



UNL'S COLLABORATIVE
on Sexual Misconduct ***COMMITTEE REPORT:***

**A Roadmap for Creating
and Maintaining a Caring
Campus Community**

October 5th, 2020



COLLABORATIVE SEXUAL MISCONDUCT COMMITTEES

Role	Name	Workgroup
Co-Chair	Connie Boehm Director; Big Red Resilience & Well-being	Prevention & Education
Co-Chair	David Hansen Professor; Psychology	
Member	Mikayla Algeo Student; Communication Studies	
Member	Tammy Beck Associate Dean; College of Business	
Member	Ryan Fette Education & Outreach Coordinator; Office of Institutional Equity and Compliance	
Member	Kyla Gorji Director; Human Resources/Employee Assistance Program (EAP)	
Member	Josh Haby Graduate Student; Psychology	
Member	Emily Johnson President; ASUN	
Member	Jeanne Keyser Assistant Director; Residence Life	
Member	Kelli King Assistant Vice Chancellor; Student Affairs	
Member	Alice Mitwaruciu Counselor: Counseling & Psychological Services	
Member	Lyn Seiser Pastor; Association of Campus Religious Workers (ACReW)	
Member	Eli Soell Student; Interfraternity Council (IFC)/Panhellenic Council	
Member	Paul Springer Chair, Child Youth & Family Studies; College of Education & Human Sciences	
Member	Pat Tetreault Director: LGBTQA+ & Women's Center	
Co-Chair	Kara Brandt Associate Director; Center for Advocacy, Response, and Education (CARE)	Intervention
Co-Chair	Shari Stenberg Professor; Faculty Senate/English	
Member	Mehmet Can Vuran Susan J. Rosowski Professor; Faculty Senate/Computer Science	
Member	Sammi Cowger Director of PEO Programs; Athletics	
Member	David DiLillo Professor; Psychology	
Member	Sara Gervais Associate Professor; Psychology	

Role	Name	Workgroup
Member	Kevin Hanrahan Associate Professor; Faculty Senate President/Music	Intervention
Member	Alyssa Jones Student; PREVENT	
Member	Lexie Karkazis Student; Panhellenic	
Member	Joshua Keller Graduate Student; Nutrition & Health Sciences	
Member	Hassan Ramzah Chief of Police; University Police	
Member	Beverly Russell Associate Director; Center for Transformative Teaching	
Member	Leigh Theideman Director; Office of Fraternity and Sorority Life	
Member	Kelsey Yadon Career Advisor; Explore Center/University Career Services	
Co-Chair	Lisa Kort-Butler Associate Professor; Sociology	
Co-Chair	Jake Johnson Assistant Vice Chancellor; Student Affairs	
Member	Marco Barker Vice Chancellor; Office of Diversity and Inclusion	
Member	Lorna Dawes Associate Professor; Faculty Senate/Libraries	
Member	Sam Goodin Director; Services for Students with Disabilities	
Member	Michael Mass Compliance/Accreditation Manager; University Police	
Member	LJ McElravy Associate Dean; Graduate Studies	
Member	Patrice McMahon Professor; Honors	
Member	Amanda Metcalf Assistant to the Dean; UAAD	
Member	Roni Miller Student; ASUN	
Member	Marne Nelson Associate Director; Education Abroad	
Member	Brit Otte Clinical Manager; University Health Center	
Member	Carmen Paniagua Delta Xi Nu chapter president; MGC/NPHC	
Member	Marc Pearce Associate Dean; College of Law	
Member	Eli Sherman Student; PREVENT	

STUDENT COMMITTEE

Workgroup 1: Prevention & Education		
Co-Chair	Emily Camp	Psychological Studies in Education
Co-Chair	Emily Johnson	Political Science, Spanish, Global Studies
Member	Jennifer Barrett	Political Science
Member	Zoe Keese	Mathematics
Member	Abigail Long	Mathematics
Member	Alyssa Patil	English
Member	Falah Rashoka	Nutrition & Health Sciences
Member	Rebecca Rockefeller	Geography
Member	Andromede Uwase	Integrated Science
Member	Chelsey Wisheart	Psychology, Communication Studies
Workgroup 2: Intervention		
Co-Chair	Lexie Karkazis	Computer Science
Co-Chair	Cassidy Spradlin	Psychological Studies in Education
Member	Austin Gaines	Political Science, Communication Studies
Member	Samara Hillmer	Criminology & Criminal Justice
Member	Shyla Kallhoff	Educational Administration
Member	Unyoh Mbilain	Global Studies
Member	Mallorie Sckerl	Psychology, English
Member	Luz Sotelo	Mechanical Engineering, Applied Mechanics
Member	Jessica Stump	Political Science
Member	Megan Willburn	Political Science, English
Workgroup 3: Policies, Procedures, & Practices		
Co-Chair	Sarah O'Neill	Law
Co-Chair	Roni Miller	Spanish, Political Science
Member	Daniela Asplin	English, Spanish
Member	Danielle Berger	Natural Resource Sciences
Member	Hannah Cass	Economics
Member	Meyri Ibrahim	Political Science
Member	Mar Lee	English, Global Studies
Member	Abigail Lim	Journalism
Member	Zoe McDonald	English
Member	Alec Miller	Psychology

UNL'S COLLABORATIVE ON SEXUAL MISCONDUCT EXECUTIVE SUMMARY SEPTEMBER 2020

SEXUAL MISCONDUCT POLICIES, PROCEDURES, AND PRACTICES AT UNL

1. Create a Chancellor's Commission on Sexual Misconduct.
2. Remove gendered policy language.
3. Adopt affirmative consent policy.
4. Revisit policy timeframes for investigation and adjudication.
5. Make explicit the right to reasonable accommodations for disabilities.
6. Include an amnesty-like policy provision.
7. Permit restorative justice practices as options for resolution.
8. Expand and identify who may serve as a formal hearing decision maker.
9. Ensure live hearings physically separate the parties and rely on equitable audio-visual technology that facilitates cross-party communication.
10. Clarify that no contact orders are discretionary, not mandatory.
11. Temporary suspensions should provide for an immediate opportunity to contest the imposition of the suspension.
12. Ensure equity with regard to University-provided advisors and support persons.
13. Extend the application of conduct policies to address sexual misconduct that occurs during University programs off-campus and abroad.
14. Provide an annual Title IX report that will be accessible on the IEC website.

SEXUAL MISCONDUCT PREVENTION, EDUCATION, AND INTERVENTION AT UNL

15. Conduct a campus-wide sexual misconduct needs assessment and biennial climate surveys.
16. Require annual sexual misconduct training for all incoming students.
17. Require annual training for all incoming staff and faculty that is tied to annual performance evaluations for all staff and faculty.
18. Require a syllabus statement on sexual misconduct.
19. All employment letters should indicate an employee's status as an expected reporter.
20. Trauma-informed training on sexual misconduct should be required for key campus offices, programs, and organizations.
21. Resources for claimants, respondents, and faculty, instructors, and staff should be developed in collaboration with the Chancellor's Commission on Sexual Misconduct, Office of Student Affairs, and the IEC Office.
22. The Chancellor's Commission on Sexual Misconduct should engage in ongoing assessment and evaluation of sexual misconduct reporting and responses.

UNIVERSITY OF NEBRASKA–LINCOLN'S COLLABORATIVE ON SEXUAL MISCONDUCT COMMITTEE

“The University of Nebraska–Lincoln (UNL) is committed to preventing sexual misconduct, responding when it occurs, and supporting any person who has been subjected to sexual misconduct. The Collaborative is a campus-wide coalition charged with the role of expanding efforts to improve education, training, and policy development to address sexual misconduct.” – Campus-Wide Collaborative on Sexual Misconduct (n.d., sexualmisconduct.unl.edu)

The University of Nebraska–Lincoln has a long history of supporting anti-violence work on campus. Efforts go back to the establishment of the Women’s Center in 1971. PREVENT, a Recognized Student Organization, was established in 1998 to include a focus on sexual assault and relationship violence prevention and eventually advocacy. Campus events like “Week Without Violence,” “Take Back the Night,” and “Not on My Campus” were sponsored by the Office of Student Affairs and organized through the Women’s Center.

UNL took additional steps to address sexual and gender-based misconduct with the creation of the Center for Advocacy, Response and Education (CARE) in 2019. CARE offers two full-time advocates, increasing the availability of support services and is providing ongoing, comprehensive prevention awareness programs for students. Additional efforts included:

- Developing the “Use Your Voice” initiative, an [awareness campaign](#) to promote resources, reporting and a supportive campus climate.
- Creating a dedicated [sexual misconduct resource website](#).
- Implementing a new [bystander intervention program](#).
- Increased staffing in the Title IX office.

We envision a university community that is free from sexual misconduct including sexual violence and harassment of any kind. We seek to improve and sustain a culture of health and wellness in relationships, and promote a commitment to the welfare of others, protection of rights, and support all fundamental fairness and due process.

Despite our efforts, there is more work to do to make our campus a safe and trauma-informed community. In fall 2019, Chancellor Green established the Campus-Wide Collaborative on Sexual Misconduct and charged the Collaborative to study and critically examine UNL’s policies, procedures, and practices regarding reporting and responding to sexual misconduct, with a focus on preventing sexual misconduct and meeting the needs

of people who have experienced it. The Collaborative structure is delineated here:

sexualmisconduct.unl.edu/collaborative-structure.

Three committees were established, with parallel student committees that were vetted through ASUN. The three committees are: (1) prevention and education; (2) intervention; and (3) policies and procedures. All graduate and undergraduate students were invited via a campus-wide call for applications to participate in the Collaborative. The final Collaborative Committee consisted of 75 faculty, staff, and undergraduate and graduate students, who worked tirelessly in their subcommittees to provide summaries, reports, and recommendations to the Collaborative chair, Dr. Susan Swearer. Due to COVID-19 and campus shutdown, the due dates for the reports were moved to August 1, 2020, and then moved up to June 2020, due to the new Department of Education regulations. Dr. Swearer spent July 2020 compiling the subcommittee reports into one, final report that was disseminated to the entire Collaborative for comment, edited, and delivered to Chancellor Green by the end of September 2020.

The collaborative report consists of an Executive Summary, this main report, and two appendices that include research and best practices for responding to sexual misconduct (Appendix A) and a social-ecological model and logic model for prevention and intervention in sexual misconduct (Appendix B).

