

# University of Michigan Student Sexual Misconduct Annual Report

July 2013 - June 2014



**Office for Institutional Equity**  
**November 24, 2014**  
**Amended April 28, 2015**



November 24, 2014

To Members of the University of Michigan Community:

As the University's Title IX Coordinator, I am pleased to provide the Office for Institutional Equity's (OIE) first annual report regarding sexual misconduct issues that have been addressed by the University from July 1, 2013 through June 30, 2014.

Working closely with our campus partners, OIE and the Office of Student Conflict Resolution (OSCR) have taken a variety of steps to effectively address sexual misconduct issues involving student Respondents and others covered under [The University of Michigan Policy on Sexual Misconduct by Students](#).

This report and accompanying data are intended to provide insight into the number of complaints addressed by the University, and the process by which complaints are handled. In composing this report, we have been mindful of our responsibility to balance the educational benefit of sharing as much as appropriate about these matters, while at the same time respecting the privacy of those involved. We want this report to be useful to you. As you will see on page 1, I invite any feedback you may have regarding this report, its contents, and how future reports may best provide information so as to educate our community.

Thank you for reading this report and for your attention to this important issue.

Sincerely,

Anthony Walesby  
Associate Vice Provost for Academic and Faculty Affairs  
and Sr. Director  
Title IX Coordinator

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## Introduction

On August 19, 2013, after a nearly two year-long process of collaboration with the campus community and partners within the local community, the University adopted its [\*Policy on Sexual Misconduct by Students\*](#). This policy provides information regarding the process under which the University will proceed once it is made aware of sexual misconduct concerns and the University's prevention and education efforts related to sexual misconduct by students.

To ensure that the campus community has timely and relevant information about the University's efforts and actions as it relates to sexual misconduct, the Policy provides that the Title IX Coordinator will issue an annual report about the University's response to reports of sexual misconduct by students.

This is the first annual report under the Policy, and it provides data covering the period from July 1, 2013 to June 30, 2014.<sup>1</sup> We have tried to provide useful and educational information in an accessible format; however, we welcome your feedback on how we can make this document more helpful, easier to understand, or otherwise improve its contents.

Please provide any feedback to the Title IX Coordinator:

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All comments are appreciated and will be considered as we develop future reports.

## I. What is Sexual Misconduct?

Sexual misconduct encompasses a wide variety of behavior, from making unwanted sexual comments to rape. Whether certain behavior constitutes sexual misconduct depends greatly upon the circumstances surrounding the behavior. This report contains data of every sexual misconduct concern reported to the Office for Institutional Equity (OIE) during the past year. In an effort to make this report more useful to our community, the data is in many instances separated into subgroups, such as those sexual misconduct reports that did not include concerns about touching; those that raised concerns about touching, but not penetration (e.g., hugging,

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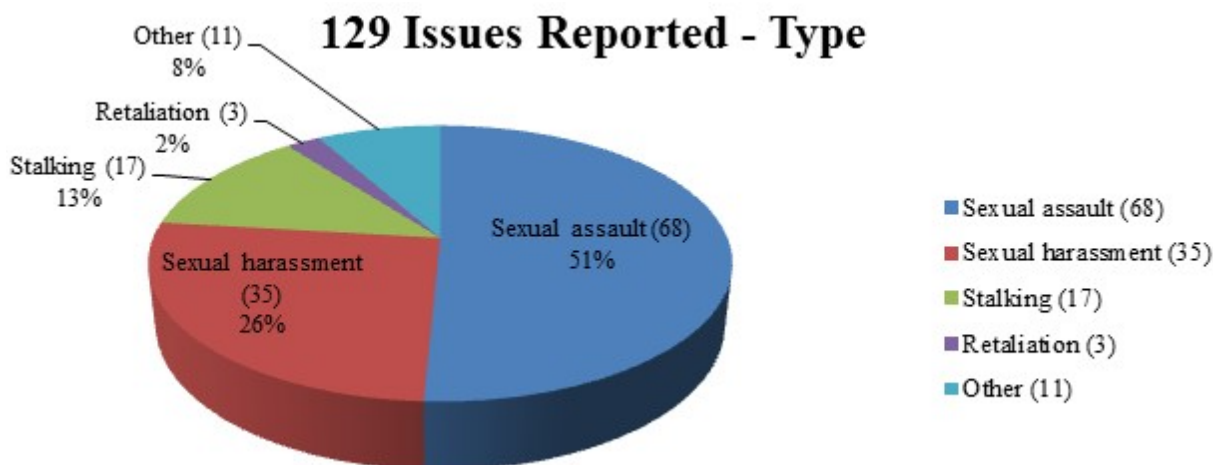
<sup>1</sup> We note that the data for this report was pulled on September 15, 2014. Therefore, the reported status of each case is its status as of September 15<sup>th</sup>, and not its status as of July 1, 2014. The report issued in 2015 will include an update as to the conclusion of cases not completed as of September 15, 2014.

