are likely to look for support, and provide them with additional support training.	In progress Ongoing process
Clarify the procedures and expectations for no-contact orders, and improve their enforcement.	Under discussion
Expand attention to collaboration between SHARE and Yale Mental Health and Counseling to ensure holistic care for survivors and complaint respondents.	In progress To be completed Fall 2015 with additional ongoing measures

E. Outcome and Process

Core issue: Although many students were dissatisfied with the outcomes of disciplinary hearings, they were evenly split between those that wanted more severe penalties for complaint respondents and those that wanted more lenient penalties.

Recommendation	Status
Better advertise the Title IX Office's informal complaint process.	In progress To be completed Fall 2015 with additional ongoing measures
Harmonize the Title IX informal process and the UWC informal process by maintaining seamless communication between the UWC and the Title IX Office. Explore the benefits and risks of maintaining the informal UWC process.	Under discussion

F. The Community's Role

Core issue: Although the Title IX Steering Committee has the authority to make many policy and procedure changes on its own, the Yale administration cannot single-handedly improve the sexual misconduct reporting and complaint process. Members of the Yale community must also do their part. Below are recommendations for others in Yale's community.

For whom	Recommendation
For all members of the Yale community	<ol style="list-style-type: none"> 1. Eliminate social stigma surrounding reporting. Avoid rushes to judgment and provide support for students going through the complaint process. 2. Stay informed and aware of the university's educational resources on sexual assault support systems and reporting options.
For faculty and staff	<ol style="list-style-type: none"> 3. Encourage more faculty and staff to volunteer as designated student advisors or UWC committee members.
For student publications	<ol style="list-style-type: none"> 4. Support responsible coverage of sexual misconduct that respects confidentiality and presents a balanced and accurate understanding of the issue.
For the next YCC administration	<ol style="list-style-type: none"> 5. Advertise applications for student membership on University Committees relating to sexual misconduct, including the Title IX Advisory Board and the UWC. 6. Continue to engage in projects and initiatives that support university efforts to improve Yale's sexual climate.

II. Introduction

When we first set out to write this report, we realized that there had been few opportunities for the Title IX Office to hear feedback from the student body at large. Our survey aimed to bridge the gap between administrative perceptions of and student experiences with Yale's sexual misconduct resources. In a period of national attention to sexual violence on college campuses, we wanted to ground Yale's campus discourse in data.

The Yale College Council and the Yale Women's Center have partnered to carry out this project. These two organizations bring different perspectives to the initiative. While the Yale College Council represents the student body, the Women's Center is an umbrella organization that serves the Yale community by focusing on issues of gender and sexuality. Students in both of these organizations are further involved in addressing sexual misconduct on campus by serving on the Undergraduate Title IX Advisory Board and the UWC, as well as in other related roles.

We began this process with an undergraduate-wide survey, the results of which have formed the basis for our report. However, throughout the process we also engaged in conversation with students and members of the Title IX Steering Committee. In our culminating report, we present the results of our data analysis, our proposed recommendations to improve the system going forward, and the results of our discussions with the Title IX Steering Committee.

Unlike previous reports, this report is unique because it not only contains recommendations but also commitments from relevant administrators. It outlines action steps that will be taken to implement the proposals that arose from our findings, along with deadlines for their completion. By forming a strong collaboration between students and administrators, we were able to determine feasible proposals and achieve concrete results. However, the collaboration need not end here. As our recommendations are implemented in the coming months, we hope the student body at large will use this opportunity to become further involved in improving Yale's sexual climate.

III. Our Methods

The administration has always been open to student feedback through individual outreach. However, our survey worked to reach a larger pool of students, particularly those without direct or indirect experience using the University's Title IX resources. It is important to note that our survey emphasized qualitative over quantitative information; we received 75 responses, but almost every one contained substantive and thoughtful feedback.

We spent November and December 2014 designing the survey with input from the Office of Institutional Research (OIR).¹ The survey consisted of four optional, free-response questions, and was administered online through an anonymous link to a Qualtrics platform managed by OIR. The survey link was distributed through email to the undergraduate population, and students were able to submit anonymous responses to the survey for a period of 10 days, from January 14 to January 23, 2015. Please see Appendix 1 for a copy of the email introduction that was sent to students with the link to the anonymous survey, as well as a full copy of the survey instructions and questions.²

Prior to participating in the survey, students were told that identifying information contained within any responses would be masked prior to analysis by YCC and Women's Center representatives and that all responses would be reported in aggregate. When the survey was closed to responses by OIR, staff from the Title IX Office and OIR met to review the data together and remove all identifying information from the raw survey responses before the data was given to students for analysis. In accordance with Yale's Title IX regulations, the Title IX office followed up on any survey responses that discussed specific unreported incidents of sexual misconduct with identifying information. The de-identified (masked) responses were stored in OIR. We accessed hard copies of the responses during meetings with staff from OIR and were not permitted to remove any copies from OIR.

¹ <http://oir.yale.edu/>

² Prior to launching the survey, we contacted the Institutional Review Board (IRB) to inform them of our planned project and to seek guidance regarding the necessity of Human Subjects Committee review of the survey instrument and methods. The IRB determined that this project did not constitute "human subjects research" and therefore was not required to undergo further review.

