

2019

**Rochester
Institute
of Technology**
Annual Report
on Sex Discrimination

RIT

Title IX



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I. INTRODUCTION.

RIT is committed to creating and maintaining a safe environment for all members of the RIT community. The university strives to engage the campus community in continuing to build a culture of respect and inclusion. This year, as in years past, President Munson kicked off the academic year with a message to the RIT community reaffirming RIT's commitment to the community to protect its students and employees from sex discrimination, including sexual harassment, sexual violence, intimate partner violence, gender-based harassment and discrimination, and stalking (hereinafter, "sex discrimination"). A copy of the Letter to the Community from Dr. Munson, dated September 19, 2019, is attached to this Annual Report as Appendix V.

This Annual Report provides the RIT community with information concerning the steps the university is taking to continue to protect its students and employees from sex discrimination. RIT's programs and initiatives to address sex discrimination have evolved over the past few years. RIT has made substantial progress as it continuously strives to improve. RIT continues to expand education and training opportunities for prevention and outreach, grow community engagement opportunities, revise internal processes to increase effectiveness, and review staffing to ensure the needs of the campus community are met. Input from the RIT community and peer institutions are closely monitored in order to evaluate and implement best practices at RIT. The professionals engaged in the work continuously seek and engage in training opportunities which are vetted for best practices and compliance with all legal standards.

The university publishes this Annual Report in the interest of transparency, as well as to promote individual and institutional accountability. This report:

1. Provides an overview of RIT's framework for addressing concerns related to sex discrimination such as policies, procedures, and the collaborative efforts of our campus partners;
2. Outlines RIT's prevention education, advocacy, response, support, and community engagement initiatives on sex discrimination; and
3. Provides a summary of complaints of all sex discrimination made in 2018 with analysis.

II. OVERSIGHT, ORGANIZATION, AND MANAGEMENT OF SEX DISCRIMINATION.

A. The Board of Trustees and Senior Leadership

The Board of Trustees and the senior leadership at RIT recognize that ensuring a safe and supportive learning environment is fundamental to the university's culture, mission, and reputation. Accordingly, the Board and senior leadership receive regular

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updates on policies, processes, incidents, and mitigation strategies concerning sex discrimination at the university.

B. The Title IX Office

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. The Title IX Office is a neutral office that serves as a resource for every person in the RIT Community, including students, parents or guardians, employees, alumni, community partners, and visitors regarding their rights under Title IX of the Education Amendments of 1972 (Title IX), Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), Violence Against Women Reauthorization Act of 2013 (VAWA), New York State Education Law § 129-b (Enough is Enough), and other relevant statutes (see Appendix, *below*, for information concerning these important laws.)

The Title IX Office is committed to fostering a campus climate in which members of the RIT community are protected from all forms of sex discrimination. When the university learns of sex discrimination, it takes prompt and effective steps to **end** the sex discrimination, **prevent** its recurrence, and **remedy** its effects on the individuals and the RIT Community. The Title IX Office, housed under the Office of Compliance and Ethics, is responsible for overseeing the day-to-day university response to and compliance with Title IX and related statutes governing sex discrimination.

More specifically, the Title IX Office:

- Oversees all reports of sex discrimination on campus
- Enforces the university's non-discrimination policies related to sex discrimination
- Educates the community about the university's policies and practices
- Investigates employee reports of sex discrimination
- Connects people to both on and off campus resources that can support them if they experience sex discrimination or retaliation
- Listens to community concerns
- Identifies any patterns or systemic problems that arise during the review of reports of sex discrimination
- Collaborates with various departments and organizations to support the delivery of robust programming

Importantly, fundamental to the Title IX Office's duties are fairness, trauma-informed practices, due process, and transparency.

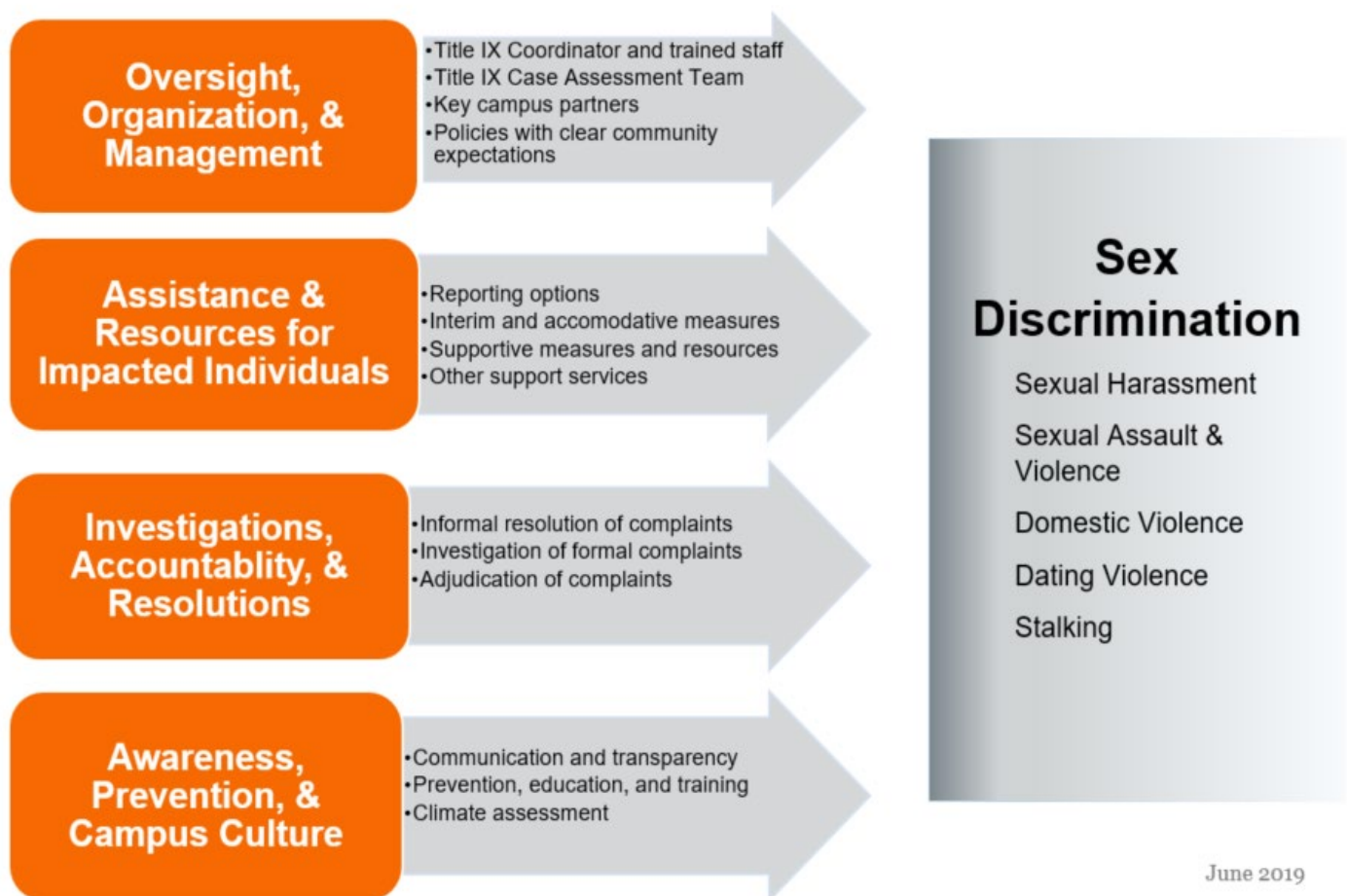
C. The Title IX Framework

Title IX and sexual assault prevention continue to make national headlines. The numerous laws, regulations, and guidance documents governing this area serve to establish the floor for basic legal compliance that helps the university prevent, detect,