kissing, groping, etc.); and those that raised concerns about penetration (e.g., oral, anal or vaginal).

To read the definition of sexual misconduct as set forth in the Policy, please [click here](#).

## II. The Number of Reports of Sexual Misconduct

The University encourages every member of its campus community to report sexual misconduct. This year, OIE received 129 reports of sexual misconduct. A report can be made by a person who experienced sexual misconduct, who witnessed it, who has heard about it, or who otherwise has knowledge of possible sexual misconduct. We encourage reporting because it allows the University to provide for the safety and well-being of both individual community members and the overall campus community. It also allows us to provide resources and support for those impacted. There are a variety of places for reporting a sexual misconduct concern, including a report directly to the Title IX Coordinator or [on-line via the University's public reporting mechanism](#).



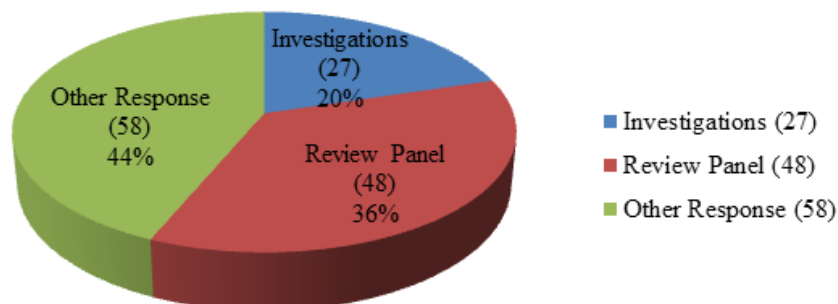
During the past year, from July 1, 2013 through June 30, 2014,<sup>2</sup> 129 incidents were reported to OIE via these various mechanisms.<sup>3</sup> Of those 129, as noted in the above chart, just over half

<sup>2</sup> During the period between July 1, 2013 and the Policy's effective date of August 19, 2013, the Interim Procedure was in place and its procedures were followed. Please note that this report does not address cases that were reported to the University prior to July 1, 2013.

<sup>3</sup> It is important to note that this report reflects the total number of sexual misconduct issues reported to the Office for Institutional Equity during the relevant time period, and may differ from the numbers of reported incidents of forcible rape, forcible fondling, and stalking in the University's Annual Security Report and Annual Fire Safety report. As required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Annual Security Report contains the numbers of certain types of reported crimes, as defined by criminal statute, reported to have occurred in particular geographic locations during a calendar year. Accordingly, many of the reported incidents referenced in this report do not fall within the Clery Act statistical definitions.

were concerns about sexual assault,<sup>4</sup> followed by just over one quarter that involved concerns about sexual harassment. OIE followed up on all 129 reports to determine appropriate next steps. Of those 129 reported incidents, as discussed more fully below, 58 were determined not to fall within the scope of the Policy, 48 were brought to the Review Panel as provided for in the Policy, and 27 were investigated.<sup>5</sup>

