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Task Force on Sexual and Gender-Based Violence

CHARGE:

- 1. Review and update the white paper produced by the Sexual and Gender-Based Violence Teaching Circle titled, *A Current State of Affairs Regarding Sexual Violence Initiatives at Stockton University*.
- 2. Review the recent Student Campus Climate Survey report, which will be posted in the Stockton Go Portal.
- 3. Conduct additional research on the reporting and investigation of incidents of sexual assault and sexual violence at Stockton, both qualitative and quantitative data.
- 4. Research practices of similar institutions in size and demography.
- 5. Research the logistics of developing a centralized hotline at Stockton to address student safety concerns.
- 6. Develop recommendations for best practices in handling incidents of sexual assault and sexual violence on campus.

According to the Constitution of the Faculty Senate:

The term "task force" means a Committee charged by the Senate or Executive Committee to carry out a specific task that will typically take at least a year. Either the Senate or the Executive Committee may create new task forces. Task forces shall be automatically dissolved at the end of the academic year in which they were created, unless specifically continued by the Senate or the Executive Committee. Task forces shall report in writing to the Senate at the end of their work or by a date established by the Senate.

Betsy Erbaugh – co-chair SOBL

Elisa Forgey – co-chair GENS

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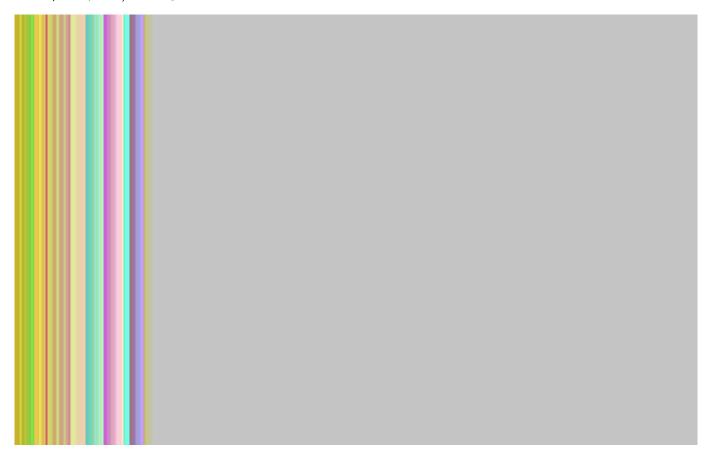
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U.S.-specific guidance and nomenclature (e.g. "Title IX coordi nator/officer ") may not specifically apply to their institution.

Although the survey asks about areas that intersect with U.S. federal and state law, this instrument

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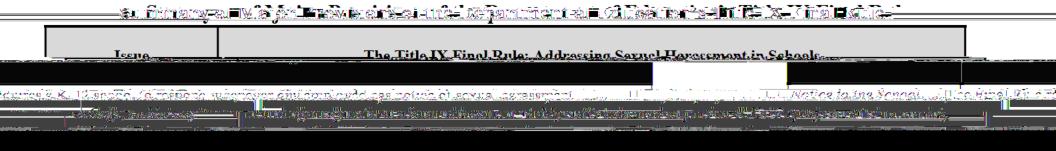
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Summary of Major Provisions of the Department of Education's Title IX Final Rule

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Summary of Major Provisions of the Department of Education's Title IXF in all Rule

- The Title IX Coordinator must promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant of the availability of supportive measures with cryoid not the filling of a formal complaint, and explain to the complainant the process for filling a formal complaint.
- Scholsmutfollowagievance process that complies with the Final Rule before the imposition of any disciplinary sanctions crother actions that are not supportive measures, against a respondent.
- Schools must not restrict rights protected under the U.S. Constitution, including the First Americant, Fifth Americant, and Fourteenth Americant, when complying with Title IX.
- The First Rule requires as drod to investigate sexual hazas mentallegations in any formal complaint, which can be filled by a complainant, or signed by a Title IX Coordinato:
- The First Rule affirms that a complainent's wishes with respect to whether the school investigates should be respected unless the Title IX Coordinator obtainings that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unces on the inlight of the known circumstances.
- If the allegations in a formal complaint do not need the definition of sexual harasment in the Final Rule, or did not occur in the school's education program or activity against a person in the United States, the Final Rule desifies the threshool must desire such allegations IRUSXUSRV Holomorphisms in any numer the school does a propriate under the school's own code of conduct

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The First Rule defines "formal complaint" as a document filed by a complainent or signed by the Title IX Coordinator alleging sexual heasenent against a respondent and requesting that the school investigate the allegation of sexual heasenent and states

- At the time of filling a formal complaint, a complainant must be participating in crattempting to participate in the clustering and activity of the school with which the formal complaint is filled
- A formal complaint may be filed with the Title IX Coordinator impason, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under the Final Rule, and by any achitical method designated by the school.
- The phase "downert filed by a complainant" means a downert or electronic submission (such as by email or though an ordine portal provided for this purpose by the school) that contains the complainant subject or digital signature, or otherwise indicates that the complainant is the person filling the formal complaint.
- Wreethe Title IX Coordinatorsigns aformal complaint, the Title IX Coordinator is not a complainant or a party during agriculture process, and must comply with requirements for Title IX personnel to be free from conflicts and bias.