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and to hold individuals accountable for engaging in misconduct. However, RIT strives to establish a framework for addressing sex discrimination, which goes beyond legal compliance, and instead encourages exemplary behavior through participation and commitment between all members of the community, including students, faculty, staff, administrators, and the Board of Trustees.

RIT's framework addresses sex discrimination on campus and operates through positioning people, practices, and resources within an intentional structure. The framework is divided into four distinct areas in order to holistically address sex discrimination on campus. The four areas are: (1) Oversight, Organization, and Management; (2) Assistance and Resources for Impacted Individuals; (3) Investigations, Accountability, and Resolutions; and (4) Awareness, Prevention, and Campus Culture.¹



¹ The framework is informed by Peter F. Lake's "Four Corners of Title IX Regulatory Compliance."

D. The Title IX Team

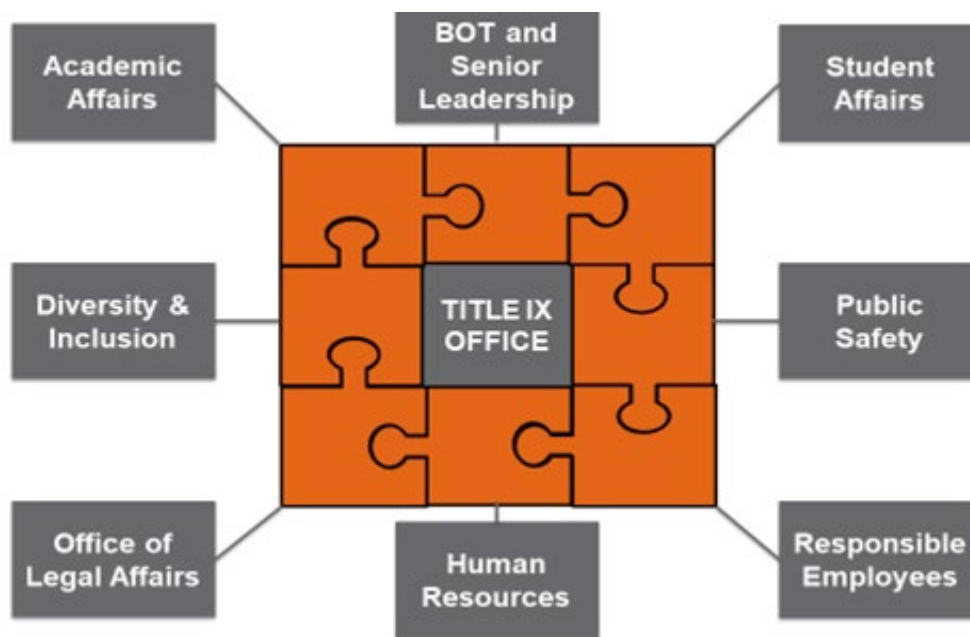
The Title IX Office is led by **Stacy DeRooy**, RIT's Director of Title IX and Clery Compliance ("Title IX Coordinator"). In her role as Title IX Coordinator, Stacy is responsible for coordinating the university's responses to all complaints involving possible sex discrimination. This responsibility includes monitoring process and outcomes to ensure consistency, identifying and addressing any patterns, and assessing effects on the campus climate.

Stacy also works with **Darci Lane-Williams**, who is the Assistant Director of Title IX and Clery Compliance. Darci supports and assists Stacy in implementing the university's responses to sex discrimination and is the primary liaison with campus partners on training, education, prevention, and awareness.

Catherine Farina, is the Title IX Investigator for incidents involving employees. In her role Catherine conducts investigations of sex discrimination claims made against any employee of the university. She also serves as the point of contact for Public Safety, who is tasked as the primary investigative body for investigations regarding claims made against students. In addition, she reviews investigative reports for accuracy and consistency.

E. Key Campus Partners

The Title IX Office's initiatives are not carried out in a vacuum. The initiatives depend upon and are benefitted by collaboration between students, divisions, departments, and colleges across campus, who all play a significant role in the university's response to sex discrimination.



For example, the **Division of Student Affairs**, under which the **Center for Student Conduct and Conflict Resolution** resides, is responsible for providing fair and impartial hearings to students involved in the Title IX process. In addition, it conducts discussions, or “conduct conversations” with students in cases that do not result in a hearing but require a structured discussion with accused students so that they understand behavioral expectations. Appeal hearings for students are conducted by the **University Appeals Board**, also housed in the Division of Student Affairs.

Public Safety investigates student reports of sex discrimination and, in some cases, also provides assistance with investigations of employees. The Public Safety Office also, among other things: (1) aids in crime prevention and training which addresses sexual assault and violence, (2) acts as liaison between law enforcement and individuals involved in reports of sex discrimination incidents, and (3) provides immediate assistance and emergency measures for individuals affected by sex discrimination.

Human Resources makes determinations concerning whether reported conduct constitutes violations of RIT’s Policy Prohibiting Discrimination and Harassment (Policy C6.0). The office also makes recommendations to senior leadership regarding corrective action, if any, and aids in the training of the campus community on issues of discrimination, bias, and employment law.

The **Division of Diversity and Inclusion** has the primary responsibility for appeals in employee grievances in cases of sex discrimination. This division is also instrumental in training the campus community on bias and civility.

Other Campus Partners include, but are not limited to, offices that provide Confidential Resources and Non-Confidential Resources, the Office of Legal Affairs, Global Risk Management Services, the AdvanceRIT Leadership Team, Enrollment Management, and academic advisors.

III. INVESTIGATIONS, ACCOUNTABILITY, AND RESOLUTIONS.

A. Key University Policies Addressing Sex Discrimination

Two RIT policies² are central to RIT’s community expectations and prohibitions regarding gender-based and related discrimination:

- [Student Gender-Based and Sexual Misconduct Policy - Title IX \(Policy D19.0\)](#), which applies to all students; and

² Other RIT policies inform the discussion about expectations of conduct concerning sex discrimination, including: [Honor Code \(P.03\)](#), [Core Values \(P.04\)](#), [Compliance Policy and Code of Ethical Conduct \(C.0.0\)](#), [Policy on Circumstances When Consensual Relationships Must be Mitigated \(C.23\)](#), and the [Protection of Minors Policy \(C.26\)](#). Students may also be subject to [D.18.0 Student Conduct Process](#) and [D.18.1 Alcohol and Other Drugs](#).