### 129 Issues Reported - Response



### III. How the Sexual Misconduct Reports Were Addressed

OIE followed up on each of the 129 sexual misconduct reports. Although the specific nature of the actions taken by the University varies from case-to-case depending upon multiple factors, the University’s process for responding to a report of sexual misconduct may include: (1) the provision of confidential support and other resources to the Complainant and Respondent; (2) interim measures, including but not limited to separation of the Complainant’s and Respondent’s academic and living situations; (3) a review panel; (4) an informal resolution; (5) an investigation; (6) investigation findings; (7) sanctions; and (8) an appeal of the investigation findings and/or sanctions. The two most significant factors that affect how the institution addresses sexual misconduct concerns are: (1) how much information is available (e.g., can the Respondent be identified) and (2) whether the Complainant (if the Complainant’s identity is known)<sup>6</sup> is willing to be involved in an investigation and/or identified as having come forward with a complaint. For example, a Complainant may report that s/h/ze was sexually assaulted, but

<sup>4</sup> As defined in the policy, sexual assault is “unwanted or unwelcome touching of a sexual nature, including hugging, kissing, fondling, oral sex, anal or vaginal intercourse, or other physical sexual activity that occurs without valid consent.”

<sup>5</sup> As discussed below, four cases were both considered by the Review Panel and ultimately investigated, and in order to accurately reflect the number of cases considered by the Review Panel and the number of cases investigated, those four cases are included in both categories. The outcome of cases considered by the Review Panel is discussed more thoroughly below.

<sup>6</sup> OIE receives complaints about incidents from third parties, who sometimes are unable or unwilling to identify the parties.

may not – or may not be able to – provide the University with the name of the person who assaulted him/her/zir or other identifying information at that time. OIE follows up with the Complainant to try to obtain that information; however, if the information is not available, generally an investigation is not possible unless the information is provided by a third party or the University is otherwise able to discern the identity of the person. In such an instance, the University would offer resources and support to the Complainant, including interim measures (see below), and ensure the Complainant is aware that s/h/ze may come forward with details at a later date, at which time the University will take further action. If the matter involved possible criminal activity, OIE would also report it to the University of Michigan Police Department (UMPD).

The following is a discussion of the various responses taken by the University in response to each of the 129 sexual misconduct reports.

#### **a. Interim Measures/Resources**

One of the first steps the University takes when a sexual misconduct concern is raised is to offer the Complainant (and, subsequently, the Respondent) resources and support. Complainants are offered support through the Sexual Assault Prevention and Awareness Center (SAPAC), while Respondents are offered support through the Dean of Students Office. In addition, students have access to a number of other support resources on campus, including but not limited to Counseling and Psychological Services (CAPS), and the Office of the Ombuds. SAPAC, CAPS, and the Office of the Ombuds are confidential resources, so disclosures of sexual misconduct made to these offices are not reported to OIE; however, these offices can assist students who wish to report sexual misconduct concerns in doing so. Other offices may be obligated to report any concerns of sexual misconduct to the Title IX Coordinator.