After receiving access to the de-identified survey responses, we coded responses into discrete categories in order to identify trends. To do this, we established a series of questions *a priori* to ask of the data and assigned numerical definitions to possible types of responses (e.g. "Has the survey-taker had experience filing a formal complaint?" Yes=1, No=0). In addition to coding the responses into categories based on research questions that we had identified ahead of time, we also identified coding questions to pursue based on extensive reading of the responses and preliminary coding outcomes. Coding outcomes were recorded in a shared spreadsheet, which was then used to create summary analyses and probe relationships between variables. By coding the survey responses in this manner, we endeavored to limit the extent to which the analysis would be biased by our own assumptions about the data. The trends we found serve as the basis for this report.

The following sections will explain our results and recommendations in further detail. Please see Appendix 2 for summary information regarding the administrative bodies that were consulted in the production of this report, as well as those that respond to and adjudicate cases of sexual misconduct at Yale.

IV. Analysis of Responses and Recommendations for University Action

We received 75 survey responses from students with diverse viewpoints and types of experiences, including students with personal experience using Yale's sexual misconduct resources (n=27) and those without it (n=48). Various reporting tracks were mentioned and students discussed experience with both Yale's informal (n=7) and formal (n=22) complaint processes. Many survey respondents provided specific suggestions for improvement of Yale's resources (n=27). We took into account these ideas, as well as other trends identified in our analysis, while crafting the recommendations found in this report.

Section 1: Misinformation and Confusion

Survey responses indicated that the prevalence of misinformation and self-reported confusion among undergraduates is concerningly high—even above what we might expect given that Yale's sexual misconduct reporting system has been in place in its current form for only four years.

A. Prevalence of misinformation: Without specific prompting in the survey questions, more than 25% of substantive responses mentioned confusion regarding the workings of the reporting process (n=18). Equally concerning, 31% (n=20) of substantive responses contained instances of misinformation. We defined misinformation as statements that contained incorrect facts about the process as it currently exists. In all, approximately half of the students who gave substantive responses to the survey indicated either confusion or misinformation (n=33). This finding was particularly striking, given that none of the survey questions specifically asked about confusion and that our survey respondents could be a self-selected group of students who were especially engaged with the topic of sexual misconduct on campus and the related reporting procedures.

B. Particular areas of confusion: Misinformation and confusion were a common theme for survey respondents regardless of their background or familiarity with the process. However, the types of misinformation and confusion expressed did seem to change according to the degree of personal experience the survey respondent had with the process. When survey respondents only knew about the reporting process through second-hand sources, they were unlikely to express familiarity with even basic

features of Yale's reporting infrastructure. For example, 6 of 7 people who mentioned the informal reporting process as distinct from the formal reporting process had personal experience with the process. Similarly, 18 of 22 survey respondents that specifically mentioned the formal process had personal experience. Some of those without personal experience filing complaints (n=48) used vague terms like "the administration" rather than discussing specific offices, and were less likely to highlight specific features of the process.

C. Who is confused: Due to the complexity of the overall system, even people who mentioned having gone through the process themselves remained confused and misinformed. Even students who could mention the roles of particular offices indicated confusion in other areas. This finding does not serve to invalidate the complaints students have voiced about the system. Rather, it highlights the complexity of the reporting system and the difficulty students and administrators face in trying to reform the system.

The only trait we found that correlated with an increased likelihood to express confusion or misinformation was the tendency to "pick a side." Survey respondents who wrote exclusively from the perspective of the complainant or the respondent were generally more likely to be misinformed compared to the general population of survey respondents. This effect was particularly strongly observed among survey respondents who wrote from the perspective of the respondent (n=11), whether they wrote about a specific incident (n=4) or not (n=7). In addition, all three students in the sample who alleged a systematic gender bias against men in the complaint process were misinformed about the process in some way.

The largest concern arising from this data is that students who have experienced incidents of misconduct will decide not to file a complaint because they are confused by what that process would entail or they believe misinformation about it.

Recommendations:

- I. **Make information more accessible and user-friendly by revamping web platforms.** Many undergraduates turn to the web to find information, but Yale's websites related to sexual misconduct are confusing and hard to navigate. This is a problem for both students looking to learn more about the system

casually and those that are looking for immediate help. Yale administrators should improve the layout of the websites, update their content, and create clear links between related sites.

Response from Title IX Steering: “Web redesign began earlier in the year and is in process; content from the Sexual Misconduct Response website has been transferred to a more user-friendly platform and will be significantly redesigned to be clearer, more accessible and more useful. An outside consultant has been engaged to advise the Title IX Steering Committee on many aspects of communication, including web design and content. The Title IX student advisory boards have also been engaged in this initiative and have provided valuable input; their ideas, as well as those of other students, have been and will continue to be reflected in communications enhancements. We expect the web redesign and print materials to be completed by the fall of 2015, in time for the incoming student orientations.”

- II. **Expand freshman orientation programming regarding sexual misconduct complaint reporting and support services.** Freshman orientation is the one time when all students are introduced to Yale’s resources and systems in a comprehensive way. As such, it is a crucial time to discuss consent, sexual respect, and the places students can go to find help. Although programs for freshmen are currently in place, they should be continually re-evaluated and expanded to ensure they are of the highest quality possible. As these materials are improved, the way they are disseminated should also be expanded to increase accessibility for all Yalies throughout their time on campus.

