

**BOARD OF REGENTS FOR HIGHER EDUCATION
JOINT SPECIAL MEETING OF THE HUMAN RESOURCES & ADMINISTRATION COMMITTEE
AND THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE
MEETING MINUTES – October 16, 2018 12:30pm
BOR Boardroom, 61 WOODLAND STREET, HARTFORD, CT**

COMMITTEE MEMBERS PARTICIPATING:

Naomi Cohen, Chair, HR & Administration and Member, Academic & Student Affairs
Merle Harris, Chair, Academic & Student Affairs
Richard J. Balducci, HR & Administration
Elease Wright, HR & Administration
Aviva Budd, Academic & Student Affairs
Holly Howery, HR & Administration (via teleconference)
David Jimenez, HR & Administration (via teleconference)
William Lugo, Academic & Student Affairs (via teleconference)

Absent Members:

Peter Rosa, Academic & Student Affairs

CSCU STAFF PRESENT:

Mark Ojakian, President
Alice Pritchard, Chief of Staff
Steve Weinberger, Vice President for Human Resources
Ernestine Weaver, Legal Counsel
Angelo Simoni, Executive Director for Student Relations & Compliance, System Title IX Coordinator
Erin Fitzgerald, Associate Director, Office of Board Affairs
Cheryl Connor, Administrative Assistant

CALL TO ORDER

With a quorum of each committee present, Academic & Student Affairs Committee Chair Harris called the meeting to order at 12:34.

DISCUSSION – SEXUAL VIOLENCE REPORTING COMPLIANCE REVIEW

Ernestine Weaver, CSCU Legal Counsel, provided a presentation of the Sexual Violence Reporting Compliance Review. An overview of her presentation is attached. See Attachment A. After a discussion among Committee members, President Ojakian was asked to take the following two next steps:

1. Report back in the winter on how to establish a unit within the System Office that can put a structure in place to address three things:
 - a. Our schools have the tools and training to respond quickly, consistently and sensitively to the disclosures and reports of sexual violence
 - b. There is awareness of available services for reporting and support
 - c. Additional resources that are needed to address sexual violence

2. In the interim, Administration will seek input from students, faculty and other employees to assess campus climate on this issue and the effectiveness of current training and knowledge regarding where and how to acquire services. This will give the Administration baseline data to determine how to structure responsibilities and protocols currently in place and how to address sexual violence going forward.

EXECUTIVE SESSION

There was no executive session.

ADJOURNMENT

On a motion duly made, seconded and passed unanimously, the meeting adjourned at 1:34 pm.

Submitted,

Cheryl Connor

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Attachments to Minutes and/or Meeting Handouts/ Presentations

1. Sexual Violence Report Compliance Review

DRAFT

Sexual Violence Report Compliance Review

Discussion of data reported 2016-2018 submitted
pursuant to Public Act 14-11 codified as
Connecticut General Statute §10a-55m

CSCU

Connecticut State Colleges & Universities

Audit Summary

- Data over a three year period
- Categories and types of complaints
- Costs associated with those matters
- Trends
- Training
- Conclusions

How Did We Get Here?

An Active Connecticut State General Assembly

- Public Act 14-11 at a glance requires, among other things
 - Annual reporting to the Higher Education Committee concerning policies, prevention and awareness programming and campaigns, and the number of incidents and disciplinary cases involving sexual assault, stalking, and intimate partner violence.
 - Requires all higher education institutions to provide concise notification, written in plain language, to each student and employee who has been the victim of sexual assault, stalking, or intimate partner violence regarding his or her rights and options under the institution's policy or policies.