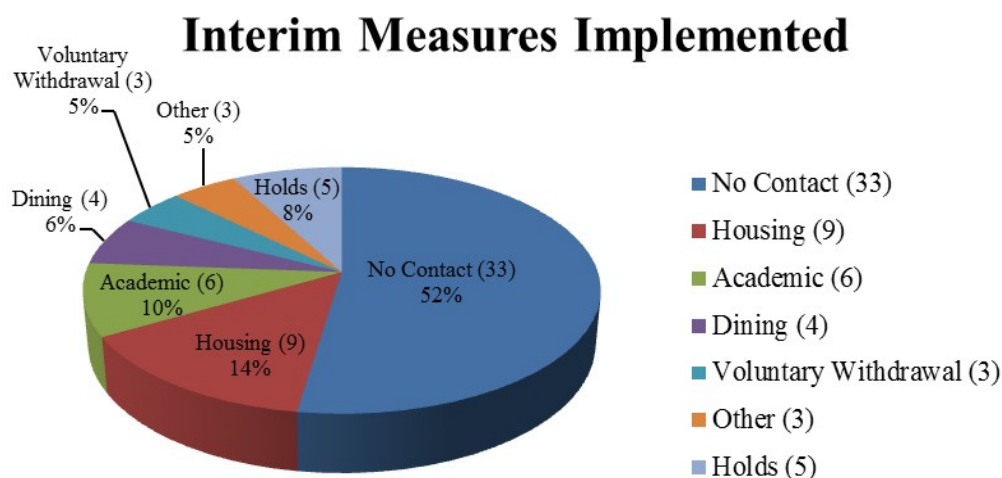
Another aspect of support is to offer “interim measures.” Interim measures are steps taken to provide for the safety and well-being of the parties and/or the campus community, and can include a variety of actions taken by various offices on campus. Examples of interim measures include safety escorts, “no contact” directives, changes to academic schedules, changes to housing arrangements, interim suspension, etc.

Interim measures are offered when sexual misconduct is brought to OIE’s attention, regardless of whether the Complainant wants to file a complaint with OIE or report the matter to the police. Interim measures are determined on a case-by-case basis, depending upon the needs of the parties involved and the nature of the sexual misconduct concerns. In all instances, consistent with federal guidance, interim measures are put in place with the least possible burden to the Complainant.

During this past year, interim measures/resources were made available when the identity of the parties was known. Interim measures were implemented in 36 instances; in the remaining 93

matters, interim measures were offered, but were not requested or necessary given the known circumstances.

In those 36 cases in which interim measures were put in place, the nature and type of interim measure varied. Interim measures depend upon a Complainant's request and the University's assessment of what was necessary and appropriate to provide for the Complainant's and campus community's safety and well-being. In several cases, more than one interim measure was put in place, resulting in a total number of 63 interim measures.



In 33 of the 36 cases, the Respondent was instructed not to have contact with the Complainant.<sup>7</sup> In nine cases, the University provided housing accommodations. Housing accommodations include actions such as relocating or removing a Respondent from housing,<sup>8</sup> providing emergency housing, restricting a Respondent from a particular residence hall or area of a residence hall, etc. Dining accommodations can also be made, and this year such accommodations were provided in four cases. Examples of dining accommodations include restricting use of a certain dining hall, either entirely or during certain hours.

In six instances, academic accommodations were made. Academic accommodations can include actions such as changing class schedules so that the parties are not in the same course, removing a Respondent from an academic program, changing a seating chart, and informing faculty that a student may need an extension for assignments or exams and/or may miss classes. In five instances, the University placed holds on a Respondent's record, which can affect, among other things, registration and ability to obtain copies of transcripts without approval. In three

<sup>7</sup> There are instances in which a no contact directive is not issued. This may occur, for example, when the Respondent is not affiliated with the University, his/her/zir identity is not known to the University, a Complainant specifically requests anonymity and confidentiality, or the directive cannot be issued without identifying the Complainant.

<sup>8</sup> If a Complainant prefers, the Complainant will be relocated.



instances, Respondents elected to withdraw from the University. Other interim measures are also available and were implemented, such as removing a Respondent from an extracurricular activity and increased security measures.

