Sexual Misconduct at UW-Madison: Prevention, Support, and Response

2021-2022 Annual Report

Presented by the Sexual Misconduct Resource and Response Program, in coordination with UHS Survivor Services and UHS Violence Prevention.
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Introduction

Message from the Title IX Coordinator

To the UW-Madison campus community,

My name is Lauren Hasselbacher, and I’m the Assistant Director of Civil Rights Compliance and Title IX Coordinator. In my role, I oversee the Sexual Misconduct Resource and Response Program (SMRRP).

UW-Madison strives to support students and employees who experience sexual violence and misconduct with timely information and resources. SMRRP, in collaboration with UHS Survivor Services and UHS Violence Prevention, is committed to fostering academic and working environments that are free from sexual harassment and violence, allowing every campus community member the opportunity to thrive. Over the past few years, we have made great strides to increase students’ knowledge of resources and reporting processes related to sexual misconduct. Still, more work is needed to increase awareness.

This annual report aims to increase awareness and transparency regarding the university’s efforts to prevent and respond to sexual harassment and sexual violence. The report is a collaborative effort and includes data and updates from the Sexual Misconduct Resource and Response Program, UHS Survivor Services, and UHS Violence Prevention for the 2021-2022 academic year. Finally, we hope this report will serve to communicate achievements and also to guide and document future progress.

Lauren Hasselbacher
Assistant Director of Civil Rights Compliance
Title IX Coordinator
Office of Compliance
Important Definitions

Prohibited Conduct

**Sexual Assault.** Sexual contact that occurs without consent, including fondling (touching of private body parts) and rape (penetration). Remember, a person is unable to consent to sexual activity if they are incapacitated due to alcohol or drugs.

**Sexual Harassment.** Unwelcome sexual advances, unwelcome requests for sexual favors or other unwelcome sexual conduct that negatively affects your academic or work environment. When submitting to or rejecting this behavior influences employment or academic opportunities and decisions, it is called quid pro quo (or "this for that") sexual harassment.

**Stalking.** Behavior pattern directed at a specific person that causes substantial emotional distress or fear for physical safety. This may include monitoring, pursuing contact through calls or emails, sending unwanted gifts, and showing up at the victim's home, workplace, or class.

**Dating & Domestic Violence.** Violence or threat of violence by someone in a dating, sexual, or romantic relationship with the victim.

**Sexual Exploitation.** Attempting, taking, or threatening to take nonconsensual sexual advantage of another person. Examples may include taking or distributing nude photos without consent.

Other Key Terms

**Complainant.** Any individual who is alleged to be the target of sexual harassment or sexual violence. This person may also be referred to as a victim or survivor in other contexts.

**Consent.** The clear actions or words that say yes! It must be fully informed and freely given. Remember, a person is unable to give consent if the person is incapacitated because of drugs, alcohol, physical or intellectual disability, or unconsciousness.

**Respondent:** An individual who has been reported to be the perpetrator of sexual harassment or sexual violence.

For specific policy definitions, please see the [UW-Madison Policy on Sexual Harassment and Sexual Violence](#).
Program and Policy Updates

Sexual Misconduct Resource and Response Program (Title IX)

Expanded Services: Over the past six years, the work conducted by the staff in the Office of Compliance (“OC”) dedicated to Title IX compliance and campus response to sexual misconduct has grown immensely. The program staff now includes two full-time Case Managers, three Civil Rights Investigators and a deputy focused on Title IX compliance in youth programs. SMRRP will be hiring two more investigators during the 2022-2023 academic year.

SMRRP is responsible for all outreach and response to allegations of sexual misconduct, including providing supportive and protective measures to complainants, and coordinating any campus response involving respondents. The program also oversees the enforcement of the UW-Madison Policy on Sexual Harassment and Sexual Violence. SMRRP also manages and distributes the campus-wide employee training: “Preventing Sexual Harassment and Sexual Violence at UW-Madison,” and manages and distributes the required annual training for Responsible Employees (designated employees with reporting requirements under the policy). New this year, SMRRP now offers a specific Responsible Employee training for our employees and volunteers who work primarily with minors in youth programs.

Annual Reports: Below you can find information regarding total number of reports made to the Sexual Misconduct Resource and Response Program.¹ With many students away from campus due to the Covid-19 pandemic, overall numbers decreased over the 2020-2021 academic year. Some reports include allegations of more than one type of prohibited sexual misconduct.

¹ These numbers do not include statistical reports of sexual assault made by confidential campus services in which no identifying information is provided.
Figure 1.1: Reports to the SMRRP in the 2021-2022 Academic Year

* Disaggregated data and reported totals may not match. This is due to overlapping reports (ex. one report including both stalking and dating violence).