- [RIT Policy Prohibiting Discrimination and Harassment \(Policy C06.0\)](#), which applies to all faculty, staff and visitors.

These policies provide details regarding how the university investigates and resolves complaints of sex discrimination. The policies also provide the community with important information concerning, among other things, rights and responsibilities of complainants and accused individuals, confidentiality, privacy, and available resources (confidential and non-confidential, both internal and external).

B. Student Gender-Based and Sexual Misconduct Policy-Title IX (Policy D.19)

The following conduct is prohibited under RIT's Student Gender-Based and Sexual Misconduct Policy - Title IX (Policy D19):

- Dating Violence
- Domestic Violence
- Retaliation
- Sex Discrimination/Sexual Harassment
- Stalking
- Sexual Exploitation
- Gender-based Harassment
- Sexual Assault, which includes:
 - Non-Consensual Sexual Contact
 - Non-Consensual Sexual Intercourse

A complete listing of the definitions of the prohibited conduct related to students can be found in [RIT's Title IX Policy \(D19.0\)](#). Key definitions of terms used in this Annual Report can also be found in the attached Appendix I.

Under Policy D.19, the university has formal and informal options for resolving complaints involving accused students. The informal process does not imply the matter is any less serious than those evaluated under the formal processes. Instead, this option allows the complainant to retain as much control as possible over the actions taken in response to an alleged act of gender-based and related discrimination. Whenever possible, the complainant can decide whether to pursue an investigation and participate in the conduct process. The complainant can also withdraw from the process at any time. In rare circumstances, such as those involving safety risks to individuals or to the greater RIT community, the university may bring matters to a formal hearing independent of the wishes of the complainant.

Regardless which process the complainant chooses, accommodative measures are often put in place to promptly end the alleged discrimination or harassment and prevent recurrence of the conduct. Examples of accommodative measures include the imposition of "no contact orders" or changes in residential, academic, social/extracurricular or work arrangements. The decision to seek accommodative measures does not prevent or delay an investigation or a conduct hearing. Similarly, interim measures, such as interim suspension pending an investigation and a conduct hearing, may also be imposed. Prompt review and modification of interim and accommodative measures is available, which may result in modification of these measures.

If a formal investigation begins, Public Safety takes the lead on a thorough and impartial investigation of the facts. The parties to the complaint have the opportunity to review and comment on the investigation report that compiles the material information the university will use to determine responsibility under its policies. A hearing is then held, and the student conduct process concludes when the hearing officer provides both parties with written notice of the hearing outcome. Disciplinary actions involving allegations of sex discrimination are decided equitably and impartially using the preponderance of the evidence standard.

The range of disciplinary outcomes for students or student organizations found responsible for sex discrimination after the student conduct process is concluded are:

- Warning
- Probation
- Suspension
- Expulsion

In most circumstances, student outcomes also include educational and training components. No contact orders remain in place for the duration of both parties' tenure at RIT. If a student is found "not responsible," then any no contact order reverts to an "active avoidance no contact order," which means that both parties are required to actively avoid one another. If a student is found responsible, then the onus remains only on that student to ensure that there is no direct or indirect contact with the complainant.

Both parties have the right to one level of appeal. Upon appeal by either the complainant or the respondent, a three-party panel of the University Appeal Board (UAB) is convened. All outcomes are final after an appeal. Both parties receive communication throughout the process to ensure transparency.

C. RIT's Policy Prohibiting Discrimination and Harassment (Policy C6.0)

Unlike student cases where informal processes may be used to resolve complaints of sex discrimination, upon receiving a complaint involving an RIT employee, the university almost always conducts a formal investigation into the allegations to determine whether the alleged conduct occurred and the context in which the conduct took place.

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With regard to sex discrimination, RIT's Policy Prohibiting Discrimination and Harassment (Policy C6.0) prohibits the following conduct:³

- Dating Violence
- Domestic Violence
- Retaliation
- Sex Discrimination
- Stalking
- Sexual Harassment
- Gender-based Harassment
- Sexual Assault, which includes:
 - Non-Consensual Sexual Contact
 - Non-Consensual Sexual Intercourse

A complete listing of the definitions of the prohibited conduct can be found in [RIT's Policy Prohibiting Discrimination and Harassment \(C6.0\)](#). Key definitions of terms used in this Annual Report can also be found in the attached Appendix.

The parties receive a Notice of Investigation when an investigation is commenced. As part of the investigatory process, the parties have the opportunity to review and respond to allegations. Human Resources makes the determination regarding whether an employee's conduct violates Policy C6.0. The range of actions for employees found responsible for sex discrimination are:

- Training and continuing education
- Formal communication and monitoring of future behavior
- Suspension
- Workplace relocation
- Coaching
- Written warning
- Demotion
- Termination

Corrective actions are determined by Human Resources, in consultation with the appropriate vice president under whom the employee's department resides. Notably, in some instances after an investigation and after Human Resources determines that [RIT's Policy Prohibiting Discrimination and Harassment \(C6.0\)](#) was not violated, the employee may still be subject to disciplinary actions for violating other policies, such as the [RIT Honor Code](#), which expressly sets the expectation for employees to "[d]emonstrate civility, respect, decency and sensitivity" towards members of the RIT community."

Upon receipt of a written notice of outcome, either the complainant or the accused may appeal the outcome within five (5) business days to the vice president and associate provost for diversity and inclusion under the conditions set forth in Policy C6.0. The parties may also grieve the process in accordance with the provisions of RIT's [Staff Grievance Policy \(E30.0\)](#) or RIT's [Faculty Grievance \(E24.0\)](#).

³ Policy C6.0 also prohibits discrimination and harassment based on an individual's group, class, or category, including race, religion, age, citizenship, color, creed, culture, including Deaf culture, actual or perceived disabilities, gender, marital status, ethnic or national origin, political affiliation or preference, military or veteran status, sexual orientation, gender identity, gender expression, or genetic predisposition.

IV. ASSISTANCE AND RESOURCES FOR IMPACTED INDIVIDUALS.

Both Policy C6.0 and Policy D.19, as well as the Title IX website, have information regarding the various [reporting options](#) for sex discrimination claims and information concerning interim and accommodative measures. The university strives to provide multiple reporting options to ensure there are no institutional barriers to making reports of sex discrimination. (See Appendix VI, List of Reporting Options, Confidential and Non-Confidential Offices and On Campus and Off Campus Resources.)

Both students and employees involved in incidents of sex discrimination are permitted an advisor of their choice at all meetings. Both students and employees are also offered internal and external [resources](#) (including confidential options) to assist them in navigating the investigatory and resolution process. (See Appendix VI.)