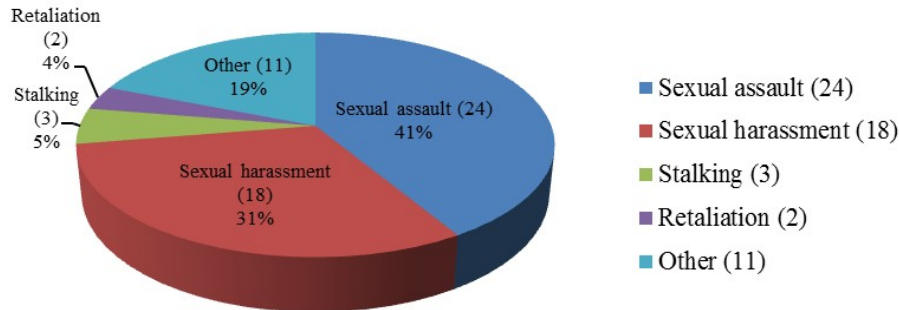
Finally, we note that there may be instances in which the University is providing interim measures and support to students and that data is not captured in this year's report. For example, a student may seek confidential assistance from SAPAC before reporting their concerns to OIE or the student may never report their concerns to OIE. In the meantime, SAPAC may assist the student with a wide variety of matters, such as academic accommodations, seeking a personal protection order, assistance and support addressing the matter through the criminal justice system, etc. While every effort has been made to accurately account for interim measures in this report, we acknowledge that additional measures may have been provided that are not accounted for here.

#### **b. Reported Incidents that Did Not Fall Under the Policy**

In some instances, OIE receives reports of sexual misconduct that, upon review, are determined not to fall under the Policy. This year, of the 129 reported incidents, 58 were not within the scope of the Policy. For example, some reports involve behavior that, even if proven, would not constitute sexual misconduct. In these instances, if the underlying behavior is inappropriate or a violation of another University policy, the matter will be referred by OIE to the appropriate office for follow up. As another example, in some cases the reported behavior was committed off campus by an individual who is not affiliated with the University. For instance, a student may report a sexual assault that occurred in the student's hometown in another state by a person who has no association with the University. This student would still be offered resources and support. Or, for example, the University may receive a report from a third party, but the person who is reported to have experienced the unwanted behavior informs OIE that they have not in fact experienced any unwelcome sexual conduct. Again, the student would be offered resources and support and encouraged to contact OIE if any unwanted conduct of a sexual nature were to occur.

Of the 58 reports that did not fall under the Policy for various reasons, including those described above, the majority of reports involved possible sexual assault or sexual harassment, as shown on the following chart.

## 58 Reported Incidents Did Not Fall Under the Policy



Although these 58 incidents did not fall under the Policy, the University still encourages members of the campus community to report any potential sexual misconduct so that it may take steps to ensure that any member of the University community who may have been affected by the reported behavior receives support and information about appropriate resources. The University will also put measures in place to provide for the safety of that individual and the campus community, as appropriate. And, as with every sexual misconduct report, if the underlying behavior may constitute criminal behavior, the matter is reported to UMPD.

### c. Review Panel

Some sexual misconduct reports immediately proceed to investigation, but there are some instances in which it appears investigation may not be possible (e.g., the Respondent's identity cannot be determined, the Respondent has no connection to the University, etc.) or investigation is not wanted (e.g., a Complainant requests confidentiality and/or asks that the University not pursue the matter). In those instances, the matter is considered by a Review Panel consisting of University faculty and staff who can offer varying perspectives and advice to the Title IX Coordinator. As noted in the Policy:

These panel members will represent the interests of the University, law enforcement, survivors of sexual misconduct, persons accused of sexual misconduct, and/or other offices as deemed necessary and appropriate under the circumstances.

The review panel is charged with balancing U-M's tradition of supporting survivor-centered practices with U-M's equally strong commitment to providing due process to the Respondent and promoting a safe community.