<table>
<thead>
<tr>
<th></th>
<th>2019-2020 Academic Year</th>
<th>2020-2021 Academic Year</th>
<th>2021-2022 Academic Year</th>
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<tbody>
<tr>
<td><strong>Total Reports</strong>²</td>
<td>324</td>
<td>234</td>
<td>413</td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>134</td>
<td>73</td>
<td>146</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>120</td>
<td>72</td>
<td>83</td>
</tr>
<tr>
<td>Dating/Domestic</td>
<td>43</td>
<td>41</td>
<td>40</td>
</tr>
<tr>
<td>Violence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stalking</td>
<td>70</td>
<td>48</td>
<td>65</td>
</tr>
<tr>
<td>Sexual Exploitation</td>
<td>-</td>
<td>13</td>
<td>36</td>
</tr>
</tbody>
</table>

New charge added to the policy in August 2020

Reports by Type of Misconduct (2021-2022)

² These numbers will not match with other statistical reports produced by UW-Madison, such as the Annual Fire and Security Report or that required by Wis. Stat. 36.11(22), which use different criteria for reporting incidents of sexual violence.
UHS Survivor Services
An expanded, integrative approach to survivor care and support at University Health Services was launched Fall 2021, with a focus on streamlining coordination of services. UHS Survivor Services provides confidential advocacy, mental health, and medical services for students who’ve experienced sexual and relationship violence. Advocacy services provides information about student survivors’ rights and options, accompaniments to related appointments, safety planning and emotional support, and referrals to campus and community resources. The staffing of this program was expanded in Fall 2021, made possible by a grant from the US Department of Justice Office for Victims of Crime, provides information about student survivors’ rights and options, accompaniments to related appointments, safety planning and emotional support, and referrals. Mental health services through Survivor Services include trauma-informed individual counseling, support and therapy groups, and care management. Medical services can include treatment of injuries, STI and pregnancy testing, and access to emergency contraception. As of July 2021, forensic nurse exams are also now available on-site at UHS during regular business hours through a partnership with DaneMAC Multi Agency Center.

Culture of Respect
UW-Madison joined Culture of Respect Collective, a NASPA initiative, in January 2020. The Collective is a two-year program that brings together institutions of higher education who are dedicated to ending campus sexual violence and guides them through a rigorous process of self-assessment and targeted organizational change.

A team of nearly 40 student, staff and faculty representatives from across the campus community guide the UW-Madison Culture of Respect initiative. In 2020-2021, the Culture of Respect team completed the CORE Evaluation and used the results to develop an action plan for year two of the initiative. In the 2021-2022 academic year, the Final Evaluation and endpoint summary of the action plan was submitted to the NASPA evaluators for assessment and commentary.
Support and Assistance

Provided by the Sexual Misconduct Resource and Response Program

Below are descriptions of the variety of support and assistance SMRRP may provide a complainant in response to disclosure of sexual harassment or sexual violence. SMRRP coordinates with campus partners – including the Dean of Students Office, UW Housing, and Human Resources – to provide these services effectively and efficiently.

**Outreach:** When any student, employee or affiliate with UW-Madison discloses they have experienced sexual harassment or sexual violence, the Sexual Misconduct Resource and Response Program sends an outreach with resource guide, which includes information about available resources, assistance, protective measures and university response options. See relevant links:

- [Sexual Misconduct Resource and Response Guide (Student)]
- [Employee Resource Guide]
- [Youth and Family Resource Guide]

**Campus Housing Accommodations:** May include moving the respondent to a different residence hall due to safety concerns, or assisting a complainant in moving to a location away from an abusive partner, or where they may simply feel more comfortable (including moving them to a single room, connecting them with a roommate, or moving to a different location on campus).

**Academic Accommodations:** Includes allowing complainants flexibility with attendance, deadlines, or group assignments, as well as assisting with a no-penalty late withdrawals, etc. May also include moving parties to a different course or section to avoid unwelcome interactions.

**No Contact Directives:** A letter prohibiting the respondent from contacting the complainant. This letter is non-disciplinary and is intended as a preventative, protective measure. The NCD may also prohibit the respondent from entering certain locations on campus.
Figure 2: Support and Assistance Provided by SMRRP in the 2019-2020, 2020-2021 and 2021-2022 Academic Years

Provided by UHS Survivor Services (confidential)

During the past academic year, UHS Survivor Services provided **1,356 counseling appointments** to 129 different students. When compared to the prior academic year, this represents an 11% increase in individual counseling appointments and nearly 45% increase in the number of students served through individual counseling. Including the 134 group sessions provided, a total of 1,490 counseling appointments were provided during the 2021-2022 academic year, a 27% increase from the 1,171 total from the year prior.

