



GRAND VALLEY
STATE UNIVERSITY
OFFICE FOR TITLE IX AND
INSTITUTIONAL EQUITY

SEXUAL MISCONDUCT, HARASSMENT, & DISCRIMINATION

ANNUAL REPORT

JULY 2020-JUNE 2021





SEXUAL MISCONDUCT, HARASSMENT, & DISCRIMINATION

Office for Title IX & Institutional Equity ANNUAL REPORT JULY 2020-JUNE 2021

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Introduction

This has been a challenging year for many in our community and around the world. While much has changed, our commitment remains through our efforts to promote civil rights and equal opportunity within our campus community by preventing, responding to, and remedying all forms of discriminatory harassment and sexual misconduct.

I'd like to specifically acknowledge the Office for Title IX & Institutional Equity team that tirelessly engaged in this work during the reporting period, led by Theresa Rowland and supported by Dr. Mary deYoung. The University is grateful for their many contributions, some of which are included in this report.

On May 6, 2020, the US Department of Education released new Title IX regulations. Following the release, our office engaged in discussions with campus partners and student leaders about the impact of these changes within the GVSU community. On August 14, 2020, GVSU implemented an expansive interim policy to meet regulatory compliance while prioritizing our commitment to providing programs and activities that are free from all forms of harassment, discrimination, retaliation, and sexual misconduct.

Our office is not just about compliance. We're committed to providing the highest level of support for members of our community who are impacted by sexual misconduct. Fair process is a priority, as is safety for all members of the community.

We continue our dedication to a process that respects the equal dignity of all members of the GVSU community. We respect the right of someone who experiences sexual misconduct to process it in the way that is best for that person, and we'll provide a response centered around support. We respect one's choice to request action through the University now, in the future, or not at all.

Together, we can make a difference. Preventing sex and gender-based harassment and sexual misconduct is a community responsibility.

Sincerely,



Michael Szydlowski, M.A.

***Acting Title IX Coordinator
Director, Office for Title IX & Institutional Equity***

Reporting to the University

If you have experienced, witnessed, or been impacted by sexual misconduct (including sexual assault, intimate partner violence, stalking, and sexual exploitation), discrimination, harassment, and/or retaliation you are encouraged to report the incident through GVSU's **online reporting form** or contact the Office for Title IX & Institutional Equity at (616) 331-9530.

Reporting to GVSU allows our office to engage in an interactive process with you to discuss and provide supportive measures. You do not have to decide to file a formal complaint or choose any particular course of action. Coming to our office does not obligate you to initiate a university investigation unless you choose to do so.



Our Mission, Vision, & Values



Mission: To promote civil rights and equal opportunity in the GVSU community by preventing, responding to, and remedying all forms of discrimination, sex and gender harassment, and sexual misconduct, while maintaining the highest professional standards.



Vision: We envision an accountable campus community that is free from discrimination, sex and gender harassment, and sexual misconduct.



Values: We act with **integrity** by being equitable, impartial, prompt, thorough, and transparent in all interactions.

We **respect** how overlapping social identities contribute to and shape the experiences of discrimination, sex and gender harassment, and sexual misconduct.

We value **critical thinking**, not just by engaging in research-informed practice and seeking and sharing knowledge, but by engaging empathically with others, exercising our imaginations, discerning patterns of meaning in experiences, and examining all situations from different perspectives.

We act with **courage** by accepting challenges, identifying opportunities to make a difference, questioning the status quo, and building resilience.