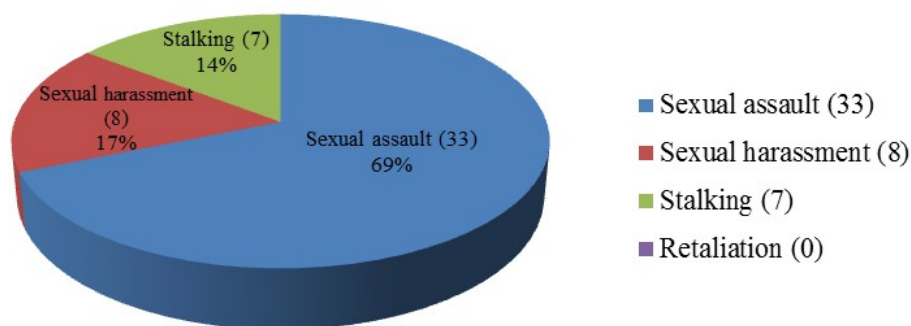
See Policy, [Decision to Proceed With Investigation](#), page 5.

The Review Panel offers information and advice to the Title IX Coordinator. The Title IX Coordinator, after receiving and considering that information and advice, determines appropriate next steps. As noted above, even in those instances in which the ultimate decision is not to

proceed to investigation, the University may take other action, such as providing interim measures/resources and offering to investigate at a later date if more information becomes available or the Complainant subsequently decides to participate in the investigation. Finally, even if no investigation ensues, alleged conduct that could be criminal in nature is reported to UMPD.

During the past year, of the 71 sexual misconduct reports that fell under the Policy, 48 were considered by the Review Panel. As shown in the following chart, the majority of cases considered by the Review Panel involved reported sexual assault:

### Review Panel Cases (48)



After considering these 48 cases and receiving information and advice from the Review Panel, the Title IX Coordinator made the following decisions:

- 40 cases were “closed.” This may have occurred for a variety of reasons. For example, the Complainant may not have been able to identify the Respondent, or the Respondent may not have been a member of the University community/may have left the University before action could be taken. Each case was considered separately, and in all instances the Complainant, if known, was offered resources and support, including interim measures. Complainants were also informed that they may come forward at a later time if they wish. If the report involved possible criminal behavior, UMPD was notified.
- In 4 instances, the cases proceeded to investigation. This occurred for a variety of reasons, such as subsequent receipt of information that allowed an investigation to proceed. If the report involved possible criminal behavior, UMPD was notified.
- In 2 instances in which the underlying behavior did not involve unwanted touching and the Complainant did not wish for an investigation to take place, other action was taken. Examples of other action include educational measures and informal resolution.

Complainants were offered interim measures and other resources and support. If the report involved possible criminal behavior, UMPD was notified.

- In 2 instances, as of the time the data was developed for this report, the Title IX Coordinator had not yet decided appropriate next steps, pending receipt of additional information (e.g., a police report). The Complainants have been offered resources and support, including interim measures, and if the report involved possible criminal behavior, UMPD was notified.

#### **d. Informal Resolution**

The Policy provides that in some limited circumstances (and never when sexual assault is reported to have occurred) voluntary informal resolution may be an appropriate means of addressing sexual misconduct concerns. All requests for voluntary informal resolution must be approved by the Title IX Coordinator.

During the past year, of the 71 incidents that fell within the Policy, one proceeded to informal resolution at the request of the Complainant. A voluntary resolution agreement was reached between the parties.

#### **e. Investigations**

In most instances, an investigation occurs because sexual misconduct has been reported and there is sufficient information available to conduct an investigation. In a few cases, a Complainant did not want an investigation to take place, but after receiving information and advice from the Review Panel, the Title IX Coordinator determined that an investigation was warranted and appropriate to protect the safety and well-being of all members of the campus community.

Of the 71 reported incidents of sexual misconduct that fell under the Policy, there was sufficient information to conduct 27 investigations. Twenty-three immediately proceeded to investigation, and another four proceeded to investigation after consideration through the Review Panel process discussed above. Although 44 reported incidents that fell under the Policy did not proceed to investigation, that does not mean those reports were not reviewed and that action was not taken. As noted throughout this report, the University considers each case, and takes appropriate actions, including offering confidential support and resources and/or interim measures, and notifying the UMPD of possible criminal activity. However, whether an investigation can ensue depends on the available information and consideration of each individual Complainant's wishes, balanced with the need to provide for the overall safety of the campus community.