In addition, employees are provided with information about support services through the Employee Assistance Program (“EAP”). All parties involved in incidents involving sex discrimination investigations are able to meet with the Title IX Coordinator to discuss the process and to seek accommodative measures where appropriate. Key campus partners, including staff in Human Resources, Public Safety, and Student Conduct and Conflict Resolution remain available throughout investigations and resolution processes for support and consultation.

V. AWARENESS, PREVENTION, AND CAMPUS CULTURE.

Training and education designed to prevent gender-based and related discrimination continues to be a focus of the Title IX Office, in collaboration with the many campus partners. In its training and education efforts, the Title IX Office focuses on ensuring that the RIT community: (1) understands behavioral expectations, including the discriminatory behaviors that are prohibited, (2) is aware of the full range of reporting and resolution options and resources (both on- and off-campus) available to individuals impacted by sex discrimination, and (3) learns about the many ways in which the campus community can work together to prevent discrimination.

Last year, the Office of Compliance and Ethics created a [Policy on Mandatory Training \(C25.0\)](#) requiring all employees to train annually on, among other things, sex discrimination. In 2018, 97% of all employees, including part-time employees and adjuncts, completed the online module. In addition, in-person training sessions were offered throughout the year to reinforce expectations of appropriate conduct, clarify requirements for reporting information, and highlight ways to support individuals who report sex discrimination. (See Appendix IV, Additional Training, Education, and Awareness Activities During 2018 on Sex Discrimination and Related Misconduct Provided by the Title IX Office and Campus Partners.)

All new employees also receive in-person training on sex discrimination at new employee orientation. The new employees are introduced to campus policy, behavioral expectations, rights and responsibilities under the law and RIT policy, and available

support services. The Title IX Office provided in-person training to all ten sessions of New Employee Orientation offered by the Center for Professional Development.

During New Student Orientation, incoming first year and transfer students are provided opportunities to participate in programs that reinforce campus policy and behavioral expectations and become aware of the available support services. International students receive targeted programming during a separate orientation program in which they are given information about university expectations, cultural norms, and policies. All returning, graduate, and transfer students are offered an online module on sexual assault, sexual harassment, relationship violence, stalking, and risks related to alcohol and other drug use. Returning students are offered and strongly encouraged to take a refresher module that builds upon the information received in the orientation module.

Student groups such as student-athletes, student leaders (such as resident advisors, orientation leaders), fraternity and sorority members, incoming NTID students, and international students receive tailored in-person training and education, with an emphasis on active bystander skill-building. Throughout the year, all students have numerous opportunities to participate in educational and community events such as panel discussions, workshops, and other prevention and awareness activities.

To reach the vast stakeholders throughout the university, the Title IX Office also relies on the assistance of its many campus partners for awareness and prevention. Notably, this year, the Office of the Provost through AdvanceRIT sponsored the Michigan CRLT Players to campus. Approximately 181 members of the RIT community participated in a two-day workshop developed by the CRLT Players featuring interactive sketches that explore the consequences of sex discrimination faced by women and gender minorities in academic settings. The objectives of the workshop were to engage the attendees to identify sex harassment, discuss how those behaviors impact individuals and communities, reflect on strategies to create a climate more resistant to sexual harassment, and to consider ways to support individuals who report sex discrimination. In addition, the Title IX Office, together with campus partners presented over 20 training, education, or awareness activities related to sex discrimination or related misconduct during 2018. (See Appendix IV.)

The Title IX Coordinator co-chairs the Sexual Violence and Discrimination Prevention Wellness Team, which is a team of faculty, staff, and students charged with providing students with programs and educational opportunities related to, among other things, sex discrimination. In 2018, the Sexual Violence and Discrimination Prevention Wellness Team either sponsored or participated in nine (9) programs and activities with a total of approximately 500 attendees. (See Appendix III, List of Education, Prevention, and Awareness Activities for the 2018-19 Academic Year.)

Communication and transparency initiatives remain a priority of the Title IX Office. Last year, the Title IX Office published, for the first time, the statistical data for 2016 and

2017 relating to all sex discrimination cases at the university and pledged to report the information annually to the RIT community. The inaugural report was also shared with the university's senior leadership, including the Board of Trustees. The Title IX Office also presented the report to all of the RIT governance groups. Similarly, this Annual Report will be shared broadly with the RIT community and reported to the governance groups, senior leadership, and the Board of Trustees.

The Annual Security and Fire Safety Report (the "Clery Report") released in October provides the RIT community and prospective students additional information concerning, among other things, sexual assault, intimate partner violence, and stalking.⁴

Additional initiatives undertaken in 2018 to raise awareness, provide more transparency, help shape a culture of respect, and prevent sex discrimination, and create a culture of safety included:

- [Behind the Bricks Video on Title IX](#)
- The Biennial Student Climate Survey

VI. AREAS OF CONTINUOUS IMPROVEMENT AND FOCUS FOR 2019.

A. Awareness, Prevention, and Campus Culture

In the spirit of continuous improvement, the Title IX Office initiated a peer review in 2018. As part of that process, Title IX coordinators from four regional universities conducted a comprehensive review of RIT's sex discrimination policies, procedures, prevention efforts, and training programs. The peer review team examined relevant documents and conducted on-campus interviews with various stakeholders over several days. The peer review revealed opportunities for improvement in RIT's prevention efforts, while acknowledging the university's strong commitment to creating a responsive reporting structure.

As a result, with the support of senior leadership, a new Assistant Director of Title IX and Clery Compliance position was added to the staffing in the Title IX Office. In addition to assisting the Title IX Coordinator with the duties of the office, Darci Lane-Williams coordinates the university's efforts around training and education, programing, and prevention. Indeed, reinforcing expectations of appropriate conduct will continue to be a focus of the Office of Compliance and Ethics and the Title IX Office during the 2019-20 academic year. Through education and training, RIT will continue to build a culture of respect free from sexual harassment and discrimination and one that upholds the [RIT Core Values](#) and [Honor Code](#). In addition, the Title IX Office will continue to

⁴ The data found in RIT's [Annual Security and Fire Safety Report](#) is filed annually in October with the U.S. Department of Education pursuant to the Clery Act. Data collected for the Clery Report is based on the geography of incident while data published in this Annual Report on Sex Discrimination is not limited to geography. Moreover, unlike the Clery Report, the scope of behaviors in this Annual Report are much broader and not all would not be included in the Clery Report.

develop ongoing, relevant, and impactful community programs and events in collaboration with its campus partners.

The Title IX Office will partner with Academic Affairs to convene a task force of faculty, staff, and students to work with leaders from the Title IX Office and other administrative units to review RIT's efforts to promote a harassment free environment, ensure best practices are in place at RIT, and to create a communication strategy to raise awareness of RIT's policies and practices. The task force will seek to implement an employee climate survey to coincide with the biennial student climate survey on sexual misconduct.

The Title IX Office will also collaborate with Student Employment Services to create and deploy an online sex discrimination training module for student employees which will go live in early 2020.