Concurrently during the work of the Collaborative, the Department of Education released new Title IX regulations and the subcommittees' work was guided by these guidelines. Several Collaborative members were also members of the NU Title IX Regulation Committee that met during July and August 2020 to help revise Nebraska's policies and procedures based on the Department of Education's new regulations, which mandated that all universities are in compliance by August 14, 2020. We recognize that the NU Systems Policies and Procedures were approved by the Board of Regents on Friday, August 14, 2020. These are the policies and procedures that must be followed according to federal and state law, but also include decisions that are at individual universities' discretion under the new regulations.

The Collaborative's goals are to provide guidance and recommendations to the Chancellor in order to maintain and sustain a safe, transparent, and trauma-informed approach to responding to sexual misconduct.

Sexual misconduct and violence are societal problems that must be addressed through collaborative efforts of offices and communities across campus and in multiple ways including, but not limited to, education, prevention, policy, and climate assessment. The

Collaborative recommendations will be successful if they result in more transparent administrative knowledge (e.g., reporting processes and legal options) and personal knowledge of healthy and consensual relationships among UNL faculty, staff, and students. Our recommendations will additionally be successful if no single group has the responsibility of being a sole resource for students seeking to report an incident or receive confidential mental health resources.

This report covers analyses and recommendations across the three substantive areas of (1) policies and procedures; (2) prevention and education; and (3) intervention. It is the hope of the Collaborative that we will have an on-campus and Zoom report-out session with Chancellor Green in October 2020.

SEXUAL MISCONDUCT POLICIES, PROCEDURES, AND PRACTICES AT UNL

All universities and colleges within the University of Nebraska system (NU) must adhere to the Board of Regents Policy on Procedures for Sexual Misconduct Reports against Students (RP 2.1.8; nebraska.edu/regents/bylaws-policies-and-rules). That being said, the Collaborative encourages Chancellor Green to consider our suggestions for how UNL can be a leader in best practices in responding to sexual misconduct. To that end, we provide the following analyses and recommendations.

The Collaborative is recommending that the Chancellor establish a **Chancellor's Commission on Sexual Misconduct with a Student Advisory Board** to guide, integrate and refine practices that have proven effective in strengthening campus responses to sexual misconduct. The Commission will (1) identify and analyze all existing reporting streams for sexual misconduct outside of Title IX; and (2) establish alternative reporting streams to address any form of sexual misconduct that will fall through the gaps (e.g., to report a sexual assault committed by a student in non-university owned housing); and (3) monitor recommendations put in place and accountability for following policy and best practices. This Commission would operate as an advisory group to the Chancellor, Vice Chancellor for Student Affairs, and the Associate to the Chancellor for Institutional Equity and Compliance and would include representation from students, faculty, and staff with appointed terms (i.e., 3-year). Several members of the Commission should have research and/or clinical expertise in sexual misconduct, harassment, assault, and policy.

RECOMMENDATIONS FOR POLICIES, PROCEDURES, AND PROPOSED NEW POLICIES

The new Title IX regulations have narrowed what constitutes sexual harassment actionable by Title IX procedures. This means that sexual harassment experienced by UNL students, staff, and faculty may need to be addressed by a different reporting mechanism. The new DOE recommendations indicate institutions can address sexual harassment under other codes of conduct.

1. Neutralize policy language

Policy language should eliminate references to the gender binary and use the gender-neutral pronoun “their.” It should also substitute the terms “complainant” and “respondent” with “reporting party” and “responding party.” These terms were preferred by a majority of the committee after considering other options such as “claimant,” “actor,” “aggrieved,” “accused,” and others. Though the Department of Education’s recently released regulations use and define the term “complainant,” and “respondent,” the Collaborative is interested in using “reporting party” and “responding party” while offering a consistent definition with the Department of Education and the Board of Regents policy language. The Collaborative would defer to the judgment of General Counsel on whether this is an advisable approach.

2. Strengthen the definition of consent and implement evidence-based training

The emphasis in the current definition of “consent” is on how to determine when consent is absent. It fails to offer guidance on how a person can convey consent, and it also does not capture important elements of consent, such as consent can change from act to act within a single encounter and that it cannot be inferred or implied for future instances of sexual contact or activity. A more robust definition of consent can serve as the foundation for more effective education about consent. For example, there is often a power imbalance between perpetrators and victims (i.e., between faculty/staff and students), in which case consent is compromised. This power imbalance needs to be addressed in UNL’s policies and procedures.

We recommend that the Office of Institutional Equity and Compliance use affirmative definitions of consent in the process of evaluating evidence in sexual misconduct cases, taking into account elements of verbal sexual coercion. Sexual coercion can be used to pressure verbal consent out of an unwilling participant. With the rise of the “Yes Means Yes” conception of consent standards, research regarding the inadequacies of “No Means No” standards has come further to the forefront of society. With dangers of passive acquiescence or sexual coercion to contend with, Title IX must consider the impact of

sexual coercion to elicit verbal consent from an unwilling sexual participant. This is most important for the mitigation of revictimization as previous sexual assault victims are often the most likely to make verbal concessions in order to avoid the possibility of more aggressive tactics.

There are many and varied difficulties that may cause individuals to misunderstand effective consent procedure. From sexual scripts to common power dynamics, from lack of situational understanding to consideration of consent as a singular occurrence, these types of definitional and operational misunderstandings among students will unintentionally result in greater victimization. The greater number of individuals who are aware of these elements of flirtatious and sexual interactions, the more UNL can mitigate victimizing sexual scenarios. Trainings should address:

- Cultural phenomena (i.e., gender norms, traditional heterosexual power dynamics, and sexual scripts) can influence individuals to provide verbal consent to unwanted sexual experiences. The most vulnerable to this type of sexual assault include previous sexual assault victims who may concede verbally in order to avoid more aggressive tactics and more swiftly remove themselves from the situation
- The impact of implementing affirmative consent standards on campus suggests that simply informing students about the meaning of these standards does not suffice. Instead, individuals need to both understand the meaning and intention behind affirmative consent standards as well as considering situational examples regarding the manner in which to implement affirmative consent.
- The concept of consent should be taught, not as a single event, but as an important element throughout a sexual encounter. In order to prevent the victimization of either party in a sexual encounter, requesting and providing verbal affirmative consent before initiating each new sex act should be established as a best practice.

3. Revisit the policy timeframes

Careful attention should be given to the language that describes increments of time in the policy. The Department of Education's proposed rules include the following guidance:

Include reasonably prompt timeframes for conclusion of the grievance process, including reasonably prompt timeframes for filing and resolving appeals if the recipient offers an appeal, and a process that allows for the temporary delay of the grievance process or the limited extension of timeframes for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of the parties or witnesses, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

It may be most appropriate to articulate a set of aspirational timeframes for each phase of the resolution process (reporting, investigating, adjudicating, appealing). It should be made clear to the parties that any timeframe is best considered an aspiration or an aim of the University that is diligently pursued by its investigators and staff but may be unattainable given contextual factors that vary with each reported incident. Identifying confounding or complicating factors for students can help them understand why an aspirational timeframe cannot be met.

As an anchor for establishing timeframes for each phase, the Collaborative believes that sixty (60) University days could be reasonable and fair. The Collaborative recommends the overall timeframe should be subdivided for each phase of the process, accounting for requirements within the federal regulations (e.g. parties must have at least 10 days to review evidence prior to the completion of an investigative report). Policy should also set a minimum expectation for regular communication with the parties about the progress of the investigation. A brief, weekly status update to the parties from the investigator about the investigation seems advisable.

It is also recommended that these aims or aspirations be re-visited annually with a review of available data to guide revisions to the aspirations so they are grounded in realistic expectations. This incremental recalibration of timeframes will help administrators convey reasonable and realistic expectations to the parties. Given the University's use of Maxient, data can be obtained to determine an average timeframe from receipt of a "formal complaint" to the time the investigation is "Closed." During 2018-19 the average number of days from report to closure was 99.82 calendar days. For 2019-20 the same figure was 27.95 calendar days. The difference between these two dates is likely the result of internal processing guidelines on when an investigator can close the file and send it for review to the Title IX Coordinator. During 2018-19, the case was kept open while the Title IX Coordinator reviewed the file even though the investigator had completed their work.

4. Make explicit the right to reasonable accommodations for disabilities

It is not clear within the policy that parties with existing disabilities could have those accommodated during the resolution process. Inserting language that identifies this as a right seems most appropriate to the Committee. Policy drafters should carefully confer with the University's Section 504/ADA Coordinator to ensure the language is consistent with Civil Rights Statutes and regulations.

5. Include an amnesty-like provision

A policy provision that shields reporting parties from punishment for non-sexual misconduct that may have occurred concurrently with the alleged sexual misconduct is likely to improve reporting of sexual violence victimization. For example, substance use is often an element of alleged sexual misconduct in college settings. Those who may have been using illegal drugs or misusing alcohol are deterred from reporting because they fear their violation of campus policy will lead to punishment. The same provision should shield responding parties from additional charges of misconduct unless a substance was intentionally introduced by the responding party to facilitate sexual misconduct. In addition, if the allegations of sexual misconduct are not supported by the preponderance of the evidence, responding parties should not face punishment for substance use or alcohol misuse if they admitted to such during the investigation and adjudication. Additionally, given changes to the student code of conduct regarding COVID-19 restrictions, we recommend amnesty in those situations as well (i.e., attending a large party). It is important to communicate that relief may be afforded to bystanders who intervene on behalf of the parties to address concerns related to sexual misconduct.

6. Permit restorative justice practices as options for resolution

The proposed federal rules from the Department of Education indicate that “informal resolution” should be available to the parties on a voluntary basis [see § 106.45(6)]. The University of Michigan has been successful in achieving mutually-agreeable outcomes for the parties through “adaptable conflict resolution.” The method for resolving reported allegations can be adapted using many modalities. One such practice has been the use of “shuttle negotiations” between the parties and their advisors without requiring face-to-face mediations with a third-party neutral.

The policy should integrate a section or provision on the use of “adaptable” or “informal” resolutions once the report has been received and the responding party has been notified of the allegations. The provision should be consistent with federal regulations, but offer greater explanations regarding the available modalities or methods for arriving at a resolution without the need for a formal hearing. If none of the adaptable resolution methods produce an agreeable outcome, a formal hearing is available to the parties.

