

Appendix E

FACULTY RESPONSE TO THE CLASE REPORT

Background

The Cultivating Learning and Safe Environments (CLASE) project is a three-part multiyear study headed by Professor Leila Wood and Professor Noël Busch-Armendariz which seeks to understand sexual assault, dating violence, sexual harassment, and stalking crimes at thirteen campuses in The University of Texas System.ⁱ The CLASE Report is the published results of the “shallow dive” portion of the project, a climate survey which explored incidence and prevalence of victimization and perpetration, evaluated school efforts to address intimate interpersonal violence, and examined post-assault behavior of students.ⁱⁱ The study was conducted in Fall 2015, with the data released in Spring 2017.

The CLASE Report details a set of immediate actions and next steps for institutions to take. These recommendations were developed by Institutional Stakeholder Groups who were involved in the CLASE project.

Immediate actions:

- Enhance sexual violence prevention to address higher rates of victimization among undergraduate women;
- Implement strategic education plans for teaching assistants, assistant instructors, and graduate assistants;
- Develop a collaborative, robust, and comprehensive faculty and staff education plan with a specific focus on sexual misconduct and harassment policies;
- Hire a peer advocacy coordinator, to be housed within Student Emergency Services, to develop and implement a survivor peer advocacy program to increase access to information, options, and non-mandatory reporting spaces outside of CMHC;
- Develop and implement a collaborative Title IX awareness campaign;
- Expand BeVocal to include a full-time staff member focused on bystander intervention strategies for students, faculty, and staff;
- Develop and implement survivor peer advocacy program to increase access to information, options, and non-mandatory reporting spaces outside of CMHC;
- Expand non-mandatory reporting to include student, faculty, and staff ombuds;

Future Steps:

- Identify non-mandatory reporting advocates for survivors and accused individuals.
- Explore establishing a faculty liaison within each academic unit who can serve as a Title IX deputy and resource for colleagues and students;
- Explore establishing a centralized location for reporting and resources/information, such as a hotline similar to Behavioral Concerns Advice Line (BCAL);
- Explore mandatory implementation of Haven Plus for graduate students.

UT Austin is already acting on several of these recommendations. The Haven Plus training module for graduate students is now being offered, BeVocal hired a full-time staff member in Summer 2017, non-mandatory reporting was expanded to include the ombuds office, a Peer Advocacy program was implemented in Fall 2017, and Title IX liaisons for each college/school will begin their work in Summer 2018.

In Fall 2017, the Faculty Council Executive Committee asked the Faculty Welfare Committee (A-5) to study how our faculty might respond to the findings of the CLASE Report. Amanda Hager chairs the Faculty Welfare Committee, led the study, and prepared this document on behalf of the committee.

In addition to the results and recommendations contained in the report, various stakeholders on campus were consulted to obtain additional recommendations for actions from the faculty body, including representatives from:

- Title IX Office
- Institute on Domestic Violence and Sexual Assault
- Student Emergency Services

- UT Police Department
- School of Social Work
- Counseling and Mental Health Center
- Voices Against Violence
- BeVocal
- Registrar's Office
- Provost's Office
- Athletics
- Office for Inclusion and Equity
- Victim's Advocate Network
- Employee Assistance Program
- Faculty Council Executive Committee

Recommendations

1. Training program for graduate students

Graduate students are frequently reporting parties in Title IX cases involving faculty/staff; they are also often responding parties in cases involving undergraduate and other graduate students. Many of our graduate students are preparing for careers in academia, and it behooves us to be sure we are training the next generation of professors and researchers to be stronger advocates and better bystanders (and, obviously, not perpetrators). A new online training module, Haven Plus, has already been implemented for use with this population. The module is not, however, currently mandatory for all graduate students to complete, and it should be.

We support the development and requirement of a comprehensive training program for all graduate students. This training should occur in multiple sessions, using multiple modalities. It should begin with Haven Plus being mandatory for all graduate students to complete at the beginning of their first year. This training program should also include mandatory, regularly scheduled, in-person workshops that do not repeat each other.

There are several examples of workshops which could either be used as is or could be adapted for use with the graduate student population. Maggie Campbell, Title IX Deputy and Education Coordinator, is tasked with developing and offering these types of workshops; recent examples include Leading for Respectⁱⁱⁱ³ and Respect in the Workplace.^{iv} Voices Against Violence offers the Theater for Dialogue program, in which participants complete a one-hour interactive workshop on issues of interpersonal violence.^v This format could be used for workshops on issues of harassment, interruption of oppression, and effective advocacy. The Employee Assistance Program is currently developing a workshop on the topic of healthy boundaries that will soon be offered to faculty in the College of Liberal Arts. Finally, the BeVocal bystander intervention initiative offers materials for a one-hour workshop which can be offered by any facilitator who has completed training.^{vi} A possible training model for graduate students would be to identify faculty or graduate student volunteers to train and offer an adapted version of the BeVocal program.

