2018–2020 Annual Report on SEXUAL MISCONDUCT PREVENTION AND RESPONSE
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Executive Summary

Introduction
The University of Rochester is committed to providing a safe environment for the University community to work, learn, live, and socialize together without fear of sexual assault, harassment, or discrimination. The purpose of this report is to educate our community about the University's efforts to prevent, detect, and respond to reports of sexual misconduct.

Connecting to the Title IX Coordinator
Contact the assistant vice president of civil rights compliance/Title IX coordinator to inquire about resources and/or to report incidents of sexual misconduct: titleix@rochester.edu. The University's Reporting Options and Resources flowchart is also available to assist individuals in identifying how they wish to move forward.

Information about potential incidents of sexual misconduct comes to the Title IX coordinator through several channels. The majority of incidents involving undergraduate students are referred by Residential Life student and professional staff after students disclose information to a resident or community advisor. Graduate students are more commonly referred through the CARE Network or a student’s direct outreach to a Title IX coordinator or other faculty or staff member who subsequently refers the student to the Office of Equity and Inclusion.

Trends
The University has seen a steady increase in complaints of sexual misconduct over the past several years. This increase in reporting is consistent with national trends as higher education institutions have placed greater emphasis on developing educational programs designed to help individuals identify inappropriate behavior and seek support to address it. Similarly, as the University has dedicated more resources to educational efforts regarding these topics, members of the University community have been better prepared to seek out resources when needed.

Conclusion
The University currently has strong engagement on this issue among our faculty, staff, and students, as is reflected by the robust membership of the Title IX Education Assessment Committee, which currently has over 35 student, staff, and employee members from across the University.

The Office of Equity and Inclusion recently added the position of assistant vice president for civil rights compliance, which indicates the University’s commitment to providing strategic, proactive, preventive programming and processes in the area of civil rights compliance, including Title IX compliance, ensuring that critical tasks are accomplished properly. The University continues to partner with internal and external resources to provide training and support to Title IX coordinators, investigators, hearing and appeal board members, and advisors, in its efforts to ensure fair, thorough, and impartial processes for all individuals involved.
Introduction

The University of Rochester is committed to providing a safe environment for the University community to work, learn, live, and socialize together without fear of sexual assault, harassment, or discrimination. The purpose of this report is to educate the University community about what the University does to prevent sexual misconduct, and how the University detects and responds to reports of it. The Title IX coordinator can provide resources to all members of the University community; however, this report primarily focuses on students’ experiences.

1. Overview of Title IX at the University of Rochester

The University Title IX coordinator, who works within the Office of Equity and Inclusion (OEI) at the University of Rochester, is responsible for educating the University community on University policies and procedures related to sexual misconduct and ensuring that allegations of sex-based harassment are attended to in accordance with University policy and federal and state laws.

The Title IX staff includes the assistant vice president for civil rights compliance/University Title IX coordinator, the assistant director for educational outreach, and four equal opportunity investigators. In addition to these full-time staff positions, the University Title IX coordinator works with seven deputy Title IX coordinators. These individuals hold academic and administrative positions at the University and, as such, are an important in-house Title IX resource at each of the academic units, graduate and professional schools, and the Department of Athletics and Recreation.

The Title IX coordinator and deputy coordinators ensure that the process for addressing complaints of sex-based harassment and misconduct are handled promptly and equitably, with fairness to everyone involved. They make certain that everyone who comes to them understands their rights and has the information they need to determine how they want to proceed. However, Title IX coordinators do not adjudicate claims.

The assistant director for educational outreach is responsible for providing students with access to educational activities on the topic of sexual misconduct.

Information regarding Title IX, the Title IX staff, deputy Title IX coordinators, policies, and resources related to sexual misconduct can be found online at rochester.edu/sexualmisconduct.
1.1 Relevant Policies

The University has three policies that address issues of sex-based misconduct: the Student Sexual Misconduct Policy, which applies if the accused party is a student; University Policy against Discrimination and Harassment (PADH or Policy 106), which applies if the accused is an employee, visitor, or University vendor; and the Title IX Policy, which applies to all members of the University community, subject to certain threshold jurisdictional requirements.