JAMES H. ZUMBERGE HALL

Our Structure

Title IX & Institutional Equity Team

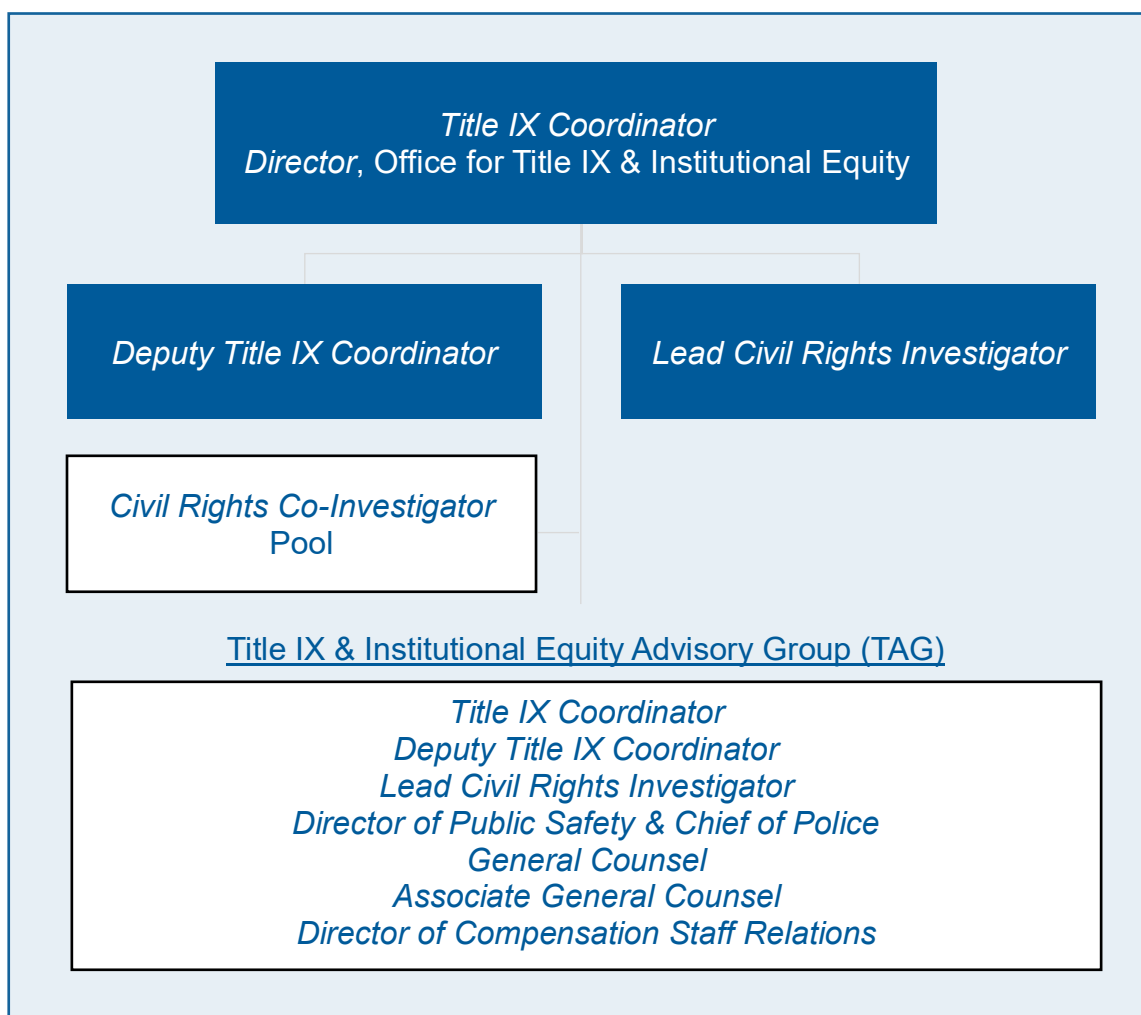
- Monitors GVSU's compliance under Title IX and other federal and state civil rights laws
- Addresses individual reports of prohibited conduct
- Provides oversight of interim measures and university resolution

Title IX & Institutional Equity Advisory Group

- Assists with the review and assessment of reports of prohibited conduct
- Advises on courses of action regarding reports of prohibited conduct