2. Title IX liaison duties and funding

UT is currently in the process of naming and training Title IX liaisons in every school/college. The specific duties of these individuals are currently being established, and they will attend training hosted by the Title IX office and begin their work in Summer 2018. The responsibilities of these liaisons have been defined by the Title IX office:

Title IX Liaisons will be designees of the Title IX Coordinator with the following responsibilities:

- Be visible and accessible to students and employees to take Title IX reports and submit reports officially to the University.
- Be a resource to students and employees to explain Title IX related policies, and have a good understanding of institutional processes and support services for complainants, respondents, and third-parties for referrals as appropriate.
- Be a liaison for department training (be visible, available to employees) in coordination with the Title IX Office or other campus partners related to Title IX education and professional development for employee and student orientations, or as needed.

- Be a resource to the Title IX Office relating to College, departmental and academic-related navigation, and vice versa for Title IX to the Colleges, as needed.

Visibility is crucial; lack of awareness of resources is a chronic problem amongst the faculty. It is good that visibility and accessibility are emphasized in these duties. It would be a good idea to revisit these duties in Summer 2019 to ensure that the liaisons are meeting the needs of the community. If feasible, the faculty could be surveyed in 2019 in order to assess visibility and impact of the team of liaisons.

The Title IX liaisons are currently volunteers who are providing this service to the University unpaid. The issue of possibly funding these positions or providing appropriate compensation should be explored.

3. Required language in syllabi, job postings, and offer letters

One requirement for creating a well-informed population (both students and faculty) is clear and regular communication regarding all Title IX policies and obligations. We recommend that all colleges and schools publish required syllabus language regarding Title IX reporting. For example, the School of Social Work currently requires the following:

TITLE IX REPORTING. In accordance with Title IX of the Education Amendments of 1972, the University of Texas at Austin is committed to maintaining a learning environment that is free from discriminatory conduct based on gender. Faculty, instructors, agency-based field instructors, staff, and/or teaching assistants in their supervisory roles are mandated reporters of incidents of sex discrimination, sexual harassment, sexual violence, or sexual misconduct. Students who report such incidents will be informed of University resources. Incidents will be reported to the University's Title IX Coordinator and/or the Title IX Deputy for the SSW, Professor Tanya Voss. Students, faculty and staff may contact Professor Voss to report incidents or to obtain information. Further information, including student resources related to Title IX, may also be found at <http://socialwork.utexas.edu/dl/files/academic-programs/other/lrg-sexualharassment.pdf>

Several divisions on campus maintain websites with up-to-date information on victim support and reporting procedures, and the required language could simply direct interested parties to these sites. The required language could read as follows:

Violence and harassment based on sex and gender are Civil Rights offenses subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, religion, national origin, etc.

If you or someone you know has been harassed or assaulted, you can contact Professor Liaison at liaison@austin.utexas.edu, and you can find appropriate resources here:

- *Student Emergency Services <http://deanofstudents.utexas.edu/emergency/>*
- *Counseling and Mental Health Center http://www.cmhc.utexas.edu/vav/vav_sexualviolence.html*
- *Title IX Office <https://titleix.utexas.edu/>*

We also recommend that language be added to all job postings and offer letters that states UT's commitment to a harassment-free and inclusive workplace and informs candidates of their responsibilities as mandated reporters. For example, Athletics is currently using the following clause about mandated reporters in their postings and offer letters:

This position is designated as a Responsible Employee, pursuant to Title IX and University policy. Responsible Employees have a duty to promptly report incidents as per policy to the University Title IX Coordinator or Deputy Title IX Coordinators. Responsible Employees are not confidential reporting resources.

UT (and state law) require an Equal Employment Opportunity statement in all job postings. Additionally, UT is in the process of adding language indicating our commitment to a harassment-free work environment to the requirement for job ads, a move which we support. There is currently no requirement about EEO, harassment, or Title IX for job offer letters.^{vii}

We recommend that UT go further in requiring language about mandated reporters in job advertisements, and that a statement of our commitment to a harassment-free workplace and a notification of the candidate's role as a mandated reporter (if applicable) be included in all offer letters. An example of job advertisement language in full could then read:

As an equal opportunity/affirmative action employer, UT Austin complies with all applicable federal and state laws regarding nondiscrimination and affirmative action. The University is committed to a policy of equal opportunity for all persons and does not discriminate on the basis of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, or veteran status in employment, educational programs and activities, and admissions.

The University of Texas at Austin is committed to providing an inclusive educational environment in which all students, faculty, and staff can learn, research, create, work and thrive free from all forms of harassment, discrimination, and misconduct.