B. Investigations, Accountability, and Resolutions

RIT Public Safety will continue to investigate claims involving accused students. The Title IX Investigator will be the liaison between Public Safety, the parties, the Title IX Office, and the Office of Student Conduct and Conflict Resolution. The Title IX Office will create an Investigation Report that will be provided to the Office of Student Conduct and Conflict Resolution for cases involving sexual assault, domestic and dating violence, and stalking. In creating the report, the Title IX Office will assist the Office of Student Conduct and Conflict Resolution in streamlining cases and hearings and provide more transparency into the process for students involved in Title IX cases.

In addition, the Title IX Office and the Office of Student Conduct and Conflict Resolution will partner to revise Policy D.19 to provide the parties a mutual resolution option, which will reduce the need for hearings in certain cases. The process will allow the parties to agree to mutually resolve cases by agreeing to terms, conditions, and sanctions.

The Title IX Office, in partnership with the Office of Student Conduct and Conflict Resolution, will continue to work on improving the university's advocacy program and the process by which students in Title IX cases receive important support from trained RIT Title IX advocates. The work to enhance the advocacy program will continue with an emphasis on timely and equitable support.

VII. STATISTICAL SUMMARY OF COMPLAINTS OF SEX DISCRIMINATION FOR CALENDAR YEAR 2018.

The statistical information below includes all complaints of sex discrimination reported in 2018, regardless of where the alleged events occurred. The complaints of sex discrimination are sorted in broad categories based on the complainants' allegations. Due to privacy and confidentiality obligations, specific details and complexities of the complaints cannot be shared. For information about the key definitions in the report that explain the conduct encompassed in the categories, please

refer to the section entitled Key Definitions in Appendix I. We also encourage the RIT community to refer to the policies referenced above, or to check the [Title IX website](#) for information. Complaints received against non-RIT community members are included in the total number of complaints received for information purposes. Although RIT may not always be able to conduct a full investigation or take action against an accused non-RIT community member, it will make resources available to impacted individuals who are members of the RIT community.

A. Data for Student Complaints of Sex Discrimination and Analysis

The following information reflects (1) the complaints that were brought to the Title IX Coordinator or Deputy Title IX Coordinators in 2018 (either directly or indirectly) involving students, and (2) the outcomes of the complaints where the accused is an RIT student, or the accused is not a member of the RIT community, but the alleged conduct was perpetrated against an RIT student. Although complaints often contain multiple allegations resulting in the respondent being charged with multiple policy violations, complaints involving more than one allegation of sex discrimination are only listed once. If a complaint produces one or more charges and results in a finding of responsibility, the chart will reflect the most severe of the Title IX charges. Thus, this data reflects the number of distinct complainants and the outcomes of the most serious charge reflected in the status at the conclusion of the process.⁵

Student Data: 2018

CHARGE	ACCUSED NON-MEMBER	ACCUSED UNKNOWN	COMPLAINT WITHDRAWN	OUTCOME-ACCOMMODATIVE MEASURES	Outcome Warning	OUTCOME-NOT RESPONSIBLE	OUTCOME-PROBATION	OUTCOME-SUSPENSION	OUTCOME-EXPULSION	NUMBER OF COMPLAINTS
DATING OR DOMESTIC VIOLENCE	2	0	5	2	0	0	0	2	0	11
STALKING	4	2	3	13	0	2 (1 is D.18 Probation)	3	0	1	28
SEXUAL ASSAULT	8	0	23	2	1	7	7	4	1	53
SEXUAL HARASSMENT	8	2	13	29	2	6	2	1	0	63
TOTAL	22	4	44	46	3	15	12	7	2	155

In 2018, the Title IX Office received a total of 155 complaints, which was a drop of 1.9% from 2017. The data also reflects a 31% decrease in sexual harassment complaints from 2017 to 2018, although sexual assaults rose by 49%, an increase from 2017 (35 complaints) to 2018 (53 complaints). Complaints of stalking also rose by 75%

⁵ For example, if a student files a complaint against a former partner alleging nonconsensual intercourse, the accused student may be charged with multiple violations of Policy D.19.0 such as nonconsensual sexual contact, nonconsensual sexual intercourse, and sexual harassment. If found responsible, the outcome will be categorized in the chart as sexual assault, with lesser included charges (*i.e.*, sexual harassment) being merged into the greater offense. In addition, the outcomes do not reflect those cases in which a student was found responsible for violating the [Student Conduct Process](#) (Policy D.18.0).

from 16 to 28 complaints. Domestic and dating violence complaints dropped by 27% from 15 complaints in 2017 to 11 in 2018. The Title IX Office received an additional 19 student-related cases that were assessed and deemed outside of the scope of Title IX. Approximately 25% of all student Title IX cases involved Deaf or Hard of Hearing students in 2018. The complaints identified in the foregoing chart were primarily made by students against other students. There were no reports made by faculty or staff against students in 2018.

The rise in reported sexual assault and stalking cases is likely attributable to the rise in third-party complaints received in 2018. The new mandatory training employees received in 2018 may be a factor in the increase of third-party complaints. Third-party reporters – either witnesses to alleged misconduct, individuals to whom an incident was reported, or individuals who simply sought counsel from the Title IX Office regarding potential violations of policy – reported 33 of the 44 withdrawn cases last year.

Withdrawn Cases: 2018

Type of Incident	Complaint Withdrawn ⁶	Reported by 3 rd party	%
Dating/Domestic Violence	5	5	100
Stalking	3	2	66.7
Sexual Assault	23	15	65.2
Sexual Harassment	13	11	84.6
Total	44	33	75

The 33 reports from third-party reporters were received from the following individuals:

- Residence Life (RA, RC, Community Leaders): 11 (33.3%)
- Staff Members: 15 (45.5%)
- Students: 4 (12.1%)
- Bystander/Non-member: 1 (0.03%)
- Outside Law Enforcement: 2 (0.06%)

Despite the high rate of cases reported by third parties that were ultimately withdrawn and/or otherwise administratively closed, we were encouraged that third parties were utilizing the reporting options and raising concerns with the Title IX Office.

B. Data for Employee Complaints of Sex Discrimination and Analysis

The following chart reflects (1) the complaints that were received by either Human Resources or by a member of the Title IX Office, and (2) the outcomes of the complaints where the accused is an RIT employee. The outcomes in the charts do not reflect those

⁶ Under Policy D. 19, any complainant can “withdraw a complaint or involvement from the RIT process at any time.” (Policy D.19, V.C.8). RIT will only proceed with an investigation without the complainant’s consent in limited circumstances. (Policy D.19, VII.C).

cases in which the conduct fell outside of the scope of Policy C.06.0 and may have resulted in corrective action under another policy.