Through the expanded advocacy model (launched in September 2021), UHS Survivor Services provided advocacy appointments to 88 student survivors, as well as 108 anonymous advocacy consultations (to students, employees and parents/loved ones).

Finally, the medical team at UHS Survivor Services provided 95 visits related to unwanted sexual encounters to 83 different students. Of these 83 students, 42 chose to receive a forensic nurse exam (FNE) through the newly piloted FNE
program. Of those who responded to aftercare surveys, 100% stated that they would not have pursued an FNE if it was not available on-campus.

As referenced above, the UHS Survivor Services program has undergone significant changes over the past year, and as a result accessibility to trauma-informed care has been substantially expanded. Students are able to be seen for advocacy or medical appointments same or next day, and can typically be seen for mental health appointments within a few weeks of the initial outreach. These programmatic improvements have expanded the number of student survivors able to be served as well as the modalities of care and support available.

Heading into the 2022-2023 academic year, UHS Survivor Services is planning additional expansions to meet student needs by hiring four new full-time employees, including two additional mental health providers, one additional advocate, and a Forensic Nurse Exam nurse care manager.

Alternative Resolutions & Formal Investigations

Complainants who would like the university to address the sexual misconduct allegations with the respondent can choose from two different options, an alternative resolution (or informal resolution) or formal investigation. For more about the different processes, visit Response and Investigation Options.

Alternative Resolution: Alternative response options usually involve a university official speaking with the respondent about their conduct and reviewing relevant campus policy. The purpose of this meeting is to deter the problematic conduct from continuing. This type of response may be appropriate for people experiencing sexual harassment, stalking or other ongoing unwanted contact, but may not be appropriate for other types of misconduct. No factual findings or conclusions are made about the alleged conduct in this scenario. This response option allows the victim to remain anonymous.

<table>
<thead>
<tr>
<th>2019-2020 Academic Year</th>
<th>2020-2021 Academic Year</th>
<th>2021-2022 Academic Year</th>
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<tbody>
<tr>
<td>31 Alternative Resolutions conducted with respondents</td>
<td>15 Alternative Resolutions conducted with respondents</td>
<td>19 Alternative Resolutions conducted with respondents</td>
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Formal Investigation: A formal investigation concludes with factual findings and decision about whether the respondent violated campus policy, which could result with sanctions. A university investigation is an option when the respondent is a student, employee, or other member of the campus community. Parties have the right to a support person during all stages of this process.

<table>
<thead>
<tr>
<th>2019-2020 Academic Year</th>
<th>2020-2021 Academic Year</th>
<th>2021-2022 Academic Year</th>
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<tr>
<td>16 Formal Investigations</td>
<td>9 Formal Investigations</td>
<td>18 Formal Investigations</td>
</tr>
<tr>
<td><strong>Complainants:</strong></td>
<td><strong>Complainants:</strong></td>
<td><strong>Complainants:</strong></td>
</tr>
<tr>
<td>14 student complainants</td>
<td>9 student complainants</td>
<td>17 student complainants</td>
</tr>
<tr>
<td>(including undergraduate</td>
<td>(including undergraduate</td>
<td>(including undergraduate</td>
</tr>
<tr>
<td>and graduate students)</td>
<td>and graduate students)</td>
<td>and graduate students)</td>
</tr>
<tr>
<td>2 unaffiliated complainants</td>
<td></td>
<td>1 unaffiliated complainant</td>
</tr>
<tr>
<td><strong>Respondents:</strong></td>
<td><strong>Respondents:</strong></td>
<td><strong>Respondents:</strong></td>
</tr>
<tr>
<td>14 student respondents</td>
<td>8 student respondents</td>
<td>15 student respondents</td>
</tr>
<tr>
<td>2 staff/faculty respondents</td>
<td>1 staff/faculty respondent</td>
<td>2 staff/faculty respondent</td>
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- In 10 of the investigations (including the two involving faculty members), the Respondent was found responsible on at least one of the charges
- In 6 investigations, the Respondent was found not responsible
- In 4 of the investigations, the Respondent was found responsible on at least one of the charges
- In 3 investigations, the parties settled prior to factual findings
- In 2 investigations, the Respondent was found not responsible
- In 5 investigations, the parties settled prior to factual findings
- In 5 investigations, the Respondent was found not responsible
- In one investigation, the Respondents were found not responsible
- Final resolution pending in 7 cases

**Sanctions:**
For student respondents, sanctions ranged from probation through expulsion, and for employee respondents, both employees found responsible left the university (the responsible finding remains on their employment record).
Training and Education

Undergraduate Students
All new UW-Madison students complete online violence prevention education programs in their first semester on campus. In the 2021-2022 academic year, incoming first-year and transfer students were required to complete the U Got This! program. U Got This! empowers students to make healthy decisions about sex and dating, intervene in difficult situations, and learn about resources available to survivors on campus. Students who do not complete U Got This! will not be able to register for their next semester courses.