Alternative forms of reconciliation, listed on the IEC website, rather than a formal hearing, should be provided, such as mediation, restitution, and sex offender rehabilitation. The grievance process for Title IX cases should be transparent with clear written instructions provided in a handout and online as to how to submit a complaint to the appropriate federal regulatory body (DOE, DOJ, etc.).¹

7. Expand who may serve as formal hearing decision-maker

In the past, a combination of policy provisions has resulted in all student-on-student sexual misconduct being adjudicated by a panel of three (3) members of the University Conduct Board. These members are trained on Title IX, but are not deeply familiar with issues related to evidence, cross-examination, and formal procedures that are used by courts to manage witness, party, and advisor participation. As such, their instincts around nuanced interpretations of procedural fairness do not always make them well-prepared to handle exceedingly complex or difficult cases. For this reason, the University should have the flexibility to refer such cases to external decision-makers like retired judges, practicing attorneys, mediators, or arbitrators. This is particularly needed because the Department of Education now requires cross examination conducted by a party's advisors.

The process for selecting and training decision-makers should be clearly outlined and publicly available. Additionally, an explanation of the process for declaring a conflict of interest, contesting a decision-maker, and replacing a decision-maker should be defined and available. The Collaborative recommends that UNL establish a pool of external decision-makers who receive on-going Title IX and trauma-informed training and establish term limits.

As an additional mechanism for reducing the cost of hiring professional decision-makers, it may be advisable to encourage the University of Nebraska System to employ, internally, a legal professional (e.g. a special hearing master, administrative law judge, etc.) to serve as hearing decision-maker. Those cases that are more complex, present multiple issues, or involve highly-visible campus figures could be heard at the system level, and the cost could be shared among all four campuses.

Finally, doing so will bring consistency and parity for students when compared with faculty and staff who have been accused of sexual misconduct. In those cases, external decision-makers have been contracted to serve as a hearing decision-maker.

8. Ensure live hearings physically separate the parties and rely on audio-visual technology that facilitates cross-party communication

Michigan State University elected to hold all of its sexual misconduct hearings using online meeting software with the parties. MSU has reported good success notwithstanding an occasional complaint about limitations in confrontation rights. The parties and their advisors would be on campus in separate rooms that are adequately fitted with technology (e.g. video cameras, microphones, computers, etc.). The decision-maker

and witnesses would report to a hearing room. Advanced thought should be given to identifying suitable spaces on campus that can accommodate this recommendation. It may even be advisable to create spaces that allow for this arrangement. In terms of equity, both parties will present their cases remotely so that one party does not have an advantage of being in-person, while the other party is remote.

9. Clarify that no contact orders are discretionary, not mandatory

An interim protective measure in cases of reported sexual misconduct is a “No Contact” directive. The language in the Student Code of Conduct about how these directives are issued has led some parties to believe that they will be automatically instituted. The relevant provision reads “directives are to be issued in writing to persons involved in any alleged sexual misconduct promptly after the University receives notice of a complaint.” This language could be read to suggest “No Contact Directives” will be automatic upon reporting. However, this does not happen in practice for good reason. Issuing a no contact order requires communicating with a responding party the expectations of the directive, and that could have adverse consequences for the reporting party in circumstances of dating/domestic violence or stalking. Sometimes those situations require careful response to ensure a reporting party is not exposed to further harm. Sometimes a no contact order is not advisable, so the language should clarify that the imposition of No Contact Directives is discretionary. New language may be: “No Contact directives, if requested and appropriate, are to be issued in writing to persons involved in any alleged sexual misconduct...” No contact orders should be clearly described and documented with the reporting parties. When no contact orders are issued, they should be enforced without fear of retaliation, which involves improved training for students, faculty, and staff. It should be documented which campus spaces are included if a no contact directive is issued.

10. Temporary suspensions should provide for an immediate opportunity to contest the imposition of the suspension

The University has the authority to place a student on temporary suspension under limited circumstances. However, when a temporary suspension is imposed a responding party should be afforded the opportunity to challenge the factual basis upon which that temporary suspension is predicated. If not given a meaningful opportunity to be heard on the merits of the temporary suspension shortly after its imposition, the University may deprive a student of procedural due process if the temporary suspension extends on for a substantial amount of time before a formal hearing is held to decide the veracity of sexual misconduct allegations.

In practice, this opportunity has been afforded to responding parties, but the policy language should be clear that such an opportunity exists as a right protected by the policy.

11. Ensure equity, in so far as it is possible, with regard to University-provided advisors

The Federal Regulations require the University to supply an advisor to parties to facilitate cross examination on their behalf when they are unable to provide an advisor on their own. This requirement may create inequities for those parties who lack the means to secure an advisor of comparable competence to an opposing party's advisor. The Collaborative recommends, for example, that the University engage the College of Law to address the potential for this eventuality. For example, this could mean that the College of Law could use its clinical programs to prepare a group of advisors who could be called upon to function in this capacity. Perhaps even emeritus faculty could be included in the group. Should the university pursue partnership with the College of Law, it should be clear that any report involving students, faculty, or staff from that College would necessitate external advisors, unless such an advisor is selected by a party.

Advisors

We recommend UNL create a pool of trained Title IX advisors available for students who do not have access to an advisor with necessary legal knowledge, or whose advisors do not appear at a hearing.

The pool, available to the reporting party and responding party, should include ten to twelve members of diverse identities (e.g., gender, race/ethnicity).

Membership and selection process should be published on the IEC website. Students should be provided a list of considerations for choosing an advisor. For example, see:

<https://www.umsystem.edu/ums/dei/titleix/faqs#46>

<https://investigations.uoregon.edu/advisors-and-role-advisors#9>

Advisors should be trained by the Title IX Coordinator/IEC for familiarity with the investigation process, Title IX proceedings, appropriate questioning (e.g., questions that would and would not be considered relevant, rape shield protections, rules of decorum for asking questions), and student support resources. Advisors should be vetted by a panel, such as Collaborative members, (students, staff, and faculty), the Title IX Coordinator, and the Chancellor. Advisors could be recruited from the following groups (with emphasis on those with more applicable experience):

1. UNL Civil Law Clinic. Students could potentially receive class credit for participation
2. UNL College of Law professors
3. Community attorneys
4. Other campus/community individuals with appropriate legal knowledge

The number of advising hours provided to individuals will depend on the type of resolution sought, and should be communicated upfront.

Support Person

We recommend parties be allowed one **support person** through the Title IX process in addition to an advisor. This person would not participate in the cross-examination process but would serve as an additional support person. The support person could be a victim advocate, friend, or family member.

- Another option would be to work with the Nebraska Bar to identify a group of attorneys who may be willing to undergo training on the University's procedures to function in the capacity of advisors to reporting and responding parties.
- The College of Law could be utilized to ensure equitable advisors are available for parties involved. The college's clinical programs could be used to prepare a group of advisors who could be called upon to function in this capacity. Emeritus faculty could be included in the group if they so wish. Additional efforts should be made to work with the local bar association to identify a group of attorneys who may be willing to undergo training on the University's procedures to function in the capacity—pro bono—as well.

For Claimant (i.e., Reporting Party): IEC should provide information for and offer a connection with a CARE advocate during the initial contact (i.e., show a short, supportive, introductory video by CARE).

For Respondent (i.e., Responding Party): IEC should provide a parallel resource for respondents with information on their support options available.

12. Extend the application of conduct policies to address sexual misconduct that occurs during University programs and activities abroad

The Collaborative believes the University should extend its policies prohibiting sexual misconduct to instances that occur while on university-sponsored student travel abroad. The Collaborative understands that Title IX requires such cases to be dismissed, but that the University may act under the auspices of its other Conduct policies. The only difference would be an acknowledgement that the location of the alleged offense was outside of the United States and must be dismissed under Title IX but will be pursued

under the Code of Student Conduct or other similar policy (e.g., a general sexual misconduct policy that address both Title IX and non-Title IX infractions). The members of the Collaborative were aware that the procedural safeguards would likely need to be the same for these circumstances to position the University successfully in the event of litigation.

13. Create a policy working group within the Chancellor’s Commission on Sexual Misconduct

Pursuant to RP 2.1.8. P, (Periodic Review), that states, “This sexual misconduct policy will be reviewed at least every two (2) years,” this policy working group will (1) identify and analyze all existing reporting streams for sexual misconduct outside of Title IX; and (2) establish alternative reporting streams to address any form of sexual misconduct that will fall through the gaps (e.g., to report a sexual assault committed by a student in non-university owned housing). This group should include representative faculty, staff, students, and at least one person with research expertise in sexual violence.

A. New Policy: Required Educational Programming for the Campus Community

Implicit bias training and trauma-informed practices should be incorporated into all versions of required faculty and staff training with an emphasis on where to direct students to proper resources. UNL will enforce attendance of training for all (faculty, staff, and instructors) by individual departments holding their faculty and staff accountable for training completion via the annual review process.

1. Students

The University of Nebraska has created an online educational program that is accessible to all students, faculty, and staff. All campus members are expected to complete the education when they are new to campus. However, completion rates are not what they should be. Students on the Working Group were very adamant about creating this as a requirement, and pointed to other peers in the Big 10 Athletic Conference who had placed a requirement on all campus members. For this reason, the Chancellor should amend Policy Memorandum 2015-06 to require that all incoming students (first-year, transfer, first-year law college, first-year graduate, etc.) complete an educational training program on sexual misconduct before the first day of class for their first semester at the University of Nebraska-Lincoln.

All incoming students must complete one session of a half-day (4-7 hours) in-person, peer-led sexual misconduct workshop. The training at a minimum should meet the requirements of the Clery Act as amended by the Violence Against

Women Act of 2014, incorporate greater content about affirmative consent, and incorporate best practices for prevention education. In-person, face-to-face education is preferable to online education. However, both options should be available to students to satisfy the requirement and follow trauma-informed practices. This recommendation should be prioritized for implementation in the 2021-2022 year.

All workshops will be held prior to incoming students' first day of class. Students starting school in the Fall, Spring, or Summer semesters will have three date options (preferably a Saturday in August, January, and May).

Peer leaders for the workshop will include trained volunteers (possibly recruited from relevant campus stakeholders such as PREVENT, ASUN, NSE, this collaborative, etc.) representing a diverse population of UNL students (undergraduate, graduate, in-state, out-of-state, etc.).