Employee Data: 2018

CHARGE	ACCUSED NON-MEMBER	ACCUSED UNKNOWN	Administratively Closed	OUTCOME- NO FINDING	OUTCOME- WARNING	OUTCOME- PROBATION or DEMOTION	OUTCOME- SUSPENSION	OUTCOME- TERMINATED	NUMBER OF COMPLAINTS
DATING OR DOMESTIC VIOLENCE	0	0	0	0	0	0	0	0	0
GENDER DISCRIMINATION	0	0	1	5	1	1	0	0	8
SEXUAL HARRASSMENT	3	0	0	9	1	0	0	1	14
SEXUAL ASSAULT/ MISCONDUCT	1	0	0	0	0	0	0	0	1
STALKING	1	0	0	0	0	0	0	0	1
TOTAL	5	0	1	14	2	1	0	1	24

In 2018, the university received 24 complaints of sex discrimination involving an employee. This represents a 28% decrease in reported incidents from 2017. The majority of the employee-related cases alleged sexual harassment, which is consistent with the data from 2017. Of the 24 employee-related cases resolved in 2018, 14 cases were unsubstantiated under Policy C6.0. Two cases were withdrawn or administratively closed, which is attributed to curtailed investigations resulting from the complainants wishing to remain anonymous. Of the cases that were substantiated, 1 case resulted in a written warning, 1 in a probation or demotion, and 1 in termination. In addition, in 1 case involving a non-member, RIT terminated its contractual relationship with the non-member.

Complainants and Accused Demographics: 2018

Complainant	Accused	Incidents
Staff	Staff	4
Student	Staff	4
Faculty	Faculty	5
Student	Faculty	4
Alumni	Faculty	1
Staff	Faculty	1
Staff	Non-member	1
Non-member	Non-member (ret. Faculty)	2
Student	Non-member (ret. Faculty)	1
Student	Non-member (contractor)	1
Total		24

The Title IX Office received an additional 10 employee-related cases that were assessed but deemed outside of the scope of Title IX.

VIII. CONCLUSION.

RIT is committed to creating and maintaining a campus environment free from all harassment and discrimination that impedes the university's educational and professional endeavors and adversely affect the lives of those who work, study, and live here. This commitment includes stopping, preventing, and remediating sex discrimination and actively working on developing a culture that discourages such behavior. Fostering a respectful environment requires a continuing commitment from all members of the RIT community. Indeed, all RIT Community members share a responsibility to take prompt action, including notifying the appropriate individuals after becoming aware of conduct reasonably believed to violate the university's sex discrimination policies. We encourage all RIT Community members to review the university's policies and to take advantage of the numerous resources on campus to prevent and address sex discrimination. Through collective efforts, RIT can achieve the goal of fostering a respectful, harassment-free environment for all members of the RIT community.

APPENDIX

I. KEY DEFINITIONS AND EXAMPLES OF SEX DISCRIMINATION.*

“Dating Violence” means any intentional act or threatened act of violence against the Complainant committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. Dating Violence may include behavior that seeks to establish power and control over the Complainant by causing the Complainant to fear violence to themselves or another person. Such behavior may also take the form of harassment, property damage, intimidation, and violence or a threat of violence to one's self (*i.e.*, the Respondent) or a third party. It may involve one act or an ongoing pattern of behavior. The university will evaluate the existence of an intimate relationship based upon the Complainant's statement, taking into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“Domestic Violence” means any intentional act or threatened act of violence against the Complainant committed by (1) a current or former spouse or intimate partner; (2) a person with whom the Complainant shares a child; or (3) anyone who is protected from the Respondent's acts under the domestic or family violence laws of New York. Dating Violence also includes behavior that seeks to establish power and control over the Complainant by causing the Complainant to fear violence to themselves or another person. Such behavior may also take the form of harassment, property damage, intimidation, and violence or a threat of violence to one's self (*i.e.*, the Respondent) or a third party. It may involve one act or an ongoing pattern of behavior.

“Gender or Sex Discrimination” means the adverse treatment of an individual based on that individual's gender, sexual orientation, gender identity, or gender expression. Sex discrimination includes sexual harassment, sexual misconduct, and sexual violence.

Gender or Sex Discrimination need not be sexual in nature and is instead characterized by adverse treatment or hostility because of gender, gender expression, or gender-stereotyping, including failing to conform to stereotypical notions of masculinity or femininity.

“Sexual Assault” means (1) Non-Consensual Sexual Contact, or (2) Non-Consensual Sexual Intercourse.

1. "Non-Consensual Sexual Contact" means any intentional sexual touching, however slight, with any object or body part, whether directly or through clothing as follows: (a) any intentional touching of the lips, breasts, buttocks, groin,

* Key definitions above were the definitions in the 2018 version of [D.19 Student Gender-Based and Sexual Misconduct Policy](#). The definitions are currently being revised for 2019 in both Policy D.19 and [C0.06 Policy Prohibiting Discrimination and Harassment](#).

genitals, inner thigh, or anus or intentionally touching another with any of these body parts; (b) making another touch anyone or themselves with or on any of these body parts; and (c) intentional touching of another's body part for the purpose of sexual gratification, arousal, humiliation, or degradation.

2. "Non-Consensual Sexual Intercourse" means any penetration, however slight, with any object or body part as follows: (a) penetration of the vulva by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

"Sexual Exploitation" occurs when a person takes non-consensual or abusive sexual advantage of another. Examples of Sexual Exploitation include, but are not limited to:

1. Causing or attempting to cause the incapacitation of another person to gain a sexual advantage over the other;
2. Prostitution or causing the prostitution of another;
3. Observing or recording (whether by video or audio tape or otherwise) of a sexual or other private activity (such as sexual activity, undressing or showering) without the consent of all involved;
4. Taking intimate pictures of another without the photographed person's consent;
5. Distributing pictures of another person to others without the photographed person's consent;
6. Engaging in voyeurism or allowing others to observe private sexual acts without the consent of all involved;
7. Engaging in consensual sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) without informing the other person of such infection;
8. Exposing one's genitals in non-consensual circumstances, including electronically; or
9. Falsely claiming the use of contraceptive(s).

"Sexual Harassment" is a form of sex discrimination that includes Unwelcome Conduct of a sexual nature, which unreasonably interferes with work or the educational environment. Sexually harassing conduct is offensive, unwanted or intimidating behavior of a sexual nature and may be physical, verbal, written, visual (including sign language), or may occur by electronic means. When harassment becomes so severe or pervasive as to unreasonably interfere with an individual's ability to work, learn or participate in RIT's programs, or when the receipt of some benefit is linked to another's submission to sexual behavior, it is in violation of this policy. RIT reserves the right to

remedy, and to discipline, behavior that is offensive even if it is not in violation of this policy if it may lead to a violation of this policy if left unaddressed. However, the fact that a person was personally offended by a statement or incident does not alone constitute a violation of this policy. RIT shall consider the context of a communication or incident, the relationship of the individuals involved in the communication or incident, whether an incident was an isolated incident or part of a broader pattern or course of offensive conduct, the seriousness of the incident, the impact of the incident, and whether the incident would be considered offensive to most people, as opposed to a particular person.