In addition to U Got This!, new undergraduate students completed a follow-up online violence prevention education program called GetWIse@Home in Spring 2021. The COVID-19 pandemic prevented what had previously been delivery of in-person GetWIse workshops facilitated by UHS violence prevention peer educators, so the content was adapted to an online format. Students completed at least one module of the following GetWIse@Home modules: SexWIse (healthy sexuality, consent and sexual violence), DatingWIse (respectful relationships and dating violence), or ListenWIse (survivor support).

Graduate Students
Incoming graduate and professional students were also required to complete an online course called Graduate and Professional Students Preventing and Responding to Sexual and Relationship Violence in 2021-2022. The program equips graduate and professional students with tools to address violence in the campus community and contribute to safe and supportive learning environments.

Graduate Assistants (including Teaching Assistants and Research Assistants)
UHS Violence Prevention and the Sexual Misconduct Resource and Response Program both participate in the Graduate Assistant Equity Workshops (GAEW) sponsored by the Division of Diversity, Equity, and Educational Achievement and the Office of Human Resources. The purpose of GAEW is to equip new Teaching Assistants, Research Assistants and Graduate Assistants with information and skills to contribute to safe, respectful, survivor-supportive classroom, research and work environments.
Employees
All employees must complete the campus-supported sexual harassment and sexual violence training upon beginning their position at the University and every four years subsequent or as required by the Campus Advisory Group on Sexual Assault and Misconduct (CAGSAM). If a faculty or staff member does not complete the training, the employee will not be eligible for general wage adjustments (GWA) or performance pay increases. The online training, *Preventing Sexual Harassment and Sexual Violence at UW-Madison*, was first created and distributed in 2017. The training has been updated, and employees who first took the training in 2017 will be expected to renew their completion during the Fall 2022 semester.

Responsible Employees
Responsible Employees have a duty to report to the Title IX Coordinator any information they receive that suggests a violation of the Sexual Harassment and Sexual Violence policy has occurred or is occurring. Responsible Employees are required to complete an online training every year.

Responsible Employees include:
- Chancellor, Provost, Vice Chancellors, Vice Provosts, Deans and all other Limited Appointees, including Directors
- Department Chairs;
- Human Resources Representatives & Academic Department Administrators
- All Athletic Department Directors, Head and Assistant Coaches within Intercollegiate Athletic teams;
- All Police Department Staff;
- All Managers, Supervisors, Student Supervisors, House Fellows, and Resident Managers within University Housing
- Student Services Staff
- Any employee or volunteer who is responsible for the supervision or custodial care of minors in university sponsored or supported activities.
- Title IX Coordinator and Deputy Title IX Coordinators;
- University Complaint Investigators;
- Hearing Officers, Hearing Panel Members and Disciplinary Decision Makers;
- Officers responsible for hearing appeals in cases involving allegations of sexual harassment and sexual violence
Get Involved

Student Groups

- **Promoting Awareness Victim Empowerment (PAVE-UW)** | PAVE-UW is a student organization dedicated to preventing sexual assault, dating violence, and stalking through education and activism.
- **Embark** | Embark unites survivors of sexual assault and dating violence with the shelter animal of their choice.
- **Sex Out Loud** | Sex Out Loud promotes healthy sexuality through sex-positive education and activism.
- **Student Title IX Advisory Committee (STIXA)** | STIXA is a committee of students charged with advising the Dean of Students and the campus Title IX Coordinator on a range of Title IX and Violence Against Women Act (VAWA) issues.

University Committees

- **UW-Madison Culture of Respect Initiative** | An initiative to advance UW-Madison’s approach to addressing sexual and relationship violence through assessment and programmatic and policy changes.
- **Campus Advisory Group on Sexual Assault and Misconduct (CAGSAM)** provides overarching leadership on campus efforts to prevent and respond to sexual assault and sexual violence. The group advises senior campus leaders and ensures the coordination of campus prevention, policies, response, assessment, and accountability measures. CAGSAM includes representatives from across campus – including staff from UWPD, Student Affairs, Housing, and Athletics, as well as faculty members and students. CAGSAM traditionally has two student members, who are appointed by the Associated Students of Madison (ASM.)