

U.S. DEPT. OF JUSTICE

JULY 2016

REVIEW OF
UNM RESPONSE TO SEXUAL VIOLENCE

A summary provided by the
New Mexico Coalition of
Sexual Assault Programs, Inc.

IN BRIEF

DOJ Mandates from Findings:

1. Implement campus wide training on reporting, prevention, how to get help, grievance procedures/outcomes, and sexual harassment prohibition.
2. Revise and/or develop protocols, compliant policies, and procedures for prompt and equitable resolution of complaints.
3. Take prompt and effective steps to eliminate hostile environment.
4. Ensure adequate training of staff and coordination of Title IX efforts.
5. Improve response to adequately investigate/respond to complaints.

Staff info sheet on disclosures ready and online training for all employees reqd.

5. OEO policies revised and training targeted to deficiencies done. New OEO staff hired, added 2 investigators and an intake staffer.

Response from UNM:

1. Training online for students and for employees. Orientation leaders, OEO and Housing/Res. Life also providing trainings.
2. Revisions either completed, or to be complete, by 9/1/16.
3. Marketing/social media efforts in place. Climate survey contracted for all campuses by Spring 2017.
4. Multiple trainings of OEO and Police completed.

Findings

Scope of investigation-173 complaints reviewed, 55 police cases, over 50 interviews, and 6 focus groups.

Training: is inconsistent, prevention is inadequately resourced and not evidence based, doesn't teach skills or options, isn't evaluated, inadequate for police/employees and OEO, doesn't include updates for Title IX Coordinator

Policy and Protocols: not clear how new one relates to others, conflicts not eliminated, new policy isn't clear on definitions of key terms and incorrect on sexual harassment definition, no guidance on adequate investigations, existing policies lead to inadequate investigation, no MOU between police and OEO, no protocol for sharing OEO outcomes with other departments, no policies on OEO timelines, no policies on criteria for interim sanctions and lifting those sanctions, no policies on OEO record keeping, no policy on repeat offenders, no policy on administrative interference and conflicts, non-compliant grievance procedures, no clear policy on OEO reporting procedures, no procedures to enforcement of no contact orders, inadequate procedures for academic accommodations, no policies on confidentiality, need correction to policy excluding employees from Title IX protections

Hostile Environment: remedy victim blaming by UNM representatives, respond to complaints, engage with student groups, publicly respond to complaints, address athletics

Training and Coordination of Title IX efforts: ID and train Coordinator, publicize OEO process and options

Improve OEO investigations: consistent determinations of credibility, seek relevant evidence, follow up interviews where appropriate, consider power dynamics, adequately resource OEO, resolve cases promptly, clarify OEO duties

Response

Training: Training began for new students in Summer 2015 orientation, did 2 month pilot of voluntary online training for all students end of Spring 2015, in Fall 2016 all students will be required to complete online training to register for Spring classes.

Content now includes options and implications of those options. All athletes trained since Fall 2014. RAs did 20 trainings. New program, "Grey Area", with consent, intoxication themes will be taught in Orientation by student leaders. Training evaluations by Title IX Coordinator will occur this summer. OEO and Police retrained, Title IX Coordinator got updated training. 5 PD officers had specialized investigative training and now PD has 9 crime scene officers. OEO will train PD annually on Title IX. Online training required for all staff starting in 2016.

Policy and Protocols: policy review in progress and will be completed by 9/1/16 to remove outdated policy and add cross-references to new policy 2720. Regents policy/Pathfinder to be updated. 1/16 Pathfinder added sanctions and process info. Faculty Handbook is out of date, Provost and Faculty Senate President notified. OEO policies revised to provide for--shorter timelines, new case management system, consideration of power dynamics, formalized communication with police, and criteria on extensions of time. By 7/1/16 Dean will create a brochure on "no contact orders". By 8/1/16 Dean and PD will have a protocol to cross notify on interim sanctions and "no contact orders". By 7/1/16 LoboRespect will have a brochure and a website addition on accommodations. OEO answers directly to President to eliminate conflicts.

Hostile Environment: LoboRespect plans for weekly Orientation displays, student nonviolence pledge, newsletter and since Fall 2015 has had a monthly marketing plan on social media, giveaways. Lobo Alert System and the Communications Office are available as appropriate. OEO did an open house. Climate survey launched in April 2016 that will include branch campuses by Spring 2017. An OEO brochure and flyer on retaliation comes out Summer 2016. OEO trains on retaliation. 8/16 All staff will get OEO's guidance sheet on acting in response to disclosures of Title IX violations.

Training and Coordination of Title IX efforts: Heather Cowen hired and serves on 9 committees to coordinate efforts. Multiple trainings attended. OEO did an open house to publicize work. OEO working/training with LGBTQ Center now. Pathfinder now refers to OEO process. OEO social media outreach begun.

Improve OEO investigations: New staff added including two new investigators and one intake person. Many trainings attended, national/advanced. Ongoing training on credibility factors analysis.