Examples of conduct that can constitute sexual harassment if based on an individual's sex, gender identity or gender expression include but are not limited to:

- Unwelcome jokes or comments (e.g., sexist or “dirty” jokes), comments on physical attributes, spreading rumors about or rating others as to sexual activity or performance, talking about one's sexual activity in front of others, displaying or distributing sexually explicit drawings, pictures and/or written material;
- Disparaging remarks about sex, gender identity, or gender expression (e.g., negative or offensive remarks or jokes about a person's self-presentation);
- Letters, telephone calls, visits, pressure for sexual favors, pressure for unnecessary personal interaction, pressure for dates where a sexual/romantic intent appears evident but remains unwanted;
- Displaying negative or offensive posters, pictures or drawings about sex, gender, or gender expression; and
- Electronic communications, such as e-mail, text messaging, and Internet use, that may violate gender-based and related discrimination policies.

“Stalking” means engaging in a course of conduct directed at a specific individual that would cause a reasonable individual to fear for his or her safety or the safety of others, or suffer substantial emotional distress and which unreasonably interferes with the work or educational environment. Course of conduct means two or more acts including but not limited to Unwelcomed Conduct in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device or means follows, observes, surveils, threatens, trespasses, or damages property, or gives a person gifts. Stalking also includes cyber-stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts or other similar devices or forms of contact are used.

II. LEGAL SOURCES.

There are many legal statute and precedents, both federal and state, which inform the discussion on gender-based and related discrimination for university students and employees. Moreover, the legal landscape and policy focus nationwide continue to evolve. The most relevant statutes and precedents include:

- **Title VII of the Civil Rights Act of 1964** (“Title VII”), which applies to employees and makes it unlawful for an employer to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual’s race, color, religion, sex, or national origin.
- **Title IX of the Education Amendments of 1972** (“Title IX”), which applies to both employees and students in educational institutions receiving federal financial assistance and prohibits discrimination on the basis of sex in any education program or activity.
 - **“Dear Colleague Letters”** (“DCLs”), which apply to educational institutions, are documents issued by the Department of Education intended to guide colleges and universities in their compliance with legal obligations under Title IX.
- **Violence Against Women Reauthorization Act of 2013** (“VAWA”) amended the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** (“Clery Act”), which require institutions to compile statistics for incidents of sexual assault, dating and domestic violence, and stalking and to include certain policies, procedures and programs pertaining to these incidents in the annual security report.
- **New York State Human Rights Law** (“NYSHRL”), which applies to all employees and education programs in New York state and prohibits discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, marital status, disability, domestic violence victim status, criminal or arrest record or predisposing genetic characteristic.
- **New York State Education Law 129-B**, or “Enough is Enough”, which provides students with specific entitlements and protections and requires colleges and universities statewide to adopt comprehensive procedures and guidelines to combat sexual assault, including a uniform definition of affirmative consent, a statewide amnesty policy, and expanded access to law enforcement to ensure the safety of all New York college students.

III. LIST OF EDUCATION, PREVENTION, AND AWARENESS ACTIVITIES FOR THE 2018-2019 ACADEMIC YEAR.

Name of Program	Date of Program	Program Objectives	Total Number Attended
Public Safety PSA Video Video	10/15/18	<ul style="list-style-type: none"> • Raise awareness about sexual violence • Support survivors 	130
Clothesline Project	10/25/18	<ul style="list-style-type: none"> • Raise Awareness about safety on campus • Provide Resources to community 	15
Men's Health Fair	11/6/18	<ul style="list-style-type: none"> • Provide resource information to students • Raise Awareness about sexual violence and consent 	59
Got Consent? (ASL)	2/6/18	<ul style="list-style-type: none"> • Discussion on consent and Dating on Valentine's Day • Resources 	1
LGBTQ Health Fair	2/7/18	<ul style="list-style-type: none"> • Provide resource information to students • Raise Awareness about sexual violence and consent 	120
Religious Discrimination at RIT, a discussion (co-sponsored by Spirituality wellness team)	3/19/19	<ul style="list-style-type: none"> • Discuss forms of religious discrimination • Provide Resources on Campus • Hear Student's Experiences 	20
Women's Health Fair	3/26/19	<ul style="list-style-type: none"> • Provide resource information to students • Raise Awareness about sexual violence and consent 	90
Cocoa and Consent	4/4/19	<ul style="list-style-type: none"> • Raise awareness about consent • Provide sexual violence resources 	40
Denim Day	4/24/19	<ul style="list-style-type: none"> • Raise Awareness about Sexual Assault • Support Survivors 	200

IV. ADDITIONAL TRAINING, EDUCATION AND AWARENESS ACTIVITIES DURING 2018 ON SEX DISCRIMINATION AND RELATED MISCONDUCT PROVIDED BY THE TITLE IX OFFICE AND CAMPUS PARTNERS.

Month	Participants/Title of Event	Host
January	<ul style="list-style-type: none"> • Faculty Orientation • Adjunct Faculty Orientation • CAST • Student Auxiliary Services • Wellness 	Title IX Office
February	<ul style="list-style-type: none"> • SOIS • COS • Mini Baja Club • CIAS (CAD) • Open Enrollment for Faculty and Staff 	Title IX Office
	<ul style="list-style-type: none"> • Gray Matters - Me 3 	Center for Campus Life
	<ul style="list-style-type: none"> • "Navigating Volatile Content" 	CIAS
	<ul style="list-style-type: none"> • Michigan CRLT Players 	AdvanceRIT
March	<ul style="list-style-type: none"> • "The Silence Breakers" 	Women and Gender Studies and School of Communication
May	<ul style="list-style-type: none"> • Venture Creations 	Title IX Office
	<ul style="list-style-type: none"> • Bystander Event 	Advance RIT
July	<ul style="list-style-type: none"> • MCAS/HEOP (staff) • Athletics (staff) 	Title IX Office
August	<ul style="list-style-type: none"> • Faculty Orientation • Graduate Teaching Assistants 	Title IX Office
October	<ul style="list-style-type: none"> • Presentation of Biennial Student Climate Survey to Governance Groups 	Title IX Office
December	<ul style="list-style-type: none"> • Access Services 	Title IX Office

V. LETTER TO THE RIT COMMUNITY FROM DR. MUNSON, SEPTEMBER 19, 2019.

Dear RIT Students, Faculty, and Staff:

RIT has a continued commitment to fostering a welcoming and inclusive campus for our employees, students, and campus visitors. To help fulfill this commitment, RIT has established a comprehensive approach to reporting, investigating, and responding to allegations of sex discrimination, including sexual harassment, sexual violence, sexual assault, domestic and dating violence, and stalking (collectively, “sexual misconduct”).

Please take a few moments to watch the [Title IX Information Video](#).

Any member of the RIT community who has concerns about sexual misconduct is encouraged to report any such concerns to any one of the multiple reporting options across the university and to seek assistance from the numerous resources on campus. Retaliation for any such reports is strictly prohibited.