This position is designated as a Responsible Employee, pursuant to Title IX and University policy. Responsible Employees have a duty to promptly report incidents as per policy to the University Title IX Coordinator or Deputy Title IX Coordinators. Responsible Employees are not confidential reporting resources.

4. Changes to faculty training materials/requirements

We support the development of a robust and comprehensive training program which includes compliance training, workplace incivility training, and bystander intervention training. The faculty should be involved in the development of new training materials, requirements, and incentive structures for faculty members. This involvement could take the form of increased faculty presence on the Title IX Task Force, or the creation of some other committee or administrative body tasked with participating in the design of the new training procedures.

A truly robust training program would consist entirely of interactive, in-person training experiences.^{viii} However, with approximately 3,000 faculty members, mandatory biennial in-person training may not be reasonable. Some possible initiatives to explore:

- Requiring live training for all new faculty during summer orientation;
- Developing live training experiences based on the BeVocal peer-to-peer model or the Voices Against Violence Theater for Dialogue model;
- Incentivizing completion of required training, either with a positive incentive such as an honorarium or a negative incentive such as withholding promised merit increase pay (as occurs at University of Wisconsin - Madison);^{ix}
- Establishing a committee or task force to routinely evaluate the effectiveness of anti-harassment training.

5. Support services for faculty/staff

The University Ombuds office is currently available to all UT community members. Additionally, students have access to other forms of support, such as Confidential Advocates (through Student Emergency Services or the Title IX office), and CMHC. Some of these sources of support are not available to faculty and staff members, who are often reporting parties or complainants in Title IX cases and likely need or could use these types of support. We support the creation of parallel support structures that would be available to faculty and staff.

One example is Confidential Advocates.^x Like the Ombuds office, Confidential Advocates are not mandated reporters. However, ombudspersons are required to remain neutral in their discussions with UT community members, and CAs are permitted to provide support to a student who has been impacted by interpersonal violence. Services provided include:

- Offering a safe and confidential setting to discuss questions, concerns, and experiences regarding an incident of interpersonal violence
- Engaging in respectful, active listening and emotional support
- Providing information about students' rights and options regarding the Title IX reporting and investigation process

- Exploring academic, housing, medical, and or/ financial accommodations and remedies
- Referrals for on and off campus resources

Our faculty and staff are currently supported by the ombuds office, as mentioned, and most carry health insurance which covers medical needs, including mental healthcare. Additionally, faculty, staff, and graduate students have access to the Employee Assistance Program, which is analogous to the Counseling and Mental Health Center and provides confidential counseling and support. Finally, the Victim's Advocate Network is another resource available to faculty and staff. The network is offered through and managed by Support Services in UTPD, and the volunteer advocates are non-mandated reporters.

Despite these resources, a physician, mental health professional, or VAN advocate cannot support or guide an employee through an investigation, does not know UT's policies and programs, may not be familiar with applicable law, and cannot help an employee secure a workplace accommodation. Confidential Advocates provide all of those services (or parallel services) to students. A Confidential Advocate position for faculty and staff could be housed in the Title IX office, which has recently hired a CA for students (other CAs are managed by Student Emergency Services).

6. Annual reporting of report/investigation results

In order to maximize faculty trust and confidence in UT's reporting process and in order to increase the rate of reporting, there should be open channels of communication between the Title IX office, the Office for Inclusion and Equity, and the faculty. To that end, we request that OIE aggregate results of reports and investigations and submit an annual report to the Faculty Grievance Committee (A-4) and to all Title IX Liaisons. This report should not contain identify individuals, nor should it be made public, as the Title IX office already publishes an impact report.^{xi}

ⁱ <https://socialwork.utexas.edu/projects/clase-university-of-texas-system/>

ⁱⁱ <https://utexas.app.box.com/v/utaustinclasesurveyreport>

ⁱⁱⁱ https://eeotraining.eeoc.gov/accounts/register123/eeoc/events/website/Outline_Supervisors_Leading_for_Respect.pdf

^{iv} https://eeotraining.eeoc.gov/accounts/register123/eeoc/events/website/Outline_All_Employees_Respect_in_the_Workplace.pdf

^v https://cmhc.utexas.edu/vav/vav_theatrefordialogue.html

^{vi} https://www.wellnessnetwork.utexas.edu/BeVocal/bv_materials.html

^{vii} <https://provost.utexas.edu/faculty-affairs/forms>

^{viii} EEOC Select Task Force on the Study of Harassment in the Workplace,

https://www.eeoc.gov/eeoc/task_force/harassment/report.cfm

^{ix} <https://compliance.wisc.edu/titleix/employee-training/>

^x <http://deanofstudents.utexas.edu/emergency/advocacysupport.php>

^{xi} <https://titleix.utexas.edu/wp-content/uploads/Title-IX-Impact-Report-15.17-1.pdf>