These University policies require thorough, reliable, and impartial investigations and adjudications of complaints of sex-based harassment as well as opportunities for alternative resolution.

1.2 Education and Awareness Programs

The OEI staff, in conjunction with partners both on campus and in the Rochester community, regularly provide training to faculty, staff, and students regarding how to identify and respond to inappropriate sex-based behaviors as well as information about sexual misconduct resources, supportive services, grievance processes, and reporting options.

All new and transfer students at the University are required to participate in training regarding sexual misconduct during their orientation to the University. In addition to requirements for new students, all student leaders and athletes must participate in supplementary training pursuant to obligations under the New York State Education Law and National Collegiate Athletic Association requirements. All employees are also required to take online training on an annual basis.

During the 2018–2019 academic year, over 13,500 students, faculty, and staff participated in training conducted by Title IX staff on topics related to sexual misconduct. During the 2019–2020 academic year, over 17,000 students, faculty, and staff participated in such training.

The assistant director for educational outreach leads a committee of faculty, students, and staff to assess current training initiatives and develop a strategic plan that will ensure that all students at the University have regular access to training materials on this topic that are relevant and appropriate for their maturity level and tied to their academic interests.

Additional information regarding available training on these topics can be found online here.

In addition to our educational prevention measures, University Department of Public Safety (DPS) provides prevention-related security services for all of the University’s campuses. These include regular security patrols by DPS officers, the utilization of residence hall
access restriction systems and protocols, the use of security cameras, and the provision of emergency phones throughout the campuses. DPS also provides transportation services to students concerned about their safety and utilizes “UR Alert,” an emergency notification system that all members of the community can sign up for to receive information about health or safety issues. More detailed information regarding prevention-related security measures as well as data regarding reported crimes are described in the University’s “Think Safe” document, which is published annually.

1.3 Connection to Title IX Coordinator

Information about potential incidents of sexual misconduct comes to the Title IX coordinator through several channels. The majority of incidents involving undergraduate students are referred by Residential Life student and professional staff after students disclose information to a resident or community advisor. Graduate students are more commonly referred through the CARE Network or a student’s direct outreach to a Title IX coordinator or other faculty or staff member who subsequently refers the student to OEI.

Prior to meeting with students, a Title IX staff member provides materials for the students to review with information about their rights and options for accessing supportive resources as well as how to make a complaint about the incident. When students arrive for their meetings, this information is reviewed. The University’s Reporting Options and Resources flowchart is also available to assist individuals in identifying how they wish to move forward.

Students’ decisions regarding what resources and/or reporting mechanism they want to use is given tremendous deference. In most cases, the University respects students’ wishes regarding whether they wish to utilize a grievance process or decline to report the incident at all.

1.4 Accommodations

During a student’s first meeting with a Title IX staff member, options for accommodations are discussed at length. All students who come forward to complain about a sexual misconduct incident are entitled to accommodations regardless of whether they ultimately decide to file a formal report. The most common accommodation requests are academically related (requests for extended due dates, changes to exam schedules, or movement to a different section of a course to avoid interacting with a particular party). Other accommodation requests include changes to housing or parking assignments, requests for transportation assistance, connection to counseling and other health services, and the issuance of Active Avoidance Orders (AAO). An AAO is a document issued to limit contact between two or
more individuals who are engaged in an interpersonal conflict. An AAO is only valid on the University of Rochester campuses and is not considered formal disciplinary action by the University when issued as an accommodation.

In addition to connecting students to University resources, students are informed of their right to make a report about the incident to state or local police as well as seek care through outside agencies such as RESTORE Sexual Assault Services, Willow Domestic Violence Center, and The Legal Aid Society of Rochester.

### 1.5 Complaint Process

If a student wishes to pursue a University grievance process, an investigator is assigned to gather the relevant information and prepare an investigative report.

All investigators at the University have undergone extensive training to ensure their investigation and resulting report reflect a thorough, fair, reliable, and trauma-informed process that is sensitive and respectful to all parties.