Scope of the Reported Information

Overall Impact of Sexual Violence

Data concerns both students and employees

Sexual violence (criminal activity)

Sexual assault

Intimate Partner Violence (IPV)

Stalking

Sexual Harassment

- Sexual harassment is covered by both Title IX (students) and Title VII (employees)
- Sexual harassment is prohibited by the *BOR Sexual Misconduct Reporting, Support Services and Processes Policy*
- Sexual harassment is not sexual violence
- Sexual harassment is not included in the data and is difficult to track

Reports vs Disclosures

Report/Complaint = request for investigation +
adjudication

Reports trigger Title IX Investigations

Disclosure/Not a Complaint = information, potential
request for services, may evolve into investigation

Data – Combined Campuses of CSCU

Year	Offense	Report	Disclosure
2017	Sexual Assault	33	120
	Stalking	26	27
	Intimate Partner Violence	51	103
2016	Sexual Assault	19	67
	Stalking	38	19
	Intimate Partner Violence	38	85
2015	Sexual Assault	21	55
	Stalking	19	13
	Intimate Partner Violence	15	51

Data – State Universities Combined

Year	Offense	Report	Disclosure
2017	Sexual Assault	27	79
	Stalking	20	8
	Intimate Partner Violence	42	60
2016	Sexual Assault	11	57
	Stalking	21	7
	Intimate Partner Violence	36	53
2015	Sexual Assault	16	44
	Stalking	9	8
	Intimate Partner Violence	13	34

Data Community Colleges Combined

Year	Offense	Report	Disclosure
2017	Sexual Assault	6	41
	Stalking	6	19
	Intimate Partner Violence	9	43
2016	Sexual Assault	8	10
	Stalking	17	12
	Intimate Partner Violence	2	32
2015	Sexual Assault	5	11
	Stalking	10	5
	Intimate Partner Violence	2	17

Outcomes & Discipline

- Not all complaints/reports result in discipline
 - Jurisdiction of the institutions are limited by time and location
 - Not all reports are substantiated
- Institution imposed sanctions include
 - Warnings, suspensions, expulsions, counseling, hall separation, campus ban, no contact orders
- Police Involvement - Arrest

Data Issues

Data Reveals

- Increase in both reports and disclosures
- Increase in both reports and disclosures of intimate partner violence

Data Challenges

- Staff turnover and training lapses
- Interpretation of information
- Centralized tracking - nonexistent

Data Concerns

- Lack of consistency year to year at the same campuses
- Lack of uniformity in the application of the definitions
- Lack of uniformity or consistency in data year to year or campus to campus
- Indicators of lack of training and under reporting

Costs Associated

- Incalculable cost of devoted campus and system office resources
 - Student investigations handled internally
 - Office of Equity & Diversity
 - Student Conduct Offices
 - Apportionment of positions at Community Colleges
 - CSCU Office of Legal Affairs
 - Employee investigations handled both internally and externally
 - Office of Equity & Diversity
 - Human Resources
 - CSCU Office of Legal Affairs
 - Outside law firm engagements
- Cost of law firm engagements >\$100,000 and accruing for 2018
- No litigation or OCR findings resulting in cash payouts on Title IX sexual violence issues during the reporting period

Trends

#MeToo

More reports/disclosures

More sexual harassment claims

Increased need for training

Increased demand for responsiveness

Training

- Federal & State Requirements
 - Prevention and Awareness Programs/Campaigns
 - Bystander Intervention Training
- Additional State Requirements
 - Trained Campus Resource Teams
 - Campus Resource Teams (CRTs or SARTs) comprised of law enforcement/security, campus judicial hearing officers, Title IX Coordinators and others
- Training Provided
 - Office on Violence Against Women (OVW) Campus Grant Program/ CSCU SAFE Grant
 - October 1, 2018 – September 30, 2021
 - Coordinated community response

Conclusions

- ❖ Under reporting of disclosures is likely
- ❖ Past efforts re: management of complaints has been sufficient/compliant, but will not be adequate given trends
- ❖ Resources are fragmented – costs are unknown outside investigators have been needed, but are costly and place a demand on fragile reserves
- ❖ 2018 worst year – not yet reported
- ❖ Overall current practices, compounded by increased demand, are not sustainable