Response from Title IX Steering: “This is already planned for the fall of 2015. We have worked with the Freshman Orientation Committee to secure additional time in the orientation schedule. We are designing the new content to be accessible beyond orientation—we want it to be a resource for students throughout their time at Yale.”

- III. **Broaden SHARE’s outreach to better inform the campus of the breadth of its offerings.** SHARE is a useful and popular option, but despite

that, some students have misconceptions about the kind of work they engage in. All students should know that they assist with “a variety of concerns, large and small” and that the phone line can be used beyond instances of crisis. In addition, they should emphasize that their staff is made up of trained mental health professionals, all calls to their 24/7 phone line are completely confidential, and they will advocate for survivors through university and court proceedings.

Response from Title IX Steering: “Many of the messages called for—that SHARE is a great starting point, that anyone can call SHARE, that SHARE can help even in non-crisis situations—are already part of SHARE’s communication strategy. SHARE and others will continue to emphasize those messages, and will meet with the Title IX student advisory boards and the CCEs in the fall to identify new strategies. The website revisions and the newly expanded segment of freshman orientation will help. Additions to the SHARE website will include specific information about how SHARE and Mental Health & Counseling work together, as well as a clear statement on why and when to call SHARE.”

Section 2: Reporting an Incident

Overall students wrote positively both about the wide range of reporting options available and also about the diverse options Yale offers for counsel and support, including Communication and Consent Educators (CCEs), Walden Peer Counselors, the SHARE Center, Peer Liaisons, freshmen counselors, and others (n=17). Over one-third (n=26) of survey respondents spoke of support they received throughout the reporting process, with particular enthusiasm devoted to the SHARE Center. However, despite the University’s clear efforts to provide enough options to encourage reporting, survey respondents also wrote about a range of barriers encountered in the reporting process (n=25).

A. Perceived barriers to reporting: Survey responses touched on a variety of perceived barriers encountered in the reporting process, such as the following examples:

- Time consuming nature of the reporting process
- Fear of having to relive the experience
- Fear of interacting with the respondent during UWC hearings³
- Mistrust of the administration
- Fear of retaliation from the respondent
- Fear of social stigma from friends
- Fear of an overly harsh outcome for the respondent
- Lack of information regarding available options
- Expected timeline of the formal reporting process

B. Most prevalent barrier: One particularly notable barrier that students encountered was confusion about systems for reporting. (Although, many also praised the variety of available options.) Some survey respondents mentioned feeling overwhelmed by the number of different options for reporting, unsure of which office or individual to approach first. Some expressed a desire to be directed to SHARE from the beginning, so that counselors there could walk them through their available options.

C. Impact of barriers: The survey responses indicate that perceptions about the reporting process can have a serious impact on students' decisions whether or not report. Over one third of survey respondents who referenced barriers to reporting also mentioned instances of sexual misconduct that were not reported (n=8 out of 25).

Recommendations

- I. Streamline the information provided to students about possible reporting pathways.** Some students seem to feel overwhelmed by the vast number of options available for reporting. The volume of options speaks to the system's strengths, its flexibility, and the agency given to students. While it's important for students to have direct access to Title IX Coordinators, the UWC, and the YPD, they could also be encouraged to begin their reporting process at

³ Note that this particular perceived barrier is premised on a misunderstanding of UWC procedures. Quote from UWC procedures: "Unless both parties ask to appear jointly, the complainant and the respondent will not appear jointly before the panel at any stage of the hearing. The party who is not before the committee will be in a private room with audio access to the proceedings."

SHARE, where they can simultaneously receive emotional support and counseling regarding the available complaint options. To improve awareness and understanding of these resources, we also recommend that a clear infographic of options be made widely and publicly available to the Yale community.

Response from Title IX Steering: “Work is underway to improve communications about complaint process options; for example, web-based explanatory tables will be replaced or supplemented with easier-to-understand visuals. In addition, the Title IX coordinators, UWC chair and secretary, SHARE, and YPD will continue to work closely with each other to make sure that each office’s messaging about options is clear and consistent.”

- II. Better manage expectations about the timeline of the UWC’s formal complaint process.** In the past year, Yale students and survivors have increasingly shared concerns regarding the UWC’s ability to meet its specified timeline. Articles in the Yale Daily News and other campus publications have called attention to this issue. Survey responses indicate that these concerns have caused some students to question the strength of the reporting process — one student in particular mentioned that he/she even decided not to file a complaint at all. The Title IX office has emphasized the difficulties it encounters in adhering to its target guidelines given the complexities of cases and of coordinating schedules. To maintain accountability and minimize the emotional strain of the process, however, we suggest that the Title IX office and UWC revise their explanation of deadlines and timelines in their procedures to clarify expectations and increase transparency.

Response from Title IX Steering: “The UWC’s Chair and Secretaries do make a particular effort in their communications with parties to describe the relevant time periods and explain any delays. The UWC will review its communications to see where it might improve in this regard.

“In addition, the UWC procedures will be revised to more clearly communicate the necessary flexibility within the complaint timeline. The UWC strives to resolve complaints as swiftly as possible, however the timeline may need to be

extended to accommodate the complexities of a case, the availability of parties and witnesses, the academic calendar, and other such issues. These revisions will be completed in time for the fall of 2015.”