Depending on which policy applies, the investigative report will either go directly to a decision maker for determination or there may be a hearing wherein parties and witnesses are questioned, and then a determination is subsequently made. Any determination would include whether a policy violation occurred and what, if any, discipline or sanction should result.

More detailed information regarding the processes for reporting is included in the Reporting Options and Resources guides located on the University's sexual misconduct website.

### 2. Campus Climate

The University biennially surveys all students regarding their perception of the University of Rochester’s climate related to sexual misconduct and their experiences with this behavior on our campuses. Information gathered from these surveys helps the University prepare for the needs of our new students, understand any barriers to reporting, and address perceptions regarding the safety of our school.
2.1 Biennial Campus Climate Survey

A climate survey focusing on sexual assault and misconduct is delivered to all students at the University biennially. The most recent iteration of this survey launched in April 2021. Westat, a social science research firm, administered the survey, and individual responses were confidential. In fall 2021, the de-identified results will be published on the University’s website as required by New York State law and will be used to guide policies to encourage a healthy, safe, and nondiscriminatory environment at the University of Rochester.

Results from the 2019 Campus Climate Survey are located on the University’s sexual misconduct website.

3. Data on Reports, Investigations, and Outcomes

This report contains data regarding complaints of sexual misconduct received by the Title IX coordinator between June 1, 2018, and May 30, 2020. The data included in this report reflects all allegations of sex-based misconduct that were either directly disclosed to the Title IX coordinator or that the Title IX coordinator became aware of, regardless of whether the complaint resulted in an investigation and/or a finding of responsibility. It is critical to report data in this fashion, sharing the number of complaints received, rather than the number of findings made as a result of complaints, as individuals often come to OEI to get connected to supportive resources rather than make a formal report of the incident.

Affiliation of Complainants

Between June 1, 2018, and May 31, 2019, the Title IX coordinator received 135 complaints of sex-based harassment. The vast majority (93 percent) of complainants were University of Rochester students. However, there were also complaints made by students attending other local colleges (2), by alumni (2), and by a staff member (1). Additionally, the Title IX coordinator received five anonymous complaints, which described an incident of sexual misconduct but did not include any information regarding the identity of the reporter.

Between June 1, 2019, and May 31, 2020, the Title IX coordinator received 131 complaints of sex-based harassment; 97 percent of complainants were University of Rochester students.
3.1 Relevant Policies

The University has three policies that address issues of sex-based misconduct: the Student Sexual Misconduct Policy, which applies if the accused party is a student; University Policy against Discrimination and Harassment (PADH or Policy 106), which applies if the accused is an employee, visitor, or University vendor; and the Title IX Policy, which applies to all members of the University community, subject to certain threshold jurisdictional requirements.

These University policies require thorough, reliable, and impartial investigations and adjudications of complaints of sex-based harassment as well as opportunities for alternative resolution.

3.2 Demographics of Student Complainants

In 2018–2020, the vast majority of the student complainants were undergraduate students in Arts, Sciences & Engineering, followed by Eastman School of Music undergraduate students.
3.3 Demographics of Accused Students

In 2018–2020, the vast majority of accused students were undergraduate students in AS&E.

**Figure 2A. Student Complainants by School**

**Figure 2B. Student Respondents by School**
3.4 Nature of Allegations

The information below describes the type of alleged behaviors as described by complaints made to the Title IX coordinator. It is important to note that complaints often involve more than one allegation of inappropriate behavior; for example, it is common for an individual to have been alleged to have engaged in both sexual assault and unwanted touching in the course of one reported incident. (See chart in section 5.)

3.4.1 Sexual Assault/Rape
In 2019–2020, the Title IX coordinator received 27 complaints of actual or attempted unwanted sexual penetration (rape), and in 2018–2019 there were 31 complaints of actual or attempted unwanted sexual penetration (rape). This is up from 17 complaints of this behavior in 2017–2018 and 10 complaints of this behavior in 2016–2017.

3.4.2 Unwanted Sexual Touching
In 2019–2020, there were 30 complaints of unwanted sexual touching, and in 2018–2019, there were 27 unwanted sexual touching complaints, up from 14 complaints in 2017–2018, 8 complaints in 2016–2017, and 5 complaints in 2015–2016.