Attendance could be enforced by placing a hold on registration for next semester's classes until completion.

Content of the inclusive, culturally-informed, and trauma-informed training should include, as appropriate for the student audience:

1. Bystander intervention²
2. Affirmative consent education
3. Healthy relationships (of all types)
4. Sexual health
5. Campus resources, including CARE and CAPS as confidential sources
6. Title IX process (including expected and mandatory reporting procedures)
7. Review of University Sexual Misconduct policies

Trainings should be tailored to meet the needs of specific student populations, including undergraduates, graduate, and professional students.

2. *Faculty and staff*

Like new students, all new faculty and staff should be required to complete training on sexual misconduct within the first month of employment and should be renewed every three years. The Chancellor's Policy Memorandum 2015-06 could be a vehicle for promulgating this policy. An independent policy could be adopted by the Faculty Senate, UAAD, and UNOPA. Additionally, the Committee recommends ongoing training for all faculty and staff.

Faculty and staff training should be offered as an in-person and online training to facilitate ease of completion. Accountability for completion should be held by departments, and department executive officers (DEOs) should be held to account for the number of employees that have complied with the requirement. All faculty and staff should be required to complete the training on three-year basis or when new policies are developed, and at least 90 percent of department employees should have current training in any given year.

To assure faculty participation, the Collaborative recommends that the faculty fellows' program in the Office of Academic Affairs be used to facilitate trainings for departments that request in-person trainings. Faculty believe that a format and model exists based on free speech trainings that occurred during the 2017-18 academic year and can be expanded to include sexual misconduct training.

3. *Title IX Office Coordinator and Employees*

All Title IX staff should be up-to-date on research literature involving sexual misconduct with an understanding of best practices for a trauma-informed responses through annual professional development training, conducted by experts at UNL and/or outside organizations that specializes in such training. Title IX staff should document their training through a continuing education process that will be part of their annual evaluations.

4. *University Police and University Health Center Employees*

All University Police and University Health Center employees should attend in-person training overseen by the Collaborative and IEC, renewed every three years or when new policies are developed, in line with other university trainings.

5. *CARE Employees*

Continuing education should be of utmost importance to CARE office employees to remain updated on best practices, in conjunction with the Title IX Office and the Collaborative.

B. New Policy: Required syllabus statement

One powerful way to convey the importance of eliminating sexual misconduct on campus is to require a brief statement on course syllabi that address the following: (1) whether or not the instructor for the course is expected to report, (2) how to contact a confidential reporting source, and (3) how to report for the purposes of engaging the University's response framework (non-confidential reporting sources).

The mandatory language should include a link to the website with centralized information in addition to the information from the CARE office. It can mimic the mental health

resource mandatory wording and should detail what is considered to be sexual misconduct at UNL.

An example statement might be: “The University of Nebraska–Lincoln is committed to fostering a campus environment where violence and sexual misconduct is not tolerated. If you have experienced violence or sexual misconduct including sexual assault, sexual harassment, dating violence, partner violence, or stalking, confidential resources are available through the Center for Advocacy, Response, & Education (CARE) if you are seeking support or would like to explore your reporting options.”

C. New Policy: Employment offer letters should indicate one’s status as a responsible or an expected reporter.

Human resources and department HR managers should include a statement in letters of offer indicating whether or not the position for which they are hiring is a responsible or an expected reporter and what being an expected reporter means. The statement should also indicate that continued employment in the position is predicated on completing required training on sexual misconduct and Title IX.

Human resource personnel should also include the same information regarding an employee’s status as a Campus Security Authority under the Clery Act. The training for these two statuses should be complementary and educate the employee on how to differentiate between the reporting requirements of the two laws.

SEXUAL MISCONDUCT PREVENTION, EDUCATION, AND INTERVENTION AT UNL

Previous external and internal reports have guided the Collaborative’s recommendations. They are summarized below (see A-C).

A. National College Health Assessment (NCHA)

The American College Health Association–National College Health Assessment (NCHA) is a nationally recognized research survey that assists higher education institutions in collecting data about students’ health habits, behaviors, and perceptions including personal safety and violence. Three prevention and education team members skilled in data analysis examined data from Nebraska’s National College Health Assessment to create a profile of sexual misconduct prevalence rates on UNL’s campus. This analysis helped guide our recommendations by providing insights into prevalence rates and informing prevention and education recommendations.

Behavior (Past 12 Months) ^a	% “Yes” ^b	At 25,332 ^c Students
Survivors—reported “yes” for any of the behaviors	18.9% (590 of 3,117)	4,788
Intimate Partner Violence	12.2% (379 of 3,117)	3,091
Sexual Assault by a Non-Partner	5.0% (155 of 3,093)	1,267
Sexual Assault	5.9% (150 of 2,501)	1,494
Stalking	2.4% (74 of 3,101)	6,080
Sexual harassment	7.0% (217 of 3,093)	1,773

Data from the National College Health Assessment, collected by the American College Health Association at UNL in November 2019.

^a The assessment asked specifically about behaviors occurring only in the 12 months prior to the survey.

^b Participants did not have to respond to all items. Numbers in parentheses are the number of individuals who indicated they had experienced a particular behavior, followed by the number of participants who answered the item(s) involved with the behavior.

^c The Fall 2019 headcount enrollment was 25,332. If the sample of students represents the student body, this would be the number of students expected to have experienced the listed behavior.

Characteristic	Response Option		% Reporting “Yes”	
Status in School	1st Year Undergraduate	(441)	17.5%	(77)
	2nd Year Undergraduate	(311)	23.8%	(74)
	3rd Year Undergraduate	(318)	21.4%	(68)
	4th Year Undergraduate	(277)	23.5%	(65)
	5th+ Year Undergraduate	(101)	19.8%	(20)
	<i>All Undergraduate</i>	<i>(1,448)</i>	<i>21.0%</i>	<i>(304)</i>
	Master’s Student	(678)	17.8%	(121)
	Doctoral Student	(933)	16.6%	(155)
	<i>All Graduate</i>	<i>(1,611)</i>	<i>17.1%</i>	<i>(276)</i>
	Non-Degree Seeking	(12)	8.3%	(1)
	Other	(30)	20.0%	(6)
	<i>Total</i>	<i>(3,10)</i>	<i>18.9%</i>	<i>(587)</i>

The rates were similar for all students, but undergraduates reported experiencing sexual misconduct at higher rates (21.0%) than graduate students (17.1%).

B. ASUN’s Student Leadership Summit

The Association of Students of the University of Nebraska (ASUN) held its 2nd Annual Student Leadership Summit on Tuesday, November 19th, 2019 from 7:00pm-8:30pm in the City Campus Union. Student leaders attended four breakout sessions. Facilitators addressed topics: sexual misconduct; mental health; diversity, inclusion, and equity; and environmental sustainability.

Professional staff from the Center for Advocacy, Response, and Education (CARE) and the Women’s Center along with two ASUN officers led the discussion for sexual misconduct.

Over 20 questions stimulated conversations with the nearly 30 leaders. Highlights from the discussion included:

- Concern that sexual assault was more prevalent in the fraternity and sorority life system than among the general student body.
- Concern that international students do not get enough information about expectations regarding sexual behaviors in the US.
- Training for faculty and staff on how to respond to disclosures of sexual misconduct and resources are lacking.
- Training for students needs to be ongoing and peer-led, with faculty/staff support.

C. Big 10 Benchmark Study

Highlights from the Big 10 benchmark study were:

1. Focus on having students lead efforts
2. Mandatory training for first year students and refresher courses every year after
3. Bystander education training
4. Campus-wide coalition
5. Big 10 institutions should work together and support each other as no one has all the answers
6. Focus on consent and healthy relationships

RECOMMENDATIONS FOR SEXUAL MISCONDUCT EDUCATION AND INTERVENTION

When sexual misconduct occurs, effective intervention much be informed by best practices in psychological science. Effective intervention includes defining consent and addressing reporting processes and trauma-informed best practices in intervention. Recommendations for education and intervention are described below.

1. Conduct a Needs Assessment

A needs assessment is an important tool in planning and developing a coordinated response to sexual misconduct prevention. Needs assessments clearly identify the need and demand, conduct a review of existing and related services, identify barriers to prevention, gather information to refocus and enhance current prevention efforts, and stimulate more responsive services by involving users and community stakeholders. This needs assessment should include both qualitative and quantitative data collection methods and should be conducted in collaboration with experts in these methodologies. Included in the Needs Assessment will be a glossary of terms, including, “trauma-informed,” “ally,” “climate survey,” “bystander,” “sexual assault,” etc. While this Collaborative report provides some initial work on

a needs assessment, we are recommending that UNL conduct an extensive needs assessment in 2020-2021.

2. Promote and Support Campus-Wide Training and Education

- Enhance mandatory education around sexual misconduct. Consider it a requirement for registration for new students and for the annual evaluation process for faculty and staff. Consider it to be annually for students and every-other-year for faculty and staff.
- Develop stand-alone website for sexual misconduct.
 - o Link to campus, community, and national resources.
 - o Reduce the number of clicks to get to the information.
 - o Make it easy to follow the reporting process.
 - o Access website quickly with a Google search.
 - o Place resource information on the main page under the student tab of UNL’s website.
 - o Position safe campus website similar to the TIPS website at the bottom of each page.
- Recognize the special needs of International Students and LGBTQA+ students and transform education for these populations.
- Reduce barriers to reporting for all students including reducing stigma and language barriers, concerns about confidentiality, and concerns about not being believed.
- Provide mandatory bystander education for all students, faculty, and staff.
- Develop and implement an Ally training for men.
- Promote the definition of affirmative consent.
- Normalize the conversation about sexual violence by covering the campus with fliers and stickers about resources. Include a QPR code on fliers and stickers.
- Provide all faculty and staff with clear guidance on what action they are expected to take upon learning of emergency situations and dangerous situations which are likely to recur, regardless of expected reporting status. The message that should be promoted is “we expect you to report because it advances our shared interest in preventing and remedying the negative effects of violence at the University.”
- Provide annual mandatory training on sexual misconduct for all faculty and staff in addition to individuals who are Campus Security Authorities under the Clery Act and who are designated as “Officials with Authority” under Title IX.
- Provide additional training for interested students, faculty, and staff on prevention strategies for various forms of sexual misconduct.
 - o Include prevention strategies for individuals and groups.
 - o Incorporate how to report incidents to authorities (IEC, UPD, individuals with responsibility for a space or program), as appropriate.
 - o Increase awareness of campus and community confidential resources (CARE, CAPS, EAP, Voices of Hope, RAINN).