Civil Rights Co-Investigators

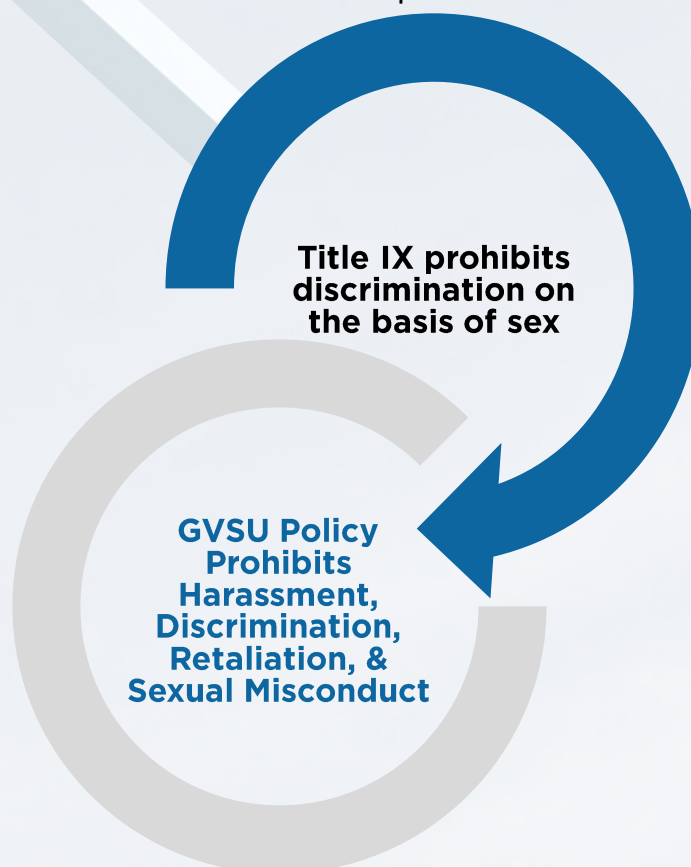
- Assist in conducting prompt, thorough, fair, and impartial investigations
- Serve as members of the pool to carry out the grievance process



Relationship Between Law and Policy

Title IX of the Education Amendments (1972) prohibits discrimination on the basis of sex in educational institutions. It states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Grand Valley State University policy prohibits various types of sexual misconduct. We articulate the relationship between the federal law and university policy in the following way: sex discrimination is prohibited by federal law; acts of sexual misconduct are examples of sex discrimination and are therefore prohibited by university policy.

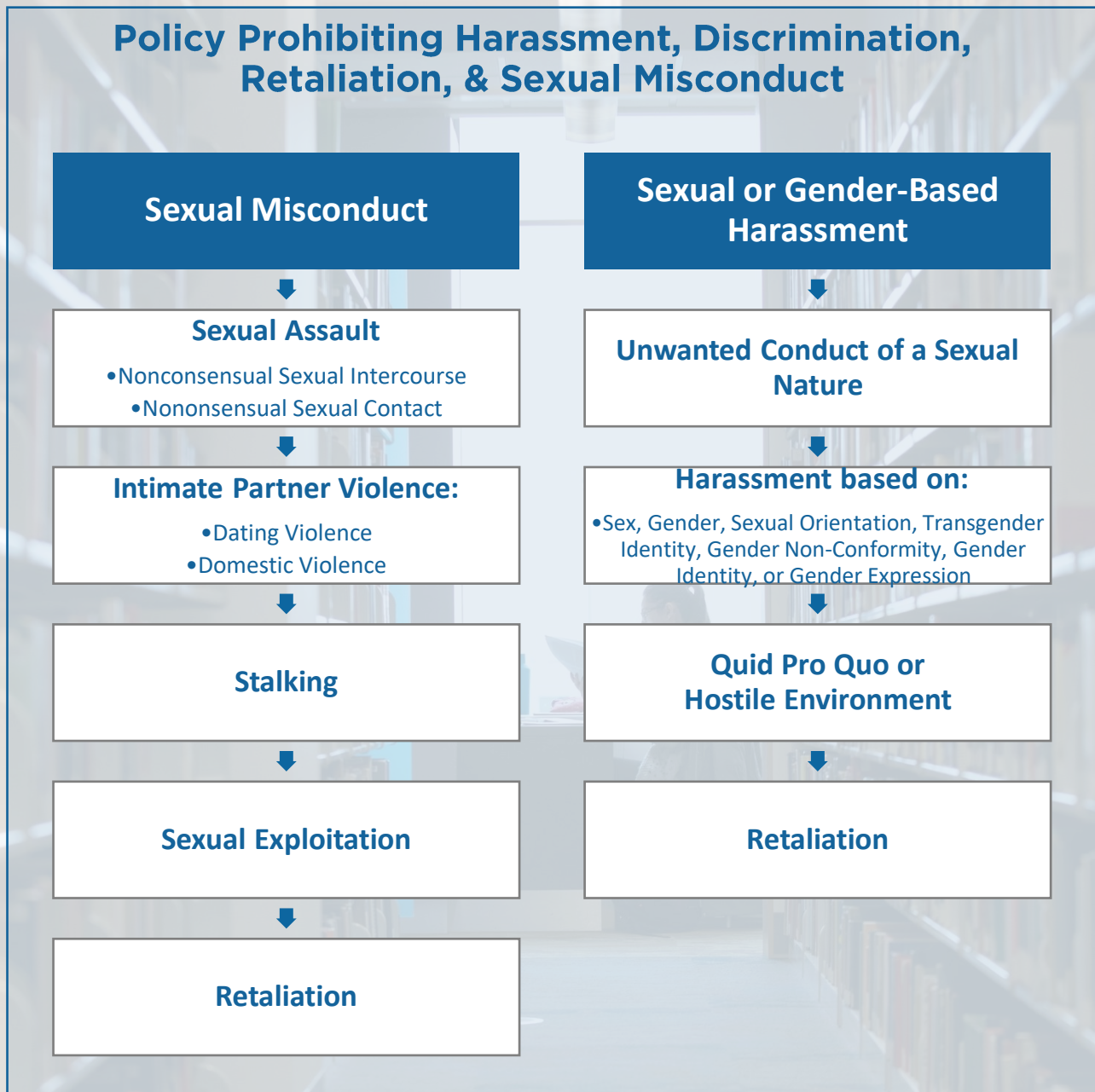
The following figure illustrates this relationship:



As the figure above shows, the Office for Title IX & Institutional Equity operates under the aegis of one policy: GVSU's Policy Prohibiting Harassment, Discrimination, Retaliation, & Sexual Misconduct (Including Sexual Assault, Intimate Partner Violence, Stalking & Sexual Exploitation), shortened to "the Policy."

University Policy¹

Each policy section cites the type of prohibited conduct that would be the reason for reports to the Office for Title IX & Institutional Equity.



The Policy applies to all University programs and activities, including those that are conducted off campus. If the reported prohibited conduct occurred off campus, the University has the task of assessing whether it nonetheless created a limitation or deprivation of access or participation in an educational program or activity.

¹ Terms and definitions reflect those of policy in place at the time the reported conduct occurred. Current policy terms and definitions can be found at www.gvsu.edu/titleix/policy.

Education & Training

Members of the Office for Title IX and Institutional Equity team provided education and training to a variety of campus groups and departments throughout this time period, including all GVSU employees and students, Housing & Residence Life staff, Athletics coaches and staff, University Counseling Center staff, Campus Dining staff, faculty coordinating internships, and more.

Education and training topics included conduct prohibited under Title IX and university policy (sexual misconduct and sexual or gender-based harassment), reporting prohibited conduct, supportive measures, and more.

Supportive Measures

When the University receives a report of prohibited conduct, the Office for Title IX & Institutional Equity engages in an interactive process with the Complainant, and can issue supportive measures. Such actions are tailored to the specific needs and concerns of the impacted party and are designed to ensure safety and continued access to university programs and activities.

Between July 1, 2020 and June 30, 2021, the Office for Title IX & Institutional Equity issued 31 supportive measures for 17 unique individuals.

Supportive measures are available:

- Regardless of whether a party wishes to initiate any other action from the University
- Prior to, during, or after the investigation or resolution of a report of prohibited conduct
- Even if the Complainant does not want to report the incident to the police

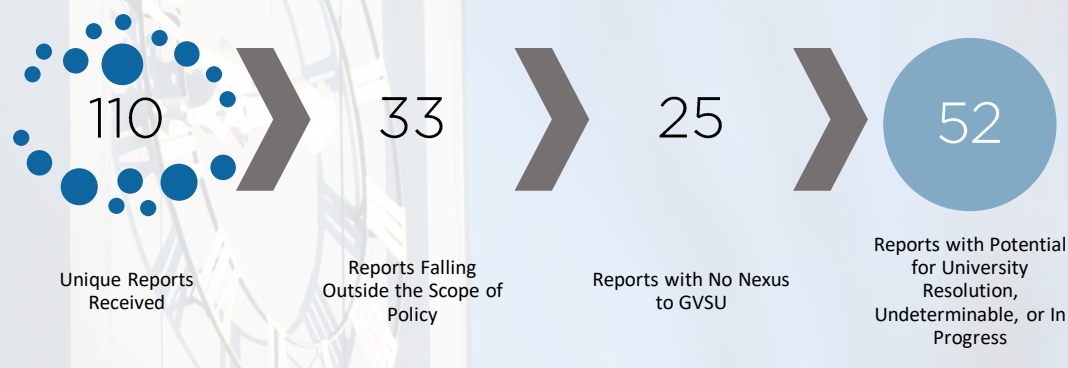
Examples of supportive measures include:

- Issuing a No Contact Order
- Arranging alternative on-campus housing
- Assisting with matters involving financial aid
- Requesting a change in course section
- Requesting an Incomplete final course grade
- Requesting course completion in the form of an Independent Study
- Facilitating a course withdrawal

Reports of Sexual Assault, Intimate Partner Violence, Stalking, Sexual Exploitation, Sexual or Gender-based Harassment, and Retaliation

Reports come to the attention of the Office for Title IX & Institutional Equity through a number of different channels and they vary widely in detail. At one extreme are reports that are rich with information that name the impacted parties and potential witnesses; at the other are reports with limited information; cite misconduct that is outside the scope of policies, geographic nexus, or actionable time period; implicate parties who are not, or are no longer, students; and/or do not identify parties by name.

Between July 1, 2020 and June 30, 2021 the Office for Title IX & Institutional Equity worked with 110 concerns. Many individuals who sought services from the Office for Title IX & Institutional Equity were seeking services related to experiences off campus and with individuals not affiliated with GVSU. For these students, the University provided resources and interim measures to preserve or restore academic access.

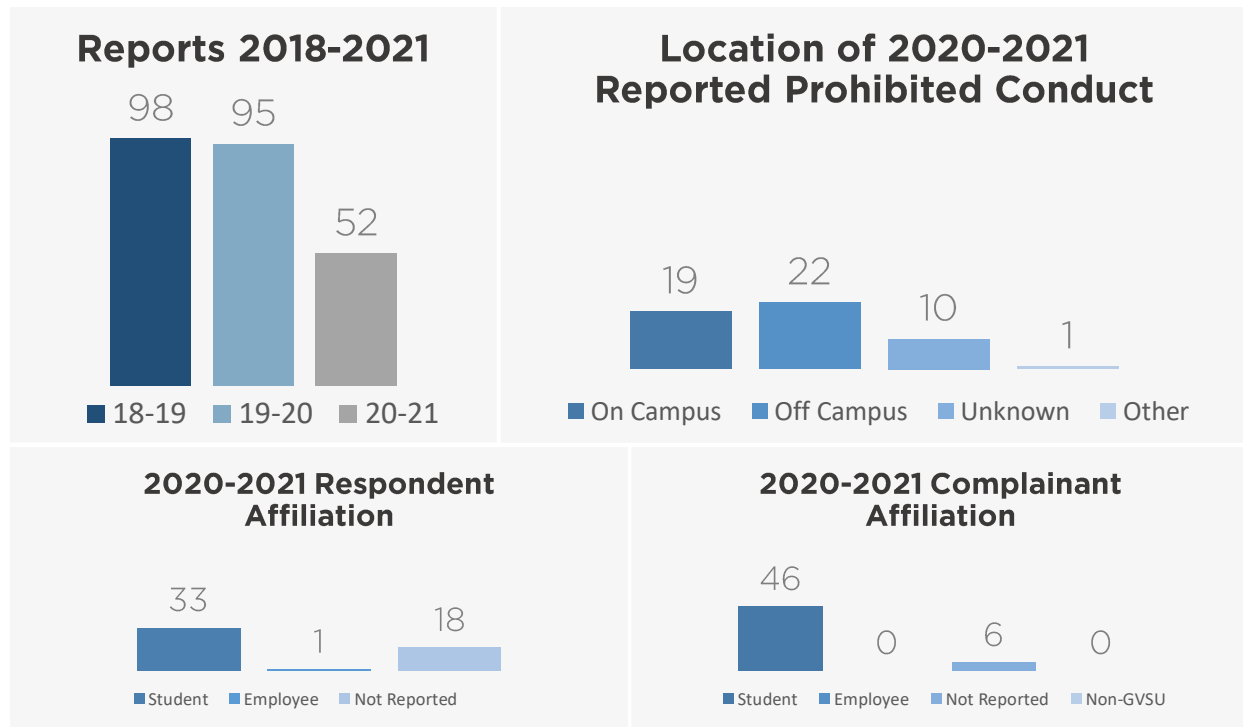


The following notes will clarify the data:²

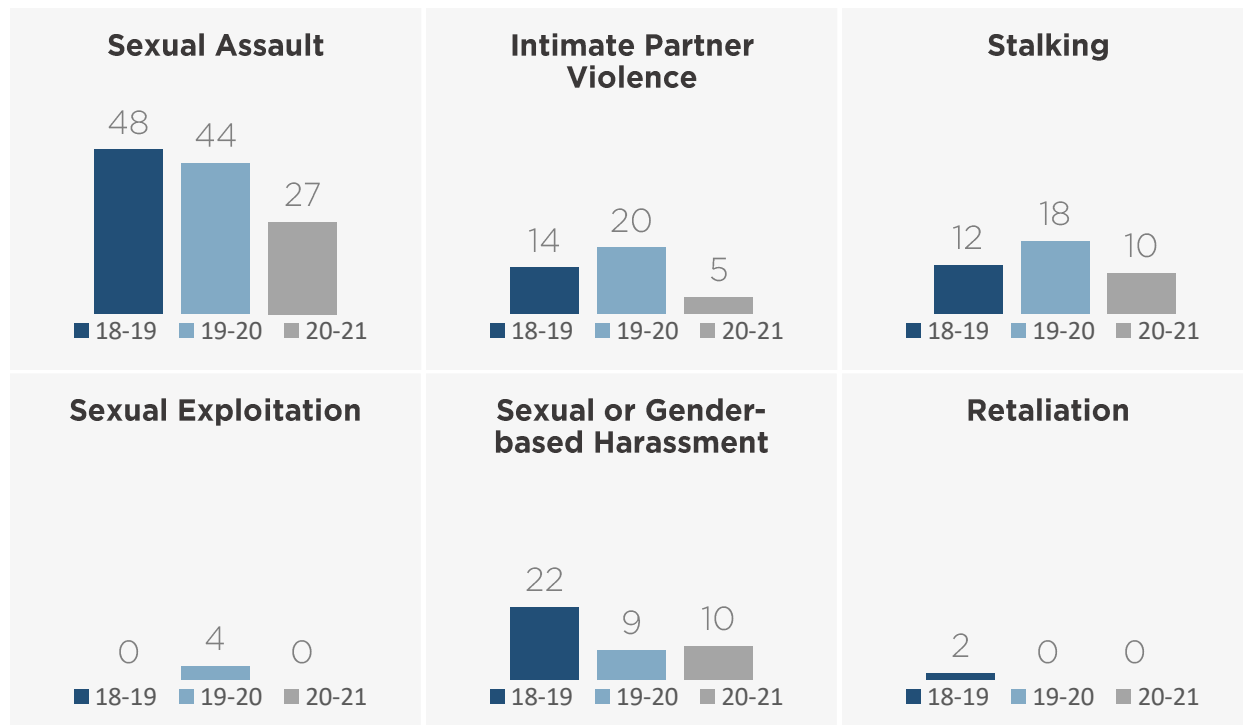
- The data do not include reports made to confidential employees in the University Counseling Center.
- The data include all reports in which at least one of the following applies:
 - The Respondent's identity is known, and the Respondent is affiliated with GVSU,
 - The Respondent's identity is known to the Complainant but is not reported, or
 - The Respondent's identity is unknown to the Complainant.

² The number of reports may differ from the number of incidents of rape, fondling, stalking, and dating/domestic violence cited in Grand Valley State University's Annual Security and Fire Safety Report as required by the Clery Act, as that report lists reported crimes as defined by the FBI Uniform Crime Reporting Program (UCR) that occurred within particular geographic locations and over a calendar, rather than a fiscal, year. Many of the incidents that comprise the data referenced in this Annual Report do not meet Clery Act restrictions or UCR definitions.