Section 3: Navigating the complaint process:

Of the students who took our survey, about one third cited a personal account—either of themselves or of a friend—using or interacting with Yale’s resources for addressing sexual misconduct (n=27). Though many spoke to the system’s strengths (n=19), some also highlighted areas in which Yale’s services can be improved (n=12). Survey responses discussed a range of factors involved in the UWC’s formal process for addressing sexual misconduct. The factors of primary interest are listed below:

A. UWC composition and training: Some survey respondents raised concerns regarding the demographics of the UWC. They articulated a desire to see the UWC membership diversified in race, gender, and ethnicity. One said that UWC members seemed not to exhibit sufficient understanding of Yale’s social and sexual climate. A few survey responses also called into question UWC sensitivity training—some respondents said they felt uncomfortable with the nature and tone of the questions posed by UWC members during the hearing.

B. Title IX Office email communications: Several survey responses reported problems with email communication from the Title IX Office (n=9). Because the UWC process places emotional strain on all parties, complainants and respondents may want to be in consistent contact with administrators, particularly regarding updates on their cases. Some students were frustrated with lack of follow-up and inconsistencies in their email communications with administrators in the Title IX office, which can be sources of additional stress for students throughout the UWC process.

C. Title IX funding and resources: Some of the major concerns mentioned by students who participated in our survey might be traced back to a lack of resources allocated to the Title IX Office. For instance, concerns pertaining to timeline might in part be answered by hiring more fact finders. Indeed, some survey respondents—all

with personal experience interacting with the UWC—explicitly vocalized a desire to see increased funds and resources allocated to the Title IX office (n=4).

D. Complainant/respondent advisors: Some students—both respondents and complainants—expressed frustration with the advisors they worked with throughout the UWC process. Discussions with administrators involved with the UWC have indicated that it can be particularly difficult for respondents to find advisors willing and able to guide them through the process.

E. Confidentiality: Some survey responses touched on Yale’s confidentiality policies regarding the UWC process (n=19). Some students seem confused about the expectations for complainant and respondent confidentiality and sought clarification in this regard.

Recommendations:

- I. **Increase funding and hire more staff for the Title IX office and the UWC.** Many of our recommendations involve implementing new programs or improving existing ones. Much of this is not possible without adequate funding and staffing. We are pleased with recent increases in staff and resources for these offices (including the addition of a part-time secretary for the UWC), but our recommended expansion of their operations and community engagement will require further funding.

Response from Title IX Steering: “Earlier this year the Title IX Office re-assessed the needs and resources available to support response, education, and prevention efforts on campus and has now secured additional resources for FY16 to address those needs. Some expansion of staffing has already taken place: an additional part-time UWC Secretary position was created in the fall of 2014, in response to the significant increase in the number of formal UWC cases; a part-time project manager position was created in the spring of 2015 to assist the Title IX Office. Other additional resources should be available in 2015-16. The Title IX Office will continue to solicit input from the broader community regarding the adequacy and proper use of those resources.”

- II. **Build a UWC whose membership reflects the diversity of Yale's community.** In order to build public trust in the UWC, it must be diverse in age, race, gender, ethnicity, and sexual orientation. It must also include students, faculty, and staff from a variety of divisions and departments. To engage students, particularly, we suggest that the YCC reach out to encourage participation from all members of the undergraduate community.

Response from Title IX Steering: "The UWC strives for diverse representation in our appointments of faculty, managerial and professional employees, postdocs and students. We will intensify our efforts, with a particular attention to clarifying that priority as we recruit UWC members."

- III. **Increase the availability of quality advising resources for complainants and respondents.** Complainants in an informal or formal process have access to dedicated and experienced advisors from the SHARE Center, whereas respondents normally rely on their residential college dean for advice, who may not have the same level of expertise. In addition, some residential college deans may decline to advise a particular respondent if both parties are from the same residential college or the dean perceives another conflict of interest. We suggest that the university create a pool of dedicated advisors who will be available if Yale community members—whether they be complainants or respondents—desire guidance during the complaint process.

Response from Title IX Steering: "The Title IX Steering Committee is in the process of creating a central pool of advisers available to either party. Students will still be able to ask anyone they wish to be an adviser; SHARE staff will continue to be available to complainants. The central pool of advisers will provide additional resources and support to parties and will receive ongoing training. The Deans of the Schools, the Chaplain's Office, and various other university colleagues are helping us assemble a diverse membership for this pool of advisers. We expect it to be in place by the fall of 2015."

- IV. **Fortify email communication with students participating in a complaint process both during and after.** Emails from students to Title IX

or UWC staff members should be answered within 24 hours, especially if they are from students with an active complaint process. Students should have a single point of contact in each office, and if that person switches, they should be aware of the change. Administrators should also be more proactive in following up with parties through email to the extent that they would like to ensure that complainants feel supported. We suggest they establish an exit communications check-in to establish students' desires for further communications.

Response from Title IX Steering: "The Title IX Office will clarify and share the common features of the processes used for follow up and communication with complainants and respondents, while recognizing that it is important to accommodate the unique needs of each individual, including those needs relating to the frequency and means of communication."

Section 4: Support Systems and Services

Many students who completed our survey spoke positively about the emotional support and counseling that they received from Yale services (n=22). However, some also highlighted areas for improvement in Yale's resources (n=4), particularly those pertaining to no-contact orders and mental health services. Across the survey responses that mentioned support systems and services at Yale, one theme that emerged was that people spoke positively of SHARE and felt most supported by their services. Responses praised a number of SHARE's aspects including its professionalism and accessibility.