- Provide campus community members with tools to avoid perpetrating sexual misconduct.
- Ensure that Title IX Officials with Authority recognize all forms of sexual misconduct, including knowing how to report incidents, and understanding their duties to do so.
- Provide students, faculty and staff with clear guidance on how to handle emergency situations and dangerous situations, which are likely to recur.

3. Develop Ongoing Evaluations of Sexual Misconduct

- Develop and distribute an annual campus climate survey to better understand student, faculty, and staff perception of UNL's climate regarding sexual misconduct; how the institution responds to sexual misconduct; and whether and how often they have experienced sexual misconduct. We recommend a climate survey be conducted every- other-year. We recommend that the climate survey be conducted in collaboration with faculty with relevant research expertise.
 - Consider using a firm or an independent survey unit (i.e., BOSR) that specializes in administering a pre-existing and accepted climate surveys. The firm should also be familiar with best practices in prevention and response to sexual misconduct.
 - Work with institutional and local experts to develop solutions based on the analysis and recommendations provided by the firm conducting the survey.
 - Repeat assessment on a cyclical basis, every two years, according to LB 534.
 - Use data to improve prevention and response efforts.
 - ARC3 is currently developing a climate survey for faculty and staff and are looking for schools to pilot it. We recommend that UNL pilots this survey for faculty and staff.

4. Enhance Leadership and Collaboration

- Provide many opportunities for students to be involved including a robust peer education program, policy development, and promotional materials development.
- As previously mentioned, continue the sexual misconduct collaborative with faculty, staff and students. Encourage monthly meetings that look at the data and respond to university challenges.
- Revisit the agreement with the Lancaster County and City of Lincoln Sexual Assault Response Team (SART) that includes representation from CARE, UPD, Friendship Home, Voices of Hope, the LPD Victim Witness Assistance Office, and County Prosecutor.
- Ensure adequate staffing in prevention and education efforts across all colleges. Colleges should have staff dedicated to prevention/education and victim advocacy.
- Establish a culture of continued support through writing grants to address prevention and education including local, regional, and national grant opportunities.

5. Integrate Training across the Campus Community

- UNL should increase training on both bystander intervention and affirmative consent

for all members of the campus community. We recommend incorporating these trainings into the freshman year Husker Dialogues experience; including them as part of the annual Registered Student Organization (RSO) training that usually covers NvolveU, and revamping the faculty/staff Firefly training to include an in-person component. Additional trainings should be required for Residence Assistants, ASUN members, Office of Fraternity and Sorority Life groups, RSO leaders

- Peer-to-peer education can be promoted by providing opportunities for students to be trained on leading informational sessions to their peers and allow professors and student groups to request training for orientation, classes, and organization meetings. See UNL REACH training as a model for implementation. (<https://preventsuicide.unl.edu/reach-training-0>).

6. Recommendations for the Office of Institutional Equity and Compliance Practices

- All relevant employees involved in the Title IX process should be trained in trauma informed care and restorative practices as an option for informal resolutions. As soon as someone files a complaint, a CARE Advocate will be offered to meet with them immediately to go over their options should they choose to accept this service. In the event a CARE Advocate is not immediately available, we recommend CARE create a video to show at the time someone files a complaint. A CARE Advocate should follow up with a phone call within 24 hours. If the reporting party does not feel comfortable with an internal advocate, a list of community advocates will be provided.
- Having an advocate support the individual when they first make a statement to IEC will show them they are supported by the University. We want them to be aware of CARE in order to go over their choices, know that they have a voice, and can trust someone who will be confidential.
- As previously mentioned the Title IX coordinator will draft syllabus language that professors must include in their syllabus.
- Produce and publicly distribute an annual report, from UNL's IEC office in response to reports of sexual misconduct. The Title IX website should include all relevant information to involved parties, including information about CARE advocates and Student Legal Services. This website should be kept up-to-date and be easily accessible to students, faculty, and staff.
- UNL should invest in bathroom stickers (possibly with funds from ASUN Student Government) that includes the Title IX website and what Title IX does.

7. Alternative Grounds for Appeal

New Title IX regulations allow for the following bases for appeal: procedural irregularity, newly discovered evidence, or bias or conflict of interest on the part of the Title IX Coordinator, investigator, or decision-maker. We recommend UNL expand the bases a party has to appeal a decision to include the following:

- The administrative action does not match the level of the policy violation.
- There was a clear error in the factual finding for which the administrative action was taken.
- Provided evidence was not considered in the final decision (adapted from UNL Student Code of Conduct).

- If there is a question of whether the investigation and hearing process were conducted in conformity with procedures required by the policy. Please note that a deviation from procedures is not a basis for sustaining an appeal unless significant prejudice results.

8. Recommendations to Clarify Reporting Roles, Processes, and Options

- Develop a clear description of avenues (including and beyond Title IX) for reporting, investigating, hearing, and appealing cases of sexual misconduct and share widely with students, faculty, and administrators.
- Provide consistent, renewable training for all university employees and other members of the campus community (e.g., students) on the mandatory reporting policy. This training must include a clear description of each employee role (i.e., Confidential, Expected Reporter, Discloser-Directed). For employees, this training should be renewed every two to three years or whenever the employee's category changes. This training must also include best practices for responding to a sexual misconduct disclosure regardless of one's reporting status, including easy-to-access digital tools for employee perusal.
- Require Institutional Equity & Compliance, (in collaboration with campus stakeholders) to create, maintain, and distribute online and printed guides for (a) Officials with Authority (defined by the new DoE regulations), (b) Completely Confidential (i.e., mental health practitioners, legal counsel), and (c) Discloser-Directed Employees (i.e., employees who are not officials with authority nor completely confidential) that clearly outline how these employees should respond to a disclosure, including the information they must share about their reporting duties, the information they must provide about confidential resources, and the steps they must take to properly report.
 - o **Mandatory Reporters:** The university is required to designate certain employees who are responsible for reporting incidents of sexual misconduct to the Title IX Coordinator (and possibly another Official with Authority) for the purpose of conducting an investigation into the situation. Sexual misconduct includes sexual harassment, dating violence, domestic violence, stalking and sexual assault. Not all university employees are designated as Mandatory Reporters. Most UNL faculty and staff members are not Mandatory Reporters. Only those individuals identified by title on this webpage are Mandatory Reporters. Note: The university should include a complete list of Mandatory Reporters on a website that is available to the public and easy to locate. This list should be updated regularly as needed. Faculty and staff should be notified and should go through training when their Mandatory Reporters status changes (e.g., a faculty member becomes a chair).
 - o **Confidential Employees:** There are certain employees on campus who one can talk to in near complete confidence. These individuals have no responsibility to take action, report to law enforcement, or report to the university the information that is shared with them, so long as the individual is acting in their role as counselor, advocate, medical provider, or attorney at the time one's concerns are shared (note: an exception to this rule is that confidential employees must also follow state reporting laws, e.g. reporting child abuse). These employees have the same obligations as the Discloser-Directed Employees in terms of responding in a supportive manner and offering

information about resources and options to report (see below), but their professional obligations and/or commitment to confidentiality provide an additional layer of confidentiality for those who desire it. Confidential employees have a professional commitment and/or legal privilege that may enable them to successfully oppose an application for a court order seeking disclosure of communications. Confidential employees will inform the discloser that if they share their concerns only with a confidential employee, the university will not conduct an investigation unless the discloser takes further action to inform campus authorities of their concerns, or the university learns about their situation from another source. Note: the university should complete a list of all confidential employees and publish this list on a website that is available to the public and easy to locate. This list should be updated regularly as needed. This list should include (but is not limited to) CAPS counselors, student legal services, Psychological Consultation Center (PCC), Counseling and School Psychology Clinic, UNL Employee Assistance Program employees, UNL Athletics psychologists and doctors, and CARE advocates, interns, and employees.

- o **Discloser-Directed Employees:** All employees who are not designated as (a) Officials with Authority, (b) Mandatory Reporters, or (c) Confidential Employees are designated as (d) Discloser-Directed Employees. When these employees receive a disclosure of sexual misconduct, they are required to (1) listen and respond in a respectful, supportive manner, which includes avoiding victim blaming language and being sensitive to their needs without being judgmental, paternalistic, discriminatory, or retaliatory; (2) provide information about reporting options; (3) ask if the person who disclosed wants to make a report to the Title IX Coordinator and respect their decision; (4) provide information about confidential resources that can offer more extensive support; and (5) ask if the person who disclosed wants you to help them connect with a confidential resource and respect their decision. These employees will only report the information shared to the Title IX Coordinator when the person who disclosed requests that the information be reported (unless someone is in imminent risk of serious harm or a minor). While Discloser-Directed Employees are required to provide information and resources, they do not have the ability to address the sexual misconduct or to implement corrective measures in response to a disclosure.

9. Recommendations to Ensure Equity in Title IX Processes and Proceedings

- Provide formal training and regular compliance checks for use of trauma informed approaches by Title IX investigators and decision-makers. This could be provided by internal experts like CARE, faculty researchers, and/or external consultants.
- Provide clear definitions of reporting roles. We respectfully request that our language recommending different categories of reporters be added—we have adapted it with new policy language.
- Provide consistent, renewable training for all university employees and other members of the campus community (e.g., students) on the mandatory reporting policy. This training must include a clear description of each reporting role. For employees, this training should be renewed every two to three years or whenever the employee category changes (e.g., an employee becomes a chair and moves from

a Discloser-Directed employee to a responsible employee category). This training must also include best practices for responding to a sexual misconduct disclosure regardless of one's reporting status, including easy-to-access digital tools for employee perusal.

- Require all investigators, hearing officers, and decision makers engage in implicit bias and anti-oppression training that addresses race, gender, sexual identity, and socioeconomic status.

UNL's Collaborative on Sexual Misconduct sincerely hopes that this report provides a roadmap for creating and maintaining a caring campus community where all voices are heard, respected, and validated.