The First Rule defines "supportive neasures" as individualized services reasonably available that are non puritive, non-disciplinary, and not uneasonably buden some to the other party while designed to ensure equal educational access, protect safety, or determinent.

The First Rule evaluates as droi's selection of supportive measures artheredes based on what is not deally
uneasonable in light of the known circumstances, and does not second gress as droi's disciplinary decisions,
but requires the school to offer supportive measures, and provide remedies to a complain at whenever a
respondent is found responsible.

* ULHYDQFH 3**TheFird Rule pescibes accraistent, transparent gievance process for resolving formal complaints of sexual*** HQHUDO 5 H**Faxistadett Aside filtraterings (see Issue #9below), the gievance process prescribed by the Final Rule applies
to all schools equally including K. 12 schools and postsecond Qibebe basis plans list equal and by any**

Summy of Major Provisions of the Department of Education is Title IXF in all Rule

- Require Title IX personnel (Title IX Coordinators, investigators, decision makers, people who facilitate any informal resolution process) to be five fiction conflicts of interest or bias for or against complainants or respondents
- Training of Title IX personnel must include training on the definition of sexual harasment in the Final Rule, the scape of the school's education program or activity, how to conduct an investigation and give are process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudyment of the facts at issue, conflicts of interest, and bias
- Aschod must ensuethat decision makers receive training on any technology to be used at a live hearing
- Aschod's decision makers and investigators must receive training on issues of relevance, including how to apply the rapeshield protections provided only for complainants
- Induleapesumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conduction of the grievance process
- Recipierts must post naterials used to train Title IX personnel on their websites, if any, or make naterials available formembers of the public to impact
- Indulerescribly prompt time frames for conclusion of the give a respective process, induling appeals and informal resolutions, with allowance for short term, good case of the state of the time frames.
- Describe the range, or list, the possible remedies as chold may provide a complainant and describing year tions as chold might impose on a responsibility.
- Statewhether the school has do sentouse the piepor thrance of the evidence standard, or the dear and convincing evidence standard, for all formal complaints of sexual harasment (including where employees and faculty are respondents).
- Describethes droi's appeal procedues, and the range of supportive measures available to complain a test and respondents
- A school's gievance process must not use, rely on, creek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege
- Any povisions, rules, or partices of territarithose required by the First Rule that as droid adopts as part of its given reprocess for harding formal complaints of sexual heaveners, must apply equally to both parties

Summayof Major Provisions of the Department of Education is Title IXF in all Rule

Summary of Major Provisions of the Department of Education's Title IX Final Rule

	AlleFind Rule requires the school's grievance process to state whether the standard of evidence to determine
	U testionsibility is the pepardrame of the exidence standard or the dear and convincing exidence standard. The
'HWHUPLQDW	First Rulenakes each school's gievance process consistent by requiring each school to apply the same standard
	of exidence for all formal complaints of sexual harassment whether the respondent is a student or an employee
	(including faculty member).
	- The decision maker (who cannot be the sane pason as the Title IX Coordinator or the investigator) must issue a
	writtendsterningtionregarding responsibility with findings of fact, conclusions about whether the alleged
	conductoccured rationale for the result as to each allegation, any disciplinary sanctions imposed on the
	respondent, and whether remedies will be provided to the complainent.
	- The written determination must be sert simultaneously to the parties along within formation about how to file an
	aped
\$SSHDOV	The First Rule states that as drod must offer both parties an appeal from a determination regarding
, , , ,	responsibility, and fiornaschod's disnissal of a formal complaint or any allegations therein, on the following
	bases procedual inegularity that affected the outcome of the natter; newly discovered evidence that could affect
	the atome of the matter; and/or Title IX personnel had a conflict of interest or bias, that affected the autome of
	thematter:
	- Aschod nayofferanapped equally to both parties an additional bases
	· Asuminy de angles chary configues distincts that

, Q | R U P D O 5 HIM: Final Ride along as a school, in its discretion, to choose to offer and facilitate informal resolution options, such as mediation cross to attempt informal resolution Any person who facilitates an informal resolution must be well trained The Final Rule adds

Summay of Major Provisions of the Department of Education is Title IX Final Rule