Of the 27 investigations during the past year, 14 concerned allegations of sexual assault. Sexual assault includes a broad spectrum of behavior that includes any form of unwanted sexual touching. Specifically, the Policy defines sexual assault as:

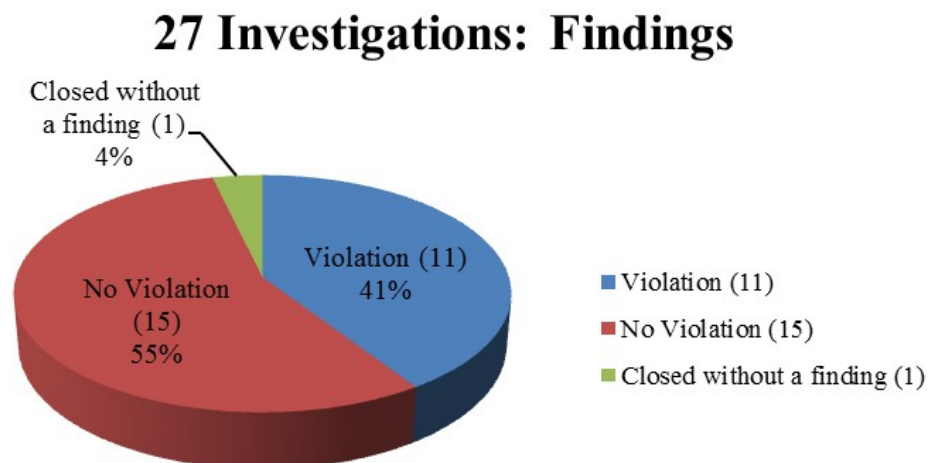
Unwanted or unwelcome touching of a sexual nature, including hugging, kissing, fondling, oral sex, anal or vaginal intercourse, or other physical sexual activity that occurs without valid consent.

All sexual assault is serious, and all sexual assault reports are taken seriously by the University. To best help the reader understand the nature and scope of the issues being investigated by OIE, we have sub-divided the sexual assault investigations into two categories: those that involve penetration (oral, anal, or vaginal) and those that involve unwanted touching but no penetration.

While OIE conducted 27 investigations, a few of the cases involved multiple potential policy violations. For example, a Complainant may allege that a Respondent engaged in sexual harassment and then subsequently engaged in behavior that could constitute stalking. As such, within those 27 cases, OIE investigated 32 potential policy violations (six sexual assault with penetration, eight sexual assault without penetration, ten sexual harassment, seven stalking, and one retaliation).

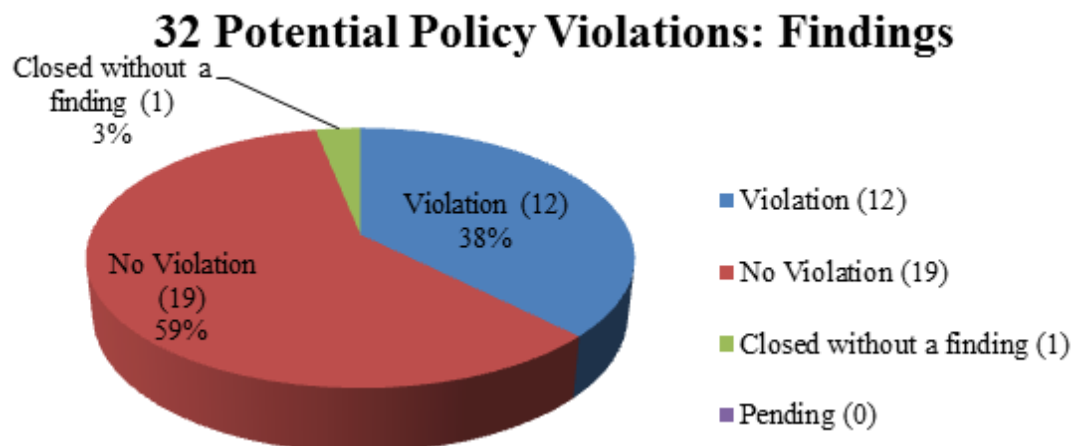
In making a finding, OIE uses the “preponderance of the evidence” standard set forth in the Policy. Under this standard, individuals are presumed not to have engaged in the alleged conduct unless a “preponderance of the evidence” supports a finding that the conduct occurred. This “preponderance of the evidence” standard requires that the evidence supporting each finding be more convincing than the evidence offered in opposition to it.