Respectfully Submitted,

*The University of Nebraska-Lincoln's Campus-Wide Collaborative on Sexual Misconduct
Committee*

ADOPTION OF BEST PRACTICES FOR RESPONDING TO SEXUAL MISCONDUCT

The CORE Blueprint documents emphasize the value of policies and procedures that institute best practices for campus responses to sexual misconduct. The Committee identified several practices for UNL to adopt, including: creating a Chancellor’s commission for sexual misconduct; a reporting culture that supports connection to CARE advocates; special training for key campus populations; enhanced web and multi-media resources; developing resources for responding parties; developing resources for faculty and staff.

A. Create a Chancellor’s Commission on Sexual Misconduct that includes student members

According to the CORE Toolkit, a “campus leadership team” plays an important role in continuing efforts to shape policies, culture, and climate about sexual misconduct. Comprised of stakeholders from the campus community, including survivors of sexual assault, the role of a campus leadership team is to facilitate and coordinate the University’s efforts. Fortunately, UNL has existing models for such a team, the three Chancellor’s Commissions. The creation of a specific Commission on sexual misconduct signals that sexual misconduct is an issue of ongoing concern on campus, that campus leaders take seriously the task of preventing and addressing sexual misconduct, and that administration is open to conversations and advice about best practices for those tasks.

Like the existing commissions, we recommend the new Commission to comprise councils representing faculty, staff, and students, including representatives from CARE, the Title IX Office, University Police, Big Red Resilience & Well-Being, the Women’s Center, the LGBTQA+ Center, faculty, as well as student representatives at the undergraduate, graduate, and professional levels. Additionally, a group of students at the undergraduate, graduate, and professional levels will serve on the Student Advisory Board, which will be selected through an open application process housed in ASUN. The major role of the Chancellor’s Commission is to provide continuing coordination and consultation for campus sexual misconduct programs and policies, reporting directly to the Chancellor. Tasks of the new commission should include (but may not be limited to):

1. Advising the University on current best practices in addressing campus sexual misconduct.
2. Routinely reviewing university policies in light of federal and state guidelines and best practices, making recommendations to the Chancellor as appropriate
3. Monitoring and coordinating prevention, intervention, and training programs across units
4. Gathering and reviewing data or reports regarding campus climate

B. Reporting culture should emphasize initial connection with a CARE advocate

Through our conversations, committee members heard that reporting parties had very inconsistent experiences within the Title IX process and that there was a lack of clarity about the role of Title IX officers. The University’s CARE Advocates are best equipped to support reporting parties, provide information about options, connect them with the Title IX office, and support them in navigating that process. This does not mean access to the Title IX office is restricted. In keeping with federal guidelines, the Title IX office remains responsible for publicizing how to access their office. Rather, communications (e.g., website, literature, training) should emphasize what the CARE office does and the role of advocates as confidential

resources.

Given the shifts in the federal policy, the university community in general should be informed who is a mandatory reporter and who is a confidential resource. Under current policy, CARE advocates and health care providers are confidential, while a select group of others are expected to report allegations of sexual misconduct.

An accessible website attached to CARE should show the different methods and resources for reporting with included statements from other resource points, such as BRRWB, UHC, etc. Specifically, the website should include a reporting flow chart to increase the purpose and overall transparency of the Title IX Office detailing reporting options, supplemented by detailed descriptions of each step of the process. The website should also detail the list of mandatory reporters, peer support groups and RSO's (such as Dear UNL), and have pertinent information from the Student Code of Conduct.

Students should be directed to the CARE office as a first point of contact in the reporting process to learn about reporting options and support resources. Parties, upon their first interaction with the Title IX office, should be shown a video explaining the role of the CARE office and be presented with the opportunity to meet with an advocate before continuing forward in the reporting process. Title IX should inform survivors of their ability to make accommodations/modification requests, the types of requests they can make, and how to make requests. All requests for accommodations/modifications must be communicated to the necessary parties via the Title IX office, regardless of reporting status, status of the investigation, and/or finding of the investigation.

C. Special training for key campus populations

The committee's review of UNL policies indicated variability in the nature and extent of training about responding to reports of sexual misconduct. Best practices indicate that training should occur when a person enters a new role and occur on an annual basis for individuals continuing in their roles. Crucially, all training should be trauma-informed and outline specific roles, responsibilities, and procedural steps for responding to reports of sexual misconduct. Training should be appropriately tailored to the specific needs of campus offices, programs, and organizations, including:

1. Title IX Staff, CARE Staff, Heath Center personnel, and UNLPD
2. Faculty & Staff Leaders of Co-Curricular Programs
 - a. Leaders of faculty-led programs abroad
 - b. Alternative spring break coordinators
 - c. Registered student organization advisors
 - d. Sport club coaches
 - e. Athletic coaches and trainers
 - f. Fine and Performing Arts staff
3. Residence Hall Staff & Fraternity and Sorority Life Housing Directors
4. New Student Enrollment Guides
5. Academic Advisors
6. Campus Religious Workers (ACReW)
7. Education Abroad Office staff

8. Volunteers working in student outreach and peer education groups.

Uplift support groups, such as PREVENT and the CARE Office, through potential exploration of additional funding, such as through the Pepsi Student Endowment to increase service capacity.

9. Sexual Health Ambassadors, in conjunction with the Women's Center, Health Center, and CARE, should be created to perform classroom and on-campus outreach about healthy sexual relationships, pass out information pamphlets, and offer other sexual health resources!

Academic accommodations must be made for students involved in the Title IX process, with their consent. If the student consents, Title IX must notify the faculty discreetly to ask for academic accommodations.

10. Accommodations could include changing to a different course section, offering remote instruction by recording lectures, giving the student an Incomplete with the ability to finish the work for the course in the future, and assigning alternate, equivalent assignments.

11. There should be a zero tolerance policy for advisor retaliation, particularly regarding funding, for graduate students.

12. Survivors should have an option to guarantee assistantship and post-doctoral funding should they lose their existing funding after reporting.

D. Title IX Office

Increase visibility of statistics with easily accessible yearly Clery reports on the Title IX website that includes relevant information from University Police year-end reports. In addition, we recommend that the IEC office produces and disseminates an annual report that includes Title IX data from the preceding academic year.

More comprehensive, accurate, and easily accessible information should be detailed on the Title IX website, including: (1) an updated staff directory with pictures and accurate contact information of all Title IX staff and office locations; (2) the protocol for filing reports and exactly what every step entails for all reporting and support seeking processes. This information should be clearly detailed, in-depth, and easily accessible; (3) information about the length of the process should be clearly stated; (4) detailed, annotated step-by-step mock cases should be available online for survivors; (5) there should be an easily accessible FAQ that includes statistics for all types of reporting, which includes the number and types of reports, outcome of investigations, sanctions, length of investigation, number of appeals, and outcome of appeals.

The Collaborative recognizes that the federal regulations requirements state that the investigative report is to be released to the parties and their advisors before it is finalized. Section 34 CFR 106.45(b)(5)(vi) includes the statement "evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the [University] does not intend to rely..." By Federal law, the investigator is going to have to provide all information gathered.

Parties should be provided with clear, written instructions about how to receive copies of recordings, transcripts, or evidence related to proceedings. The Title IX office must provide a clear and detailed written statement about the limitations of evidence that can/will be provided and reasoning why.

The Investigator will create an Investigative Report that fairly summarizes relevant evidence. At least ten (10) University Days prior to a hearing, or other time of determination regarding responsibility (whichever allows for a longer time period), the Investigator will send to each party and the party's advisor, if any, the Investigative Report in an electronic format or a hard copy, for their review and written response. Both parties will have the right to review each other's responses and the responses will be provided at the hearing.

Ensure live hearings physically separate the parties and rely on audio-visual technology that facilitates cross-party communication. The appeals process should be made equally as transparent and understandable for all parties.

E. User-friendly multimedia resources to aid policy interpretation and understanding

Through our conversations and members' own exploration of the UNL website, the committee noticed many areas of improvement that would expand the university community's access to information about sexual misconduct prevention and reporting procedures. Improvements and regular updates to the website also facilitates transparency and consistency in the reporting and investigation process. In addition, a visible and regularly updated digital presence provides a broad platform to UNL's communicate climate and culture goals regarding sexual misconduct.

1. Centralized web page accessible from the UNL Home page
2. Visually attractive infographics that present policy and procedures in digestible form (e.g., flowchart)
3. Multimedia explanations
 - a. Short videos (YouTube Channels for Title IX, Student Conduct, and CARE)
 - b. Mediated PowerPoints or Presentations
4. Specific information regarding who is a mandatory reporter and who is a confidential resource.
5. Specific sections dedicated to the CARE office and its role.
6. Specific sections dedicated to the Title IX office and its role, and training materials in use (in compliance with the May 2020 federal policy).

F. Develop resources for responding parties

In keeping with the spirit of the May 2020 federal policy, the committee suggested the need for responding parties to have contact with a process advisor or resource coordinator, perhaps in conjunction with BIT team as appropriate.

G. Develop resources for faculty, instructors, and staff to deliver to students in need of support

Similar to the required training and syllabus statements, faculty, instructors, and staff should have access to up-to-date resources to provide students in need of support. In particular, information should include: links to the UNL centralized webpage on sexual misconduct, how to contact a confidential report source (e.g., CARE staff), a health care provider (e.g., University Health Center), and a mental health care provider (e.g., CAPS). Hard copies should be made available to all academic departments and units.

APPENDIX B: SOCIAL-ECOLOGICAL MODEL FOR PREVENTION AND INTERVENTION IN SEXUAL MISCONDUCT

Sexual violence is a major and serious public health problem on college campuses in the United States that negatively affects the well-being of individuals every year at notably high rates (Dills, Fowler, & Payne, 2016; Fisher, Cullen, & Turner, 2000). In fact, according to Mellins and colleagues (2017), 22% of students report experiencing at least one incident of sexual assault since entering college, with women and gender non-conforming students disclosing the highest rates; though, 6% of men also claimed to experience sexual assault. According to the Bureau of Justice Statistics, approximately 21% of undergraduate women revealed they had been sexually assaulted since entering college (Krebs, 2016). These prevalence rates for sexual violence against women on college campuses match rates of earlier studies where between 15% to 31% of women reported experiencing sexual violence victimization (Fedina, Holmes, & Backes, 2018). Thus, sexual assault on college campuses in the United States is a pervasive public health crisis.