Prohibited Conduct

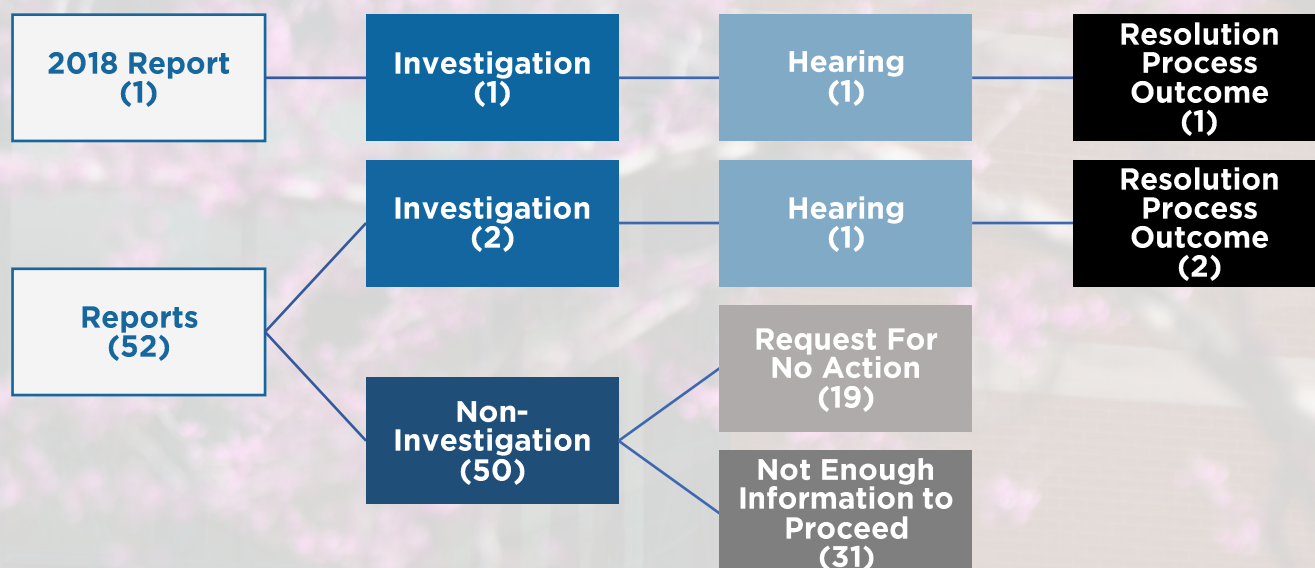


Reports of Prohibited Conduct by Type



Overview of Response to Reports

The University's response to a report depends not only on the information provided in the complaint, but the expressed preference of each Complainant, balanced against the overall concerns about the safety and health of the Complainant as well as that of the University community.



INVESTIGATION

Each formal investigation is conducted in tandem by the Lead Investigator and a Co-Investigator and involves extensive, and sometimes repeated, interviews with the Complainant, Respondent and witnesses, as well as a thorough review and assessment of any evidence that was provided by the impacted parties or collected during the investigation. Parties are provided with the opportunity to review and respond to all the information and relevant evidence collected during the investigation.

HEARING

Following the investigation, a hearing may be held before a panel of three Decision-Makers to provide parties the opportunity to ask indirect questions of parties and witnesses. Following the hearing, a determination is made on whether policy was violated. If a violation found, Decision-Makers assign sanctions based on the unique facts and circumstances of the case.

RESOLUTION PROCESS OUTCOMES

During this period, three cases went through the resolution process. As one case was reported during a previous annual report period, it was counted in that period's data. An investigation was conducted based on an allegation of dating violence involving a student Respondent and a student Complainant. The matter proceeded to a hearing, following which, the Respondent was found responsible for violating policy, and was assigned the following sanctions: one calendar year suspension, trespass from campus property and events/programs, and prohibition of contact with the Complainant.

Regarding the second case, an investigation was conducted based on an allegation of sexual harassment and sexual assault involving a student Respondent and a student Complainant. The matter proceeded to a hearing, following which, the Respondent was found not responsible for violating policy.

Regarding the third case, an investigation was conducted based on an allegation of sexual harassment and sexual assault involving an employee Respondent and student Complainant. The investigation concluded there was sufficient evidence and the matter was referred to a hearing. The employee Respondent resigned prior to the hearing, ending the resolution process as GVSU no longer has disciplinary jurisdiction over the resigned employee.

NON-INVESTIGATION REPORTS

Here are the data representing the reason for the non-investigation response for each of the 50 reports. The Office for Title IX & Institutional Equity engages in an interactive process with the Complainant, and can take appropriate interim actions regardless of whether a party requests university resolution.

| | Sexual Assault | Intimate Partner Violence | Stalking | Sexual Exploitation | Sexual or Gender- Based Harassment | Retaliation | Total |
|---|-------------------|---------------------------------|-----------|------------------------|---|-------------|-----------|
| University honored Complainant's request for no action | 8 | 3 | 6 | 0 | 2 | 0 | 19 |
| Respondent not identified | 9 | 0 | 3 | 0 | 4 | 0 | 16 |
| Complainant did not participate in process, and the University did not have enough information to move forward without the Complainant's participation | 9 | 2 | 1 | 0 | 3 | 0 | 15 |
| Total | 26 | 5 | 10 | 0 | 9 | 0 | 50 |



Office for Title IX & Institutional Equity

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