

The University of New Mexico – DOJ Agreement Six-Month Progress Report

October 17, 2016 – April 16, 2017

Progress Report on UNM’s Actions to Advance Anti-Harassment and Sexual Misconduct Efforts



The U.S. Department of Justice, the United States Attorney’s Office for the District of New Mexico, and the University of New Mexico entered into an Agreement on October 17, 2016, involving UNM’s obligations under federal civil rights laws to prevent and address sexual misconduct, and to provide clear and consistent policies and procedures for reporting, investigating, and responding to such conduct. UNM agreed to undertake certain actions during the three-year Agreement. In the past six months, UNM has made significant progress in complying with the delineated tasks and implementing improvements. This Progress Report details the tasks UNM has completed in the first six months under the Agreement.

UNM Training:

- UNM has trained thousands of employees about workplace harassment including sexual harassment, various types of discrimination, Title IX, and the Campus SaVE Act. UNM

currently requires *all* faculty, staff, and student employees take an online training course, “*Intersections: Preventing Discrimination and Harassment*,” on an annual basis. This across-the-board training makes the campus safer for everyone.

For the 2016 calendar year, UNM’s employee training had broad participation by our faculty, staff, and student employees.

<u>Regular Staff</u>	<u>% Complete</u>
Contract Staff	99.4%
CWA Bargaining Unit	97.7%
Exempt Staff	99.6%
Non-Exempt Staff	99.1%
Police Bargaining Unit	97.6%
USUNM Bargaining Unit	98.7%
Total Regular Staff	99.1%

<u>Regular Faculty</u>	<u>% Complete</u>
12 Month Faculty	97.9%
9 Month Faculty	95.4%
Executive Faculty	100.0%
Post Doctoral and Fellows	97.3%
Total Regular Faculty	96.9%

<u>Student Employees</u>	<u>% Complete</u>
Students - Monthly	100.0%
Students Bi-weekly	91.6%
Graduate Student Bi-Weekly	84.9%
Graduate Student Monthly	94.3%
Total Student Employees	92.5%

<u>Temporary and On Call Staff</u>	<u>% Complete</u>
Exempt Temporary Staff	71.4%
On Call Staff	74.9%
Teaching Non-Credit	31.4%
Temporary Faculty	66.7%
Temporary Staff Bi-Weekly	93.5%
Total Temporary/On Call	61.6%

- **Of the 13,649 UNM faculty, staff, and student employees, 12,321 individuals (90.3%) completed the required “Intersections: Preventing Discrimination and Harassment” training in 2016.**

- UNM will continue this all-employee training effort in 2017 and beyond.
- Pursuant to the Agreement, UNM is providing interactive and intensive *in-person* training regarding the prevention of sexual harassment and misconduct and our policies and procedures regarding Title IX complaints to thousands of students on the campus. In March 2017, all UNM students were notified by email about the training requirement. The notice was also disseminated through UNM’s website and social media outlets.
- The in-person training program, entitled “*The Grey Area*,” is approximately 1.5 hours in length and is comprised of two sessions – a large group session and a smaller, interactive session. In the sessions, students examine the interconnected issues of dating and domestic violence, sexual violence, bystander intervention, and consent through a variety of discussions and supportive materials.
- UNM’s LoboRESPECT Advocacy Center has completed the following training initiatives:
 - Prior to March 2017, 8,015 students were trained through new student orientation sessions;
 - **“The Grey Area” in-person training sessions for upperclassmen started in March 2017 and are being offered across the campus at varying times and locations. Since March 24, 2017, 16 training sessions have been completed and 11 training sessions have been scheduled for the remainder of Spring 2017 (anticipating more than 1500 students will be trained by the end of the Spring semester);**
 - Train-the-Trainer workshops have been completed at Valencia, Los Alamos, Taos and Gallup Branches;
 - Attendance tracking automated through the LoboCard system is being developed and will be in use by mid-April; and,
 - “*The Grey Area for Graduate and Professional Students*” training programs are being developed and will begin in mid-May 2017.
- The Agreement requires that UNM personnel involved in processing, investigating, or resolving complaints of sexual misconduct receive additional training. This includes intensive and specialized training for Office of Equal Opportunity staff members, UNM Police Officers, and Dean of Students Office personnel who are likely to receive reports, investigate, and handle discipline involving sexual harassment and misconduct.
- **Staff members at the UNM Police Department, Office of Equal Opportunity, and Dean of Students Office have collectively participated in more than 1,200 hours of training focused on Title IX, Trauma Informed Investigation, Inherent Bias, and Rape Crisis.**
- In January 2017, UNM engaged Dr. Chris Wilson, a nationally known professional trainer, to conduct an intensive, multi-day training session relating to *Forensic Experiential Trauma Interview (FETI) within the Sexual Assault Investigation Response* for numerous University

employees. This training enables response staff to gather evidence more effectively and to better understand the traumatized person's experience.