3.4.3 Dating/Domestic Violence
In 2019–2020, there were 39 complaints of dating/domestic violence, and in 2018–2019, there were 28 complaints of individuals engaging in dating/domestic violence, up from 24 complaints in 2017–2018 and 20 complaints in 2016–2017.

3.4.4 Stalking
In 2019–2020, there were 17 complaints of stalking, and in 2018–2019, there were 10 complaints of stalking, compared to 15 complaints in 2017–2018, 6 complaints in 2016–2017, and 1 complaint in 2015–2016.

3.4.5 Verbal or Written Sexual Harassment
In 2019–2020, there were 29 complaints of sexual harassment, and in 2018–2019, there were 35 complaints of sexual harassment, up from 16 complaints the prior year, and 10 complaints in 2016–2017, the first year the University began to collect this data.

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1 In University policy, sexual assault is defined more broadly than unwanted sexual penetration; however, for purposes of this report, sexual assault will be considered synonymous with rape or unwanted sexual penetration.
4. Complaint Outcomes

4.1 Connection to Support without Referral to Conduct

The majority of students who disclose a sexual misconduct incident to the Title IX coordinator do not request an investigation of the incident, nor do they provide sufficient details for the University to pursue an investigation without the complaining students' participation. These students request to receive connections to supportive resources and accommodations but do not wish to move forward with a complaint and investigation. While every person who is connected to the Title IX coordinator is aware of the University’s desire to investigate and respond, the University is required (pursuant to New York State’s “Enough Is Enough” Education Law obligations) to respect their decisions not to formally report the incident unless one or more of the aggravating factors outlined in the applicable University policy is present, or the University is otherwise required by law to respond to the reported conduct.

4.2 Withdrawing

New York State Education Law requires the University to put a notation on the academic transcripts of students found responsible for sexual misconduct and issue a sanction of suspension or expulsion. Students who withdraw from the University after a referral to the judicial system is made will have a notation placed on their transcript indicating that they withdrew from the University pending non-academic disciplinary action.

Between 2018 and 2020, no students withdrew from the University after becoming aware that an investigation was being conducted into allegations that they engaged in sexual misconduct and that the matter would be referred to the conduct system, as compared to 2017–2018 when 3 students withdrew.
4.3 Referrals to Conduct System

In 2019–2020, of those sexual misconduct cases that were referred to the conduct system, two complaints resulted in a not responsible finding, and 11 resulted in finding the accused students responsible for their alleged behavior. Of those found responsible for their behavior, four students were expelled from the University and seven students received suspensions.

In 2018–2019, of those sexual misconduct cases that were referred to the conduct system, zero complaints resulted in a not responsible finding, and 10 resulted in finding the accused students responsible for their alleged behavior. Of those found responsible for their behavior, three students were expelled from the University, six students received suspensions, and one remaining student was required to complete an educational program.

In addition, disciplinary consequences can also include a ban from University housing or other property and an ongoing, active avoidance order.

5. Trends

The University has seen a steady increase in complaints of sexual misconduct over the past several years. This increase in reporting is consistent with national trends as higher education institutions have placed greater emphasis on developing educational programs designed to help individuals identify inappropriate behavior and seek support to address it. Similarly, as the University has dedicated more resources to educational efforts regarding these topics, members of the University community have been better prepared to seek out resources when needed.

Figure 3. Complaints of Sexual Misconduct
6. Conclusion

The University currently has strong engagement on this issue among our faculty, staff, and students, as is reflected in the robust membership of the Title IX Education Assessment Committee, which currently has over 35 student, staff, and employee members from across the University.

OEI’s addition of an assistant vice president for civil rights compliance indicates the University’s commitment to providing strategic, proactive, preventive programming and processes in the area of civil rights compliance, including Title IX compliance, ensuring that critical tasks are accomplished properly. The University continues to partner with internal and external resources to provide training and support to Title IX coordinators, investigators, hearing and appeal board members, and advisors, in its efforts to ensure fair, thorough, and impartial processes for all individuals involved.