REPORTING CHANNELS

In an emergency or in cases of sexual violence, individuals should contact Public Safety immediately at (585) 475-3333.

In addition, the following individuals are trained to help the campus community with reports or concerns of sex discrimination, and can help the reporting individual obtain resources to end sex discrimination, prevent its recurrence, and address its effects:

- Stacy DeRooy, Director of Title IX and Clery Compliance (Title IX Coordinator), Office of Compliance and Ethics, (585) 475-7158
- Darci Lane-Williams, Assistant Director of Title IX and Clery Compliance, Office of Compliance and Ethics, (585) 475-7383
- Catherine Farina, Title IX Investigator, Office of Compliance and Ethics, (585) 475-2297
- Amy Stornello, NTID, (585) 391-9990(VP) or (585) 709-1120 (text)
- James Macchiano, Diversity & Inclusion, (585) 475-2290

Reports concerning faculty and staff will be investigated by the Title IX Investigator. The Public Safety Department will investigate any claims or concerns involving students and campus visitors. In all cases, Title IX and Public Safety work together to support each other's investigations as appropriate.

Anyone may also contact external law enforcement in addition to Public Safety.

RESOURCES AND SUPPORT

If an individual would like to speak with someone confidentially about an incident or concern, RIT offers several confidential options. Faculty, staff, and students may seek assistance from:

- [The Ombuds Office](#),
- [Spirituality and Religious Life](#), or
- [Center for Women and Gender \(CARES\)](#)

In addition to the foregoing options, students may also seek confidential assistance from:

- [Counseling and Psychological Services](#),
- [Student Health Center](#), and
- [NTID Counseling and Academic Advising Services](#)

EDUCATION AND TRAINING

All university employees are required to complete mandatory training which is available online through Talent Roadmap.

The completion of this training is a required by law and university policy.

Thank you for your attention to this very important topic.

A complete overview of Title IX and resources available can be found on the [Title IX website](#). I encourage you all to read and familiarize yourself with this information.

David C. Munson, Jr.

President, RIT

VI. REPORTING OPTIONS, CONFIDENTIAL AND NON-CONFIDENTIAL OFFICES, AND ON CAMPUS AND OFF CAMPUS RESOURCES.

Who is RIT's Title IX Coordinator and Other Responsible Administrators?

TITLE IX COORDINATOR

Stacy DeRooy

Director of Title IX & Clery Compliance

Office of Compliance and Ethics

Title IX Coordinator

Eastman Building, 6th Floor

585-475-7158

stacy.derooy@rit.edu

Catherine Farina

Title IX Investigator

Compliance Coordinator

Eastman Building, 6th Floor

585-475-2297

cmfcae@rit.edu

DEPUTY TITLE IX COORDINATORS

Darci Lane-Williams

Assistant Director of Title IX & Clery

Compliance

Office of Compliance and Ethics

Eastman Building, 6th Floor

585-475-7383

drlcae@rit.edu

James Macchiano

Director of Multicultural Center for

Academic Success of Diversity &

Inclusion

Deputy Title IX Coordinator

SAU Room 2308

585-475-2290

jjmmcs@rit.edu

Amy Stornello

NTID Deputy Title IX Coordinator

Director of SVP

LBJ Room 2647

585-270-1979 (Text)

585-391-9990 (Video Phone)

amy.stornello@rit.edu

Assistance from on-campus Confidential Resources can be obtained from:

RIT Counseling and Psychological Services (CaPs)
585-475-2261

www.rit.edu/counseling/

Services provided at no cost.

RIT Student Health Center
585-475-2255

<http://www.rit.edu/studentaffairs/studenthealth/>

Services provided at no cost.

Spirituality and Religious Life
585-475-2137

<http://www.rit.edu/studentaffairs/religion>

Services provided at no cost.

NTID Counseling & Academic Advising
585-475-6400

<http://www.ntid.rit.edu/counselingdept>

Services provided at no cost.

RIT Ombuds Office
585.475.7200 or 585.475.2876

<http://www.rit.edu/ombuds/contact-us>

Services provided at no cost.

In addition to the Title IX Coordinator and the Responsible Administrators, other non-Confidential Resources on campus that can provide assistance include:

RIT Public Safety
(24 hours a day, 7 days a week)
585-475-2853, 585-205-8333 (text)

www.rit.edu/fa/publicsafety/

Services provided at no cost.

Center for Student Conduct & Conflict Resolution
585-475-5662

www.rit.edu/studentconduct/

Services provided at no cost.

RIT Human Resources
585-475-2424

www.rit.edu/humanresources/

Services provided at no cost.

Office of Diversity and Inclusion
(585) 475-6546

<http://www.rit.edu/diversity/diversity-inclusion>

Services provided at no cost.

RIT Advocacy Program
585-475-7668

[www.rit.edu/studentconduct/advocacy.p
hp](http://www.rit.edu/studentconduct/advocacy.php)

Services provided at no cost.

Student Financial Services
(585)475-6186

<http://www.rit.edu/fa/sfs/>

Services provided at no cost.

Office of Financial Aid & Scholarships
(585)475-2186

[https://www.rit.edu/emcs/financialaid/co
ntact.html](https://www.rit.edu/emcs/financialaid/contact.html)

Services provided at no cost.

RIT Student Government Office
(585) 475-4043

sgstaff@rit.edu

Assistance with legal services provided at no cost.

Assistance from non-campus community resources include:

Willow Center
24-Hour Hotline 585-222-SAFE (7233)

<http://willowcenterny.org/>

Services provided at no cost.

Lifeline

585-275-5151

<http://www2.monroecounty.gov/mh-emergency-resources>

Services provided at no cost.

Monroe County Sheriff's Office
(24 hours a day, 7 days a week)

585-753-4178

www.monroecounty.gov/sheriff

Services provided at no cost.

IGNITE (Hotline)

DeafIGNITE@gmail.com

585-286-2713 VP

<http://deafignite.org/contact-us/>

Services provided at no cost.

NYS Police Sexual Assault Hotline

844-845-7269

Services provided at no cost.

National Domestic Violence Hotline
(24 hours a day, 7 days a week)

(800) 799-7233

<http://www.thehotline.org>

Services provided at no cost.

National Dating Abuse Helpline
(24 hours a day, 7 days a week)

(866) 331-9474

<http://www.loveisrespect.org>

Services provided at no cost.

New York State Office of Victim
Services

800-247-8035

Services provided at no cost.

Resolve of Greater Rochester

www.resolve-roc.org

585-425-1580

Services provided at no cost.

Information on sexually transmitted infections and sexual assault forensic examinations:

RESTORE Sexual Assault Services

Monroe County (585-546-2777)

24 hour hotline

National Sexual Assault Hotline
(24 hours a day, 7 days a week)

(800) 656-4673

<https://www.rainn.org/get-help/national-sexual-assault-hotline>

Services provided at no cost.