- On November 1, 2016, the UNM Police Department adopted a written protocol for all police officers who respond to or investigate allegations of sexual assault requiring training at least annually.

Policies, Procedures & Practices:

- The Agreement requires changes to several of UNM's policies, procedures, and practices relating to sexual harassment and misconduct. Prior to the start of the Department of Justice investigation, UNM drafted a new comprehensive policy on sexual violence, which was issued as University Administrative Policy (UAP) 2740 on May 15, 2015. In the fall of 2016, UNM's Policy Office convened the Sexual Harassment Policy Committee to discuss revising several University Administrative Policies to make further refinements. The Committee has representation from the major campus constituency groups (administrators, faculty, staff, and students), as well as from the Albuquerque Rape Crisis Center and SANE – Sexual Assault Nurse Examiners. The Committee's final drafts will be vetted with the entire UNM community as well as the Department of Justice.
- **As part of the Agreement, UNM has improved its procedures to provide reliable, prompt, and impartial investigation, adjudication, and appeal of all complaints of sexual harassment and misconduct.**
- The Office of Equal Opportunity's revised procedures and guidance documents are clear and effective, intended to streamline the manner in which the Office of Equal Opportunity investigates claims that are raised. This better aligns the University's procedures with the recommendations from the Department of Justice. Newly adopted Office of Equal Opportunity procedures include:
 - Discrimination Claims Procedure;
 - Checklist for Formal Investigation Process – Individual; and,
 - Checklist for Formal Investigation Process – Departmental.
- Newly adopted Dean of Students Office procedures include:
 - Supportive measures, such as Academic and Administrative Measures; and,
 - Safety measures, such as Interim Bans and No Contact Directives.
- New guidance documents improve regular communication between UNM Units.
 - The UNM Police Department and the Office of Equal Opportunity finalized a Memorandum of Understanding detailing how they will work together on sexual harassment and misconduct cases;
 - The Dean of Students Office and the Office of Equal Opportunity finalized a

Memorandum of Understanding describing how they will work together on sexual harassment and misconduct cases; and,

- The UNM Police Department has developed a system for consistent referrals of sexual harassment and misconduct cases to UNM's Title IX Coordinator.
- UNM has started to implement new internal reporting systems to record crucial information involving the investigation of sexual harassment and misconduct matters.

Staffing:

- UNM has a Title IX Coordinator and five (5) Civil Rights Investigators who work in the Office of Equal Opportunity on sexual harassment and misconduct matters. Although two of the investigator position were temporary, UNM recently established permanent funding in next year's budget for these positions. In addition, a new Administrative Assistant was recently hired in the Office of Equal Opportunity to assist with data collection and input, quality assurance of data, and administrative tasks to support investigators.
- UNM's Dean of Students Office recently hired two (2) Trainers/Advocates to assist with *The Grey Area* in-person student training effort and to provide support and advocacy through the LoboRESPECT office. With this addition, the Dean of Students Office now utilizes seven (7) Advocates, five (5) in LoboRESPECT and two (2) in the Women's Resource Center. In addition, the Dean of Students Office is in the process of hiring additional staff to create more consistency of service.
- **UNM's Women's Resource Center recently hired a new Director. The Center is a place of advocacy, support, and safety for all members of UNM and the greater community.**
- The Women's Resource Center also hired a gendered violence Program Coordinator who, in collaboration with the Education Coordinator at LoboRESPECT, designed a program to provide peer educators with tools, knowledge, and skills-based workshops on the following topics: sexual violence prevention, hate bias and discrimination prevention, alcohol and substance abuse, suicide prevention, and bystander intervention. In addition, the Center added an Academic Advisor one (1) day a week so students can receive academic support in the same safe space they are receiving other support services.

Campus-wide Efforts:

- UNM receives suggestions on improving the campus climate through climate surveys:
 - **In the Spring semester of 2016, UNM conducted a Main Campus-wide climate survey to assess the campus climate and make sure that UNM is serving the student population. The results are located at http://oeo.unm.edu/title-ix/campus_climate_survey.html. In particular, the results of this climate survey**

concluded that a majority of students generally knew that UNM had a policy prohibiting sexual misconduct and recognized where to get help on campus.