When looking at the 27 investigations, 41% (11 cases) resulted in a finding that the preponderance of the evidence supported a conclusion that the Policy had been violated; and in 55% (15 cases) the evidence did not support that finding. One investigation (4%) closed without a finding.<sup>9</sup>



<sup>9</sup> This may occur, for example, when the investigation yields information that demonstrates that the underlying conduct does not fall under the Policy, but, perhaps, is addressed under a different policy or University office.

As mentioned above, in some of the 27 cases, there were multiple allegations of potential policy violations. When looking at each of the 32 potential policy violations separately, versus looking at the 27 cases as a whole, there were 19 findings that the policy was not violated, 12 findings that it was violated, and one matter was closed without a finding.



When OIE finds that there is insufficient evidence to conclude that the Policy was violated, that does not necessarily mean that the conduct did not occur. Rather, this outcome can have a variety of bases, such as that there is insufficient evidence to support a conclusion that the behavior occurred; that there is sufficient evidence to conclude that the behavior occurred, but it was not sufficiently severe, persistent or pervasive to constitute sexual misconduct; or that the conduct occurred but there may not be sufficient evidence to conclude that the Respondent knew or reasonably should have known that the conduct was unwelcome to the Complainant. For more detailed information about OIE's findings, please see Appendix A.

After OIE reaches a conclusion as to whether the Policy has been violated, it issues an investigation report that is forwarded to the OSCR. OSCR handles the sanctioning and appeals processes.

## IV. Sanctions

When a Respondent is found to have violated the Policy, the University takes action designed to eliminate the sexual misconduct, prevent its recurrence, and remedy its effects. Complainants and Respondents have an opportunity to provide input regarding the sanctions they feel will most appropriately serve those objectives.

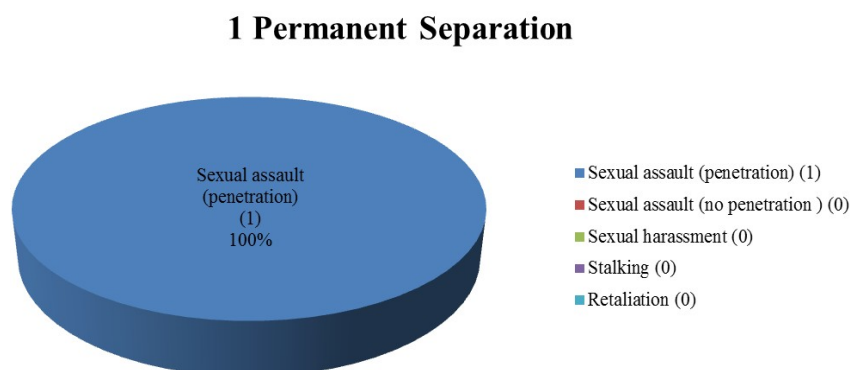
As noted above, in the past year there were eleven cases in which a Respondent was found to have violated the Policy. As of the date that data was developed for this report, sanctions were

issued in seven of those cases and were pending in four. Sanctions may be pending because the sanctioning and/or appeals process is not yet complete.

The University generally imposes multiple sanctions on a Respondent who is found responsible for violating the Policy. As such, while sanctions have been imposed in the seven cases that were not appealed and where the sanctioning process is complete, more than seven particular sanctions have been