Studies indicate that sexual violence on universities impact the health, risk behaviors, academic performance, and perceived safety of individuals on college campuses. Short and long-term consequences of campus-based sexual violence induce problems such as eating disorders, post-traumatic stress disorder, depression, anxiety, and suicidal ideation (Black et al., 2011; Campbell, Dworkin, and Cabral, 2009; Gidycz, Orchowski, King, & Rich, 2008). Physical injuries, sexually transmitted infections, and chronic illness have also been reported to result from such violence (Campbell, Self, & Ahrens, 2003; Fisher, Cullen, & Turner, 2006). Individuals who experience sexual assault may engage in binge drinking, abuse drugs, have lower academic achievement, drop classes more often, and withdraw from institutions (Combs, Jordan, & Smith, 2014). Given the challenging health, behavioral, and academic outcomes, sexual assault negatively impacts campus safety; to improve the well-being of students on college campuses, sexual violence needs to be prevented.

PREVIOUS SOLUTIONS

LEGAL RESPONSES

College campuses attempted to solve the problem of sexual violence through legal and preventive efforts. Legal strategies stem back to the early 1970s, when an increasing amount of literature suggested that the population of women being victimized was growing; a series of federal government legislative measures were released to reduce the prevalence of sexual violence on campuses across the United States (Gray, Hassija, & Steinmetz, 2017). In 1972, Title IX was developed to federally prohibit sex-based discrimination in any program or activity that receives federal funding (Gray et al., 2017). This discrimination on the basis of sex can include sexual harassment, rape, and sexual assault; if sexual harassment or assault are discovered within university programs and activities, the university can be held legally responsible (Gray et al., 2017). The Clery Act of 1990 intersects with Title IX, and functions like a bill of rights for sexual assault survivors by holding the university accountable for notifying survivors of counseling resources, the option to report, providing accommodations, and notification of the outcome of disciplinary proceedings; it also requires all institutions of higher education that participate in federal financial aid programs to maintain and report on campus crime (Gray et al., 2017). The Violence Against Women Act (VAWA) of 1994 and Campus Sexual Assault Victim's Bill of Rights mandate that federally funded educational institutions address sexual assault problems by developing and implementing prevention programs and sexual assault response policies (Tani, 2017). The Campus Sexual Violence Elimination Act (SaVE) is a federal

policy requiring all federally funded universities to implement bystander intervention programs for staff and students, where the goals focus on helping others at risk and preventing sexual victimization before perpetration occurs (Gray et al., 2017). Following a U.S. Department of Justice study released in 2007 which demonstrated that 20% of women will experience sexual assault from the time they set foot on campus to the time they leave, the Department of Education (DOE) and Office of Civil Rights (OCR) released a “Dear Colleague Letter” (2011); this letter reminded institutions of higher education of their responsibility to respond to sexual assault in a timely manner; failure to comply would create a hostile student environment and may result in loss of federal funding (Tani, 2017). These judicial-driven strategies to reduce sexual violence on college campuses indicate that protecting victims from violence is a political and institutional imperative.

CURRENT SOLUTIONS

PUBLIC HEALTH RESPONSES

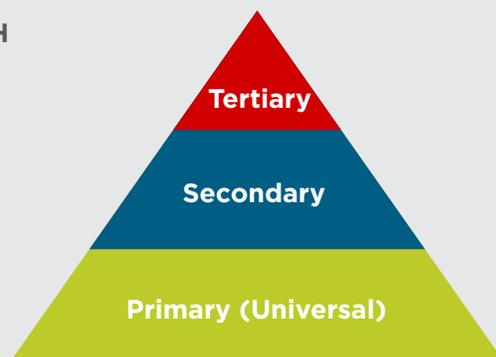
Prevention programs based on public health strategies were developed to address campus sexual violence given its role as a public health concern. In fact, the Centers for Disease Control encourages institutions of higher education to address sexual violence via public health methodology (Cox, Ortega, Cook-Craig, & Conway, 2010; DeGue et al., 2012). The public health model has four basic steps:

1. Define and monitor the problem
2. Identify risk and protective factors
3. Develop and test prevention strategies
4. Implement successful programs broadly (Krug, Mercy, Dahlberg, & Zwi, 2002).

Prevention and intervention, which aim to improve health-related concerns may be enacted at the three levels based on when to prevent (ideally) and to intervene: primary, secondary, and tertiary.

- **Primary prevention** of sexual violence takes place before sexual violence has occurred to prevent initial perpetration or victimization;
- **Secondary interventions** respond immediately after sexual violence has occurred to deal with the short-term consequences of violence

PUBLIC HEALTH PYRAMID



Provide Intervention for those affected

Programs targeted at families in need to alleviate identified problems and prevent escalation

Programs targeted at entire population in order to provide support and education before problems occur

- **Tertiary preventions** are *long-term responses after sexual violence has occurred* to deal with the lasting consequences (CDC, 2004).

Different strategies are used depending on who the intervention targets.

- **Universal interventions** are approaches aimed at groups or the general population regardless of individual risk for sexual violence perpetration or victimization.
- **Selected interventions** are approaches aimed at those who are thought to have a heightened risk for sexual violence perpetration or victimization
- **Indicated interventions** are approaches aimed at those who already perpetrated sexual violence or have been victimized.

Each type of prevention has unique advantages and disadvantages. However, the type of preventative measure that should be selected depends on who is at risk; if everyone is at equal risk, a universal prevention is appropriate; if a specific group has been identified as high risk, then a selected prevention is more appropriate (CDC, 2004; Krug et al., 2002; Powell, 1999).

The social-ecological model of prevention supports the notion that sexual violence is a complex issue and results from multiple influences on human behaviors. This model is commonly used to identify varying levels of influences on an individual such as a person's biology/individual factors, relational influences, organizational and community influences, and the larger society:

- Individual influences
- Peer influences
- Community Influences
- Societal Influences



RISK FACTORS

The CDC argues that strategies should be focused on reducing the number of sexual perpetrators in order to prevent placing the burden for preventing sexual violence on potential victims (DeGue et al., 2012). Thus, designing effective interventions from a public health lens requires understanding the risk and protective factors associated with sexual violence perpetration. Krug and colleagues (2002) describe several factors related to perpetration of sexual violence including specific groups, pornography use, substance use, social norms, emotion regulation, attitudes, and a history of childhood sexual abuse. Groups with a large all-male identification (e.g., military, athletes, and fraternities), and freshman and sophomore students are more likely to perpetrate sexual violence (Harway & Steel, 2015; Spencer & Bryant, 2000); individuals who frequently use pornography and substances may also be more at risk for sexual violence perpetration (Harway & Steel, 2015; Spencer & Bryant, 2000). Students with emotion regulation challenges like low self-control may be at higher risk, as are students who hold attitudes reflecting traditional gender stereotypes and rape supportive attitudes (Basille, Espelage, River, McMahon, & Simon, 2009; Franklin, Bouffard, & Pratt, 2012). Yet, there are also important protective factors that may buffer risk of violence perpetration like emotional health and connectedness, achievement, coming from a family that was high in reasoning to resolve conflicts, and empathy (Tharp et al., 2013). In order to develop strategies to prevent sexual violence on college campuses specifically, prevention programs

should be developed to target malleable risk and protective factors associated with sexual violence perpetration.

PREVENTION PROGRAMS

Several primary universal prevention programs for addressing sexual violence on college campuses have been developed and evaluated with little evidence of effectiveness. One program has received promising support called “Bringing in the Bystander” (Gray et al., 2017; Banyard, Moynihan, Plante, 2007) which can decrease rape supportive attitudes and increase bystander behavior. Another program often used across campuses is the “GreenDot” bystander intervention by Coker and colleagues (2011) which may increase bystander behavior and decrease self-reported violence perpetration. Other bystander based and universal prevention approaches have historically been initiated across colleges and universities for the past thirty years such as “One Act” (Alegria-Flores et al., 2017), “InterACT” (Gray et al., 2017), “Take Care” (Kleinsasser and colleagues, 2015), “Peer education theater” (McMahon, Postmus, Warrener, Koenick, 2014), Sharrp Consent 101 (Borges, Banyard, and Moynihan, 2008), and “Acquaintance Rape Prevention Program” (Pinzone-Glover, Gidycz, Jacobs, 1998), to name a few. However, these programs do not demonstrate changes in reported sexual violence perpetration or victimization according to a systematic review conducted by DeGue and colleagues (2014).

While evidence suggests that some groups are at a higher risk of sexual violence perpetration, only a handful of programs have responded to the call that prevention programs on college campuses should target specific high risk groups such as men (Abbey, 2005; Crooks, Goodall, Hughes, & Baker, 2007; Foubert, 2000; Katz, 2006; Kilmartin & Berkowitz, 2001; Rich, Utley, Janke, & Moldoveanu, 2010; Rozee & Koss, 2001; Smith & Welchans, 2000). Some primary selected prevention programs target women, as they are at a higher risk of victimization; yet, doing so may be inappropriately targeting the solution to the problem. Examples of primary selected programs include the Women’s Program, Real Consent, The Men’s Program, The Men’s project, and videos targeting empathy, attitudes, and education (DeGue et al., 2014). Yet, many of these programs have a null or inconsistent effect on sexual violence behavior, and some primary selected interventions are potentially harmful for sexually violent behavioral outcomes (DeGue et al., 2014). As a matter of fact, some primary selected programs which target men (i.e., videos targeting empathy, attitudes, and education) revealed a marginally significant increase in sexually violent behavior for the intervention group. At follow-up, high risk men in the intervention groups had a significant increase in sexually violent behavior when compared to the control group (DeGue et al., 2014). While prevention programs may improve knowledge related to sexual violence and decrease rape-supportive attitudes and beliefs among participants, few demonstrate reductions in sexually violent perpetrator behavior. Universities often have limited resources; thus, targeting at-risk groups in prevention is often more cost effective than universal strategies. However, rigorous research and programs are needed to eliminate the problem of sexual violence on college campuses (CDC, 2004).