- In April 2017, UNM launched additional climate surveys at UNM's Branch Campus locations. These surveys will 1) assess students' attitudes and knowledge regarding what constitutes prohibited sexual harassment and retaliation; 2) gather information regarding students' experience with sexual harassment while attending the University; 3) determine whether students know when and how to report such harassment; 4) gauge students' comfort level with reporting sexual harassment; 5) identify barriers to reporting; and 6) assess students' familiarity with the University's outreach, education, and prevention efforts to identify which strategies are effective.
- UNM recently partnered with the University of Kentucky as part of a CDC grant to provide the Multi-College Bystander Efficacy Evaluation study at UNM that will facilitate Main Campus climate surveys from 2017 to 2019.
- On February 1, 2017, UNM implemented a Monitoring Program to assess the effectiveness of its efforts to prevent and address sexual harassment and retaliation and to promote a non-discriminatory school climate. These efforts include continued campus climate surveys on sexual misconduct, evaluations of student and staff/faculty trainings, and focus groups with students to assess qualitatively how UNM can improve reporting and responding to incidents of sexual misconduct and retaliation.
- In April 2017, numerous UNM campus activities are centered around *Sexual Assault Awareness Month*, including:
 - LGBTQ Resource Center sponsored event, "Let's Talk About Sex;"
 - Sexual assault awareness rally organized by the Office of Equal Opportunity;
 - UNM Police Department sponsored event, "Coffee with a Cop;"
 - Women's Resource Center conducted educational outreach at four events, launched a "Dear Survivor" campaign and hosted "I Heart Female Orgasm", a national program focused on consent, sex positivity and healthy communication.

Faculty Efforts:

- **UNM faculty has been very engaged in improving the campus environment. In the fall of 2016, UNM faculty members created Faculty for a Sexual Assault Free Environment at UNM to focus on the execution of the DOJ agreement and/or sexual harassment and misconduct at UNM. Faculty SAFE UNM, has a core group of approximately 20 faculty members and more than 60 others who monitor the work of the group.**
- In February 2017, Faculty SAFE UNM, in cooperation with the Feminist Research Institute, the Health Sciences Center Faculty Council, and the Office of Equal Opportunity, hosted Dr. Jennifer Freyd from the University of Oregon for a keynote lecture and to meet with faculty,

administrators, staff, and police engaged with Title IX compliance on the UNM campus, as part of Faculty SAFE UNM's efforts to collaborate in strengthening research-based responses to sexual harassment and violence at UNM.

- Faculty offer a variety of courses that directly address topics of relationship violence and/or sexual misconduct, including undergraduate and graduate level courses, across the UNM campus, including the Health Sciences Center and the School of Law.
- Representatives of Faculty SAFE serve on both Policy Office and Title IX committees, where they play an active and collaborative role in the development of UNM policies on sexual harassment and misconduct.
- Faculty have spearheaded efforts to increase research on sexual violence and gender inequality at UNM, by bringing the CDC-funded University of Kentucky Multi-College Bystander Efficacy Evaluation study to UNM in 2017 to 2019.

Web Resources:

- LoboRESPECT is the name of UNM's comprehensive approach to preventing and responding to sexual violence in the campus community. The LoboRESPECT website includes information on UNM's prevention education efforts and programs, services, and support for victims of sexual violence, our policies and sanctions, and much more. The website can be found at: <http://loborespect.unm.edu/about.html>
- Information about "*The Grey Area*" in-person student training program for the prevention of sexual harassment and misconduct and policies and procedures regarding Title IX complaints is located at: <http://thegreyarea.unm.edu>. More dates and times will be added as they become available. Many departments and colleges across campus will be hosting additional training sessions.
- Newly adopted Office of Equal Opportunity procedures can be found at: <https://oeo.unm.edu/index.html>
- Notices and information about UNM's Title IX Coordinator have been widely disseminated to the University community. Additional information regarding the Title IX Coordinator is located at: <https://oeo.unm.edu/title-ix/index.html>
- Additional information about Faculty SAFE UNM can be found at: <https://facultysafeunm.wordpress.com/about/>

Conclusion:

UNM has made significant changes that will, over time, make positive and sustainable improvements in the campus climate around these important issues. The University will continue to promote and maintain a caring and safe educational environment with fair processes for all. For additional information, please contact:

UNM Office of Equal Opportunity

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