A. No-contact orders: Some survey respondents reported frustration with Yale's system for enforcing no-contact orders: they felt that administrators' enforcement of these orders seemed at times inconsistent or inadequate. They also mentioned that administrators did not always clearly communicate what no-contact orders entail for respondents and complainants.

B. Mental health concerns: Some survey respondents raised various concerns regarding mental health services that they had received in response to instances of sexual misconduct (n=12). Of these, many did not think that their service providers at

Yale Health coordinated well with the other support services they used. Some expressed concerns that gaps in communication between their clinicians and their counselors impeded progress in healing or caused stress. Some felt that their continuing treatment programs at Yale Health did not adequately address their new needs as survivors. Many of these survey respondents expressed concerns that Yale Health clinicians were not cross-trained in handling cases of sexual assault and misconduct. Students were concerned that other conditions—such as anxiety and depression—were adversely affected by their experiences and that Yale’s mental health services did not address their new needs.

Recommendations:

- I. **Identify faculty and staff members, such as residential college deans and masters, to whom students are likely to look for support, and provide them with additional support training.** Although many faculty and staff already receive extensive training, the administration should evaluate training procedures to improve their abilities to holistically support students. Since our survey responses indicate weaknesses in the emotional support provided by residential college deans and other advisors, we suggest that the administration re-evaluate this aspect of training to ensure parties are better supported.

Response from Title IX Steering: “The Title IX office intends to utilize the additional staffing resources it has secured to fortify and expand its educational and training programs, with the most intensive focus on those who may receive complaints and/or questions from members of the community. The office will also leverage existing venues and offices to assure that awareness of and engagement in campus efforts to eliminate sexual misconduct is widespread.”

- II. **Clarify the procedures and expectations for no-contact orders, and improve their enforcement.** Title IX should establish clearer and more comprehensive guidelines for what respondents and complainants can expect from no-contact orders. As procedures currently stand, there is no clear system of enforcement of these orders—only the possibility that the complainant could pursue formal charges in the case that the order is violated. Title IX should be

given sufficient power and jurisdiction to implement disciplinary consequences for the violator without a formal adjudication process involving both parties again.

Response from Title IX Steering: “As part of our education-communication initiative, the Title IX office intends to clarify the options available to the community with respect to no-contact orders and will provide additional information about how possible violations of a no-contact order can be addressed.

“Currently, no-contact orders are implemented on a case-by-case basis, taking into account multiple factors including the nature of the restrictions requested, whether students share a residential college or activities, whether a formal complaint has been filed, and the conclusions of any investigation into allegations of a violation of the University’s sexual misconduct policies. We will communicate more fully and clearly about the common features of our processes, but must maintain the flexibility to meet the specific needs of the individuals involved. We will continue to work with students and colleagues to evaluate mechanisms for effective enforcement of no-contact orders.”

- III. **Expand attention to collaboration between SHARE and Mental Health and Counseling to ensure holistic care for survivors and complaint respondents.** Survivors’ needs would be better met if the efforts of these offices were better coordinated. To best serve their clients—if given the client’s full permission—SHARE should be made aware of any underlying mental health concerns. Likewise, Mental Health and Counseling should be fully informed of how best to continue or begin treatment programs for survivors given their experiences with sexual misconduct. SHARE and Mental Health and Counseling should create a formal partnership to reach these goals and work closely to make sure that students who need help with issues in all areas get total care. We recommend that they further pursue and expand this partnership through trainings to better treat students and to communicate that, with their consent, the offices will work in tandem to best support them.

Response from Title IX Steering: “The Director and Assistant Director of SHARE are members of Mental Health and Counseling, and work closely together already. All SHARE staff can discuss the student concerns with their MH&C colleagues, and work to address potential gaps in care. In the future, SHARE will strengthen the discussion of collaboration and holistic care in the annual training they provide to MH&C.

“The UWC staff and Title IX coordinators agree that prompt and reliable communication is very important. They endeavor to respond to e-mails and other communications promptly, generally within 24 hours, and to maintain a single point of contact whenever possible. In addition, SHARE is available 24/7 to provide support and facilitate communications during off hours.”

Section 5: Outcome and Process

Many of the survey respondents expressed concern with the outcomes of Yale’s sexual misconduct reporting process (n=22), but survey respondents were almost equally split as to whether they thought the outcomes of cases were too severe (n=12) or too lenient (n=10) on respondents.

A. Criminal justice system concerns: People on both sides of this divide did express the idea that all complaints of sexual misconduct should be handled by the criminal justice system, although this belief was expressed most strongly by those that felt the outcomes of the complaint process were too severe. The appropriate role of universities in the adjudication of sexual misconduct is an ongoing debate, with voices from various points in the political spectrum. However, on a practical level, most survey respondents seemed to be uninformed that Yale is mandated by federal law to pursue these cases—including those incidents that fall outside of the criminal justice system’s usual purview. Any discussion of “due process,” although crucial for both respondents and complainants, must take into account the latitude Yale actually has to modify their procedures within the context of specific strict sets of state and federal law.

B. Informal report processes: Students who responded to the survey demonstrated some confusion about the nature of the informal complaint process.

From the survey responses, it seemed that few students were able to distinguish between the formal and informal complaint processes. Among those, even fewer seemed to be able to distinguish between the Title IX office's informal complaint system and the UWC's. This confusion and misinformation may inhibit some students from pursuing proper redress for instances of sexual misconduct. Both the Title IX and UWC informal processes are essentially the same for undergraduates, although they have different implications for non-undergraduate members of the Yale Community.

Recommendations:

- I. **Better advertise the Title IX Office's informal complaint process.** The UWC formal complaint process is still relatively new, and until recently, many administrators felt that undergraduates were best served by more information about its procedures. However, more recently, we believe the pendulum has swung too far, and students are now under-informed about the informal complaint process through the Title IX Office. Students should be aware that they can seek resolutions to their complaints through the Title IX office, which will broker an optional agreement between the parties and does not engage in fact-finding or punishment of undergraduates.

Response from Title IX Steering: "As part of our education-communication initiative (mentioned above), the Title IX office intends to more fully explain and more effectively communicate the informal complaint option and the array of services and support offered by the Title IX coordinators."

- II. **Harmonize the Title IX informal process and UWC informal process by maintaining seamless communication between the UWC and Title IX office. Explore the benefits and risks of maintaining the informal UWC process.** The complex interaction between campus culture, historical practices, and new laws has presented Yale with an on-going challenge in designing and maintaining its reporting process. One anachronism stands out in 2015. When the UWC was first created in 2011, it was proposed as a "one-stop-shop" for sexual misconduct complainants, who would be able to move freely between informal and formal resolution options. This was seen as an improvement from the system prior to 2011, in which complainants could feel

unfairly “tracked” into either a formal or informal process. Since then, the University has been required to appoint a student-facing Title IX Coordinator, who would be able to hear reports of sexual misconduct and resolve complaints. Although the informal UWC option still exists, it is now rarely used. According to the most recent Semi-Annual Report of Sexual Misconduct, there was only one complaint addressed by the UWC informal process between July 1, 2014 and December 31, 2014 out of a total 62 complaints addressed by the University.⁴ Although the Title IX staff and the UWC staff frequently interact, this redundancy in the complaint process only serves to add unnecessary confusion in an already complex system.

Response from Title IX Steering: “The interface between the UWC and the Title IX office has continued to grow in strength over the past four years; UWC and Title IX personnel now frequently combine and coordinate efforts in addressing informal complaints, to reduce redundancy and make it easier for a complainant to understand and pursue options. It may be that at this point, the informal complaint process could be offered solely through the Title IX Coordinators; we will explore that possibility.”

Section 6: The Community’s Role

Although the Title IX Steering Committee has the authority to make policy and procedure changes on their own, the Yale administration cannot single-handedly improve the sexual misconduct reporting and complaint process. Students, faculty and staff, too, play a role. Students not only participate in the reporting process as complainants and respondents, but they also serve on the UWC, work as CCEs, and volunteer as Walden Peer Counselors. They work on policy in the YCC, advocate for change through the Women’s Center, and write articles for campus publications. In all of these capacities, and especially as friends and classmates to each other, students also have a responsibility to help improve our campus sexual climate.

⁴ http://provost.yale.edu/sites/default/files/files/Final_Jan2015_Report.pdf

Recommendations for Community Action:

For all:

1. Eliminate social stigma surrounding reporting. Avoid rushes to judgment, and provide support for students going through the complaint process.
2. Stay informed and aware of the university's educational resources on sexual assault support systems and reporting options.

For faculty and staff:

3. Encourage more faculty and staff to volunteer as designated student advisors or UWC committee members.

For student publications:

4. Support responsible coverage of sexual misconduct that respects confidentiality and presents a balanced, accurate, and complete understanding of the issue.

For future YCC administrations:

5. Advertise applications for student membership on University Committees relating to sexual misconduct, including the Title IX Advisory Board and the UWC.
6. Continue to engage in projects and initiatives that support university efforts to improve Yale's sexual climate.

V. Who We Are: Yale College Council-Women's Center Task Force

Isabel Cruz: Isabel (DC '17) is the Outreach Coordinator of the Women's Center.

Emma Goldberg: Emma (SY '16) serves on the Title IX Advisory Board and was formerly a member of the Women's Center board.

Sarika Pandrangi: Sarika (CC '17) is a Communication and Consent Educator and serves as Calhoun's representative on the Yale College Council.

Elizabeth Villarreal: Elizabeth (SY '16) serves on the Title IX Advisory Board, is a member of the UWC, and was formerly a member of the Women's Center board.

VI. Acknowledgements

We would like to extend our sincerest gratitude to those who made this project possible. In particular, we would like to thank Melanie Boyd, Director of the Office of Gender and Campus Culture and Assistant Dean of Student Affairs, and Lily Svenson, an analyst with the Office of Institutional Research. Without both of their efforts, this report could not have happened. We would also like to thank the students who took the time to complete our survey. Finally, we would like to thank the members of the Title IX Steering Committee, not only for their cooperation and support throughout this process, but also for the work they do every day to help make Yale a better, safer place for its community members.

Appendix 1: Survey Materials

A. Copy of invitation sent to undergraduates via email to introduce the survey and convey the survey link.

From: The YCC and the Yale Women's Center

Reply-to: titleix@yale.edu

To: All Yale College Students

Date: Wednesday, January 14, 2015

Subject: Help Us Evaluate Yale's Sexual Misconduct Reporting Resources

To our fellow undergraduates:

In recent years, Yale has made great strides in addressing campus sexual misconduct. Student engagement has been and continues to be critical to this progress. To continue moving forward, the Yale College Council and the Yale Women's Center invite all undergraduates to participate in a survey regarding their perceptions of Yale's resources for reporting sexual misconduct.

We want to learn how you view Yale's resources for reporting sexual misconduct, whether or not you have personal experience with these resources. We are interested in hearing your thoughts, concerns, and recommendations. The survey asks about your perceptions of the current system's strengths and weaknesses, and for your suggestions of ways the University's practices and procedures might be improved. Help us understand what work still needs to be done.

Survey responses will be anonymous and the information provided will be kept confidential by the Title IX Office and the Office of Institutional Research. Because our aim is to research Yale's overall practices, the survey is not intended to resolve individual cases. If you have concerns about a specific experience, we hope you will speak with the SHARE Center at 203-432-2000 or contact a Title IX Coordinator at titleix@yale.edu. (If you do use this survey to provide identifying information about an unaddressed incident of sexual misconduct, a Title IX Coordinator will take action where possible.) De-identified, aggregated responses will be shared with the YCC Sexual Health Task Force and the Women's Center Board, who will write a report to be shared with the Yale community.

Click the link to participate in the survey:

[anonymous survey link]

This survey will remain open through Friday, January 23rd.

The University is constantly reviewing its procedures and practices regarding sexual misconduct, working to ensure that all community members are safe and respected on campus. The YCC and Women's Center are pleased to be offering this new avenue for broad student engagement. While administrators receive lots of individual feedback, it is important that they hear from all corners of the community. We look forward to receiving your thoughts and input.

If you have questions about the survey itself, please contact titleix@yale.edu for more information.

The YCC and Yale Women's Center

B. Preamble to the survey that repeated and clarified the confidentiality protections and data storage procedures.

We want to know how you view Yale's resources for reporting experiences of sexual misconduct, whether or not you have personally used these resources. All of the questions are optional. We appreciate any information you choose to share.

This is an anonymous survey. The full content of your response will go to the Title IX Office and the Office of Institutional Research, where it will be kept confidential. (If you disclose identifying information about an unaddressed incident of sexual misconduct, a Title IX Coordinator will take action where possible.) De-identified, aggregated responses will be shared with the YCC Task Force on Sexual Health and members of the Women's Center Board, who will write a report to be shared with the Yale community.

If you have questions about the survey, please contact titleix@yale.edu for more information.

C. Survey questions

1. Have you or someone you know made a report, thought about doing so, or otherwise been involved in a formal or informal sexual misconduct complaint? What were your expectations about what that would be like? If a report was filed, what parts of Yale's sexual misconduct response system were involved? If you or someone you know chose not to pursue a complaint, what went into that decision?
2. In your experience, or based on your perceptions, what do you see as the main strength(s) of Yale's resources for reporting experiences of sexual misconduct? Are there elements you think are important to preserve? Please explain.
3. What do you see as the main weakness(es) of Yale's resources for reporting experiences of sexual misconduct? What suggestions do you have for improving university practices or procedures? Please explain.
4. Please use the space below to offer any other thoughts that you feel the YCC, Women's Center, and Title IX Office should take into consideration as they discuss ways to improve practices and procedures around the reporting of sexual misconduct at Yale.

If you have questions about the survey, please contact titleix@yale.edu for more information.

Other resources:

For more information about Yale's resources, please see www.smr.yale.edu. SHARE is always available as a confidential source of information, advocacy, and support: 203-432-2000.

D. Information about resources and thank-you content that was seen by students at the end of the survey

Thanks for your participation. Your input is very helpful as we look for ways to improve Yale's practices and procedures for reporting sexual misconduct.

If you have questions about the survey, please contact titleix@yale.edu for more information.

Other resources:

For more information about Yale's resources, please see www.smr.yale.edu. SHARE is always available as a confidential source of information, advocacy, and support: 203-432-2000.

E. Reminder email

From: The YCC and the Yale Women's Center

Reply-to: titleix@yale.edu

To: All Yale College Students

Date: Tuesday, January 20, 2015

Subject: Reminder: Help Us Evaluate Yale's Sexual Misconduct Reporting Resources

To our fellow undergraduates:

In recent years, Yale has made great strides in addressing campus sexual misconduct. Student engagement has been and continues to be critical to this progress. To continue moving forward, the Yale College Council and the Yale Women's Center invite all undergraduates to participate in a survey regarding their perceptions of Yale's resources for reporting sexual misconduct. This is a reminder that the survey closes Friday, January 23rd.

Click the link to participate:

[anonymous survey link]

This is a reminder of the message we sent you XXX days ago about the YCC and Women's Center Survey of Sexual Misconduct Reporting Resources. If you've already filled out the survey, thank you. If not, please take a few minutes to fill it out now. The survey will remain open until Friday, January 23rd.

Appendix 2: Key players in the current system

The following information is drawn from the university's online resources.