Universities may benefit from broadening their prevention approach to be positively oriented and comprehensive. According to the principles of effective prevention programming (Nation et al., 2003), effective prevention programs emphasize building positive, respectful relationships; they also teach conflict resolution and communication skills; additionally, they address multiple components demonstrated to impact a variety of college student problems (Hamby & Grych, 2013). For instance, evidence describes many direct links between discrimination and interpersonal violence which may impact students on college campuses; this evidence suggests the importance of understanding how intersectionality contributes to all kinds of interpersonal violence perpetration (i.e., psychological, physical, and sexual) on college campuses (Sugarman et al., 2018). The disproportionate rates of sexual and

interpersonal violence victimization among students from minority populations (LGBTQ [lesbian, gay, bisexual, transgender, queer], students with disabilities, racial, and ethnic minorities) highlight the need for inclusive and culturally specific responses to victims, as well as prevention programs which tackle the intersectionality and interconnectedness of multiple forms of violence (Fedina, Holmes, & Backes, 2018). For instance, there are often prevention programs that separately address bullying, cyber-bullying, dating violence, and sexual violence; yet, these programs are often offered independently of one another (Hamby & Grych, 2013). Additional research has called for evidence-based preventive interventions to focus on individuals who commit discriminatory acts, or “hate-motivated aggression” (Sugarman et al., 2018). If a prevention program were to address the interconnections between different violence types (e.g., psychological, physical, sexual, discrimination), it may lead to a more effective prevention strategy that actually reduces the number of interpersonal violence victims on college campuses (Hamby & Grych, 2013). Utilizing a **comprehensive interpersonal violence prevention approach may best impact diverse forms of student dangers if they target the multiple components of violence through a positive, relationship-oriented approach** (Hamby & Grych, 2013; Nation et al., 2003).

SOCIAL-ECOLOGICAL LOGIC MODEL FOR PREVENTING AND RESPONDING TO SEXUAL MISCONDUCT

INDIVIDUAL

The individual level of sexual assault prevention seeks to implement an educational infrastructure that ensures all members of the campus community understand concepts of consent and intervention, in turn increasing the likelihood that each individual will prevent sexual misconduct from occurring at UNL.

1. Inputs
 - a. Regularly collect qualitative feedback from faculty, staff, and stakeholder student groups, including:
 - International students, athletes, sororities, fraternities, OASIS, DEAR UNL, LGBTQ+, Disability Club, RHA.
 - b. Conduct an annual quantitative survey of all students regarding baseline data on prevalence of sexual violence.
 - c. Utilize Clery Report data in all campus planning.
 - d. Conduct comprehensive campus climate survey of all students regarding baseline data on the prevalence of campus safety (evidence-based, comprehensive survey information available upon request from CDC).
2. Activities
 - a. Campus-wide bystander intervention training (evidence-informed, culturally sensitive, multi-session; e.g., Bringing in the Bystander).
 - b. Healthy Relationships course for incoming freshman and sophomores.
 - c. Documenting program progress and making it accessible in multiple formats, including:
 - Online, in written publications, in dorms, in academic buildings.

3. Outputs
 - a. Number of students engaged in bystander intervention.
 - b. Number of students engaged in Healthy Relationship skills course.
 - c. Clery Report data on reporting.
 - d. Survey data.
4. Outcomes
 - a. Increased bystander readiness, intentions, and behaviors.
 - b. Increased social and emotional learning skills.
 - c. Increased perceptions and understanding of social norms.
 - d. Increased diffusion skills.
 - e. Increased perception of school safety.
5. Impact
 - a. Reductions in sexual violence.
 - b. Reductions in dating violence.
 - c. Reductions in bullying.
 - d. Reductions in alcohol use.
 - e. Safer campus and downtown community.

PEER/PARTNER

The peer/partner prevention level identifies opportunities for implementing prevention-focused education in common campus power structures. It seeks to utilize members of the campus community to train other members of the campus community.

1. Inputs
 - a. Dorm and RA training focused on trauma-informed response and risk reduction.
 - Clarify RA's role as both students and university employees.
 - Heavily emphasize bystander intervention in the dorm setting: Dorm lobbies are often the last point of intervention before a critical situation.
 - Utilize dorm bathrooms, common spaces, and mailboxes as opportunities to provide reporting information.
 - b. Sexual misconduct education within the Greek system:
 - Train peer leaders within each chapter to serve as educators and supports who can provide resources to survivors.
 - Engage Greek leadership in campus-wide prevention events, such as Red Zone programming and the End Rape on Campus march.
 - c. Athletics:
 - Train coaching and athletic training staff in intervention and trauma-informed response.

- Increase access to impartial third-party reporting staff within the athletics department to ensure student athletes have reporting access outside of biased department structures.
2. Activities
 - a. Dorm-based intervention that reinforces positive norms and skills related to bystander behavior and healthy sexuality (e.g., keep doing videos on bystander behavior).
 - b. Greek Life intervention.
 - c. Coach implemented intervention for addressing hyper-masculine peer forms that support or facilitate sexual violence. (e.g., Coaching Boys into Men).
 3. Outputs
 - a. Number of athletes, military, Greek members engaged in selected intervention.
 - b. Number of dorms engaged in positive norms and social skills.
 4. Outcomes
 - a. Decreased hostile environments.
 - b. Increased awareness of consent within athletics, military, and Greek members.
 5. Impact
 - a. Reductions in sexual violence.
 - b. Reductions in dating violence.
 - c. Reductions in bullying.
 - d. Reductions in alcohol use.
 - e. Safer campus and downtown community.

COMMUNITY

The community level of sexual assault prevention aims to deliver a campus-wide education infrastructure that increases prevention efforts across all levels of the campus community, ranging from administration to students.

1. Inputs
 - a. Identify relevant administration leaders and maintain contact with students on the UNL Collaborative on Sexual Misconduct and the Chancellor's Commission on the Status of Women
 - b. Identify social media platforms to deliver messaging in addition to relevant telehealth providers
 - c. Develop map for identifying hot spots on campus.
 - d. Find relevant information for faculty and staff related to mandatory reporting, trauma-informed disclosure response, and syllabi resources
2. Activities
 - a. Administration

- Train Campus Leadership on a Community of Safety and Respect.
 - Continue practices of engaging all campus members in establishing sexual misconduct reduction planning, including the UNL Collaborative on Sexual Misconduct and the Chancellor's Commission on the Status of Women
- b. Online Presence:
- Social media marketing campaign campus-wide to address norms related to sexual violence. (e.g., Poster and University Radio program)
 - Maintain transparent, online databases of all resources available to campus community members.
 - Utilize tele-health and tele-counseling opportunities to connect survivors with support services
- c. Hot-spot mapping to identify and monitor unsafe areas on campus.
- d. Faculty and Staff:
- Ensure faculty and staff fully understand their responsibilities as mandatory reporters.
 - Train faculty and staff members in trauma-informed sexual misconduct response.
 - Encourage faculty members to utilize syllabi and Canvas resources for education and promoting resources.
3. Outputs
- a. Number of campus leaders who complete training each year.
 - b. Number of youth engaged on social media platforms using related hashtags.
 - c. Number of hotspots mapped.
 - d. Consistent, empathetic response to survivors across faculty and staff in all departments and campus entities.
4. Outcomes
- a. Increased awareness.
 - b. Increased understanding of sexual violence.
 - c. Increased ease in locating accurate, up-to-date information on sexual misconduct.
5. Impact
- a. Reductions in sexual violence.
 - b. Reductions in dating violence.
 - c. Reductions in bullying.
 - d. Reductions in alcohol use.
 - e. Safer campus and downtown community.
 - f. Greater understanding of legal requirements at all levels of campus community.
 - g. Increasing culture of trust through trauma-informed response.

SOCIETY

Though our prevention recommendations are primarily aimed at preventing sexual misconduct within the University of Nebraska–Lincoln community, UNL students, faculty, and staff members engage with entities beyond the boundaries of campus. With this in mind, the societal level of prevention seeks to identify opportunities for prevention and education in the broader community in which UNL exists.

1. Inputs
 - a. Identify schools in the Lincoln Public Schools, Omaha Public Schools and other UNL-feeding high school districts.
 - b. Co-develop BASICS program with sexual consent training component with faculty who have knowledge of sexual violence in the field of psychology and related fields
 - c. Identify staff to lead BASICS program with sexual consent training component.
 - d. Regularly collect city-wide survey data on alcohol use (i.e., such data may already be gathered regularly; utilize what's been made available through relevant entities like the sociology department, SBSRC, MERC, and potentially others).
 - e. Regularly collect city-wide survey data on law enforcement and support.
 - f. Identify bars and Uber drivers especially popular among undergraduate students (i.e., Iguanas, the Railyard, Fat Toad, Brothers, the Rail, the Bar).
 - g. Develop mailings and strategies to communicate with student's parents around subjects like sexual misconduct, alcohol use, and safety.
2. Activities
 - a. Partner with Lincoln Public Schools, Omaha Public Schools, and other primary UNL-feeding high school districts to ensure future students have a baseline knowledge of sex education and consent before coming to campus.
 - b. Facilitate campus initiatives to support and enforce alcohol policy efforts (e.g., other federally funded universities, like the University of Missouri-Columbia, have used the BASICS program to support students who have violated alcohol policies on campus).
 - c. Strengthen and support alcohol-use enforcement policies on and off campus.
 - d. Partner with Uber drivers and local bars to address the problem of alcohol use and sexual violence.
 - e. Host conversations and disseminate information on consent and sexual misconduct prevention to students' parents during orientation events and post-commitment deadline mailings.
 - Help students and parents to better understand how age of majority policies and power of attorney affect students' ability to seek and receive support.
3. Outputs
 - a. A prevention webpage with clear information related to all levels of the intervention strategies (e.g., inputs, activities, outputs, outcomes, and impact at the individual, peer/partner, community, and society level); includes additional information related to:

- Schools that have been partnered with.
 - BASICS program.
 - Survey data.
 - Partnerships with bars.
 - All other policy information should be clearly and succinctly stated on said webpage and other platforms.
- b. Number of students referred to BASICS, number of students who completed BASICS, qualitative report of BASICS.
 - c. Number of Uber drivers and bars reported.
 - d. Number of parents engaged in mailings.
4. Outcomes
- a. Decreased alcohol use across campus.
 - b. Decreased alcohol violations on campus.
 - c. Increased awareness of consent, even prior to students setting foot on campus.
 - d. Increased trust in enforcement and response.
 - e. Increased society trust and safety.
5. Impact
- a. Reductions in sexual violence.
 - b. Reductions in dating violence.
 - c. Reductions in bullying.
 - d. Reductions in alcohol use.
 - e. Safer campus and downtown community.



***IN OUR GRIT,
OUR GLORY***