Title IX Steering Committee

The Title IX Steering Committee is an administrative committee that assists the University Title IX Coordinators with the University's Title IX compliance efforts and advises the University on how to promote a campus culture of respect and responsibility and how to implement effective measures to prevent and address sexual misconduct.⁵ The Steering Committee includes:

Stephanie Spangler, Chair, Office of the Provost
Melanie Boyd, Yale College Dean's Office
Marichal Gentry, Yale College Dean's Office
Kimberly Goff-Crews, Office of the Secretary
Carole Goldberg, SHARE Center
Joseph Gordon, Yale College Dean's Office
Lily Guillot Svensen, Office of Institutional Research
Caroline Hendel, Office of the General Counsel
Martha Highsmith, Office of the President
Jason Killheffer, Office of the Provost
William Kraszewski, Yale Police Department
Aley Menon, Office of the Provost, UWC
David Post, Faculty of Arts & Sciences, UWC
Marni Robbins-Hoffman, Office of the General Counsel
Susan Sawyer, Office of the General Counsel
Cynthia Smith, Office of the Provost
Valarie Stanley, Office for Equal Opportunity Programs
Elizabeth Stauderman, Office of Public Affairs & Communications
Steven Woznyk, Yale Police Department

⁵ <http://provost.yale.edu/title-ix/committees>

UWC – University-Wide Committee on Sexual Misconduct

The UWC addresses allegations of sexual misconduct of every kind through formal and informal channels and is available to students, faculty, and staff from across the University. Committee members are trained students, faculty, and administrative members.⁶

SHARE Center – Sexual Harassment and Assault Response & Education Center

The SHARE Center is a completely confidential resource available to all members of the Yale community who are dealing with sexual misconduct of any kind. SHARE offers information, and support to not only survivors but also to friends of survivors and victims, respondents in formal cases, friends of respondents and otherwise related individuals. The SHARE Center runs a 24-hour anonymous and confidential hotline that individuals may also call to speak with a trained professional counselor. SHARE professionals also serve as advocates for people as they seek out medical, disciplinary, and legal processes.⁷

Title IX Coordinators

The Title IX Coordinators, overseen by Deputy Provost and University Title IX Coordinator, Stephanie Spangler, are administrators in charge of overseeing the University's policies and programs to address and prevent gender-based discrimination and sexual misconduct, tracking and monitoring incidents of sexual misconduct, ensuring that the University responds effectively to each complaint, and, where appropriate, conducting investigations of specific situations. The Title IX Coordinators develop and implement education programs and communications, investigate and resolve complaints, coordinate resources and support processes, and identify and implement measures to address patterns of discrimination and/or systemic problems. They also conduct periodic assessments of Yale's campus climate to seek input from the community on how things are working and what might be improved. In addition, the University Title IX Coordinator publishes semi-annual reports of complaints of

⁶ <http://provost.yale.edu/uwc>

⁷ <http://sharecenter.yale.edu/>

sexual misconduct to inform the community in general about the complaints that are brought forward to the University.⁸

CCEs – Communication and Consent Educators

The CCEs are a large, diverse group of undergraduates that work to foster a more positive sexual climate on campus through workshops for freshmen and sophomores on the “myth of miscommunication” and bystander intervention, as well as other projects that encourage mindfulness and build respect in our community.⁹

YPD – Yale Police Department

The YPD operates 24/7 and is available to all students by phone and walk-in for confidential consultations regarding possible criminal investigation. The YPD can provide information on available victims’ assistance services and can assist with safety planning. The Yale Police Department works closely with the New Haven Police Department.¹⁰

⁸ <http://provost.yale.edu/title-ix/>

⁹ <http://cce.yalecollege.yale.edu/>

¹⁰ <http://publicsafety.yale.edu/police>

Appendix 3: Complete List of Recommendations

Recommendations for University Action:

1. Make information more accessible and user-friendly by revamping web platforms.
2. Expand freshman orientation programming regarding sexual misconduct complaint reporting options and support services.
3. Broaden SHARE's outreach to better inform the campus of the breadth of its offerings.
4. Streamline the information provided to students about possible reporting pathways.
5. Better manage expectations about the timeline of the UWC's formal complaint process.
6. Increase funding and hire more staff for the Title IX office and the UWC.
7. Build a UWC whose membership reflects the diversity of Yale's community.
8. Increase the availability of quality advising resources for complainants and respondents.
9. Fortify protocol for email communication with students participating in a complaint process.
10. Identify faculty and staff members, such as residential college deans and masters, to whom students are likely to look for support, and provide them with additional support training.
11. Clarify the procedures and expectations for no-contact orders, and improve their enforcement.
12. Expand attention to collaboration between SHARE and Yale Mental Health and Counseling to ensure holistic care for survivors and complaint respondents.
13. Better advertise the Title IX Office's informal complaint process.
14. Harmonize the Title IX informal process and the UWC informal process by maintaining seamless communication between the UWC and Title IX office. Explore the benefits and risks of maintaining the informal UWC process.

Recommendations for Community Action:

For all:

15. Eliminate social stigma surrounding reporting. Avoid rushes to judgment, and provide support for students going through the complaint process.
16. Educate yourself and make yourself aware of the university's educational resources on sexual assault support systems and reporting options.

For faculty and staff:

17. Encourage more faculty and staff to volunteer as designated student advisors or UWC committee members.

For student publications:

18. Support responsible coverage of sexual misconduct that respects confidentiality and presents a balanced, accurate, and complete understanding of the issue.

For future YCC administrations:

19. Advertise applications for student membership on University Committees relating to sexual misconduct, including the Title IX Advisory Board and the UWC.
20. Continue to engage in projects and initiatives that support university efforts to improve Yale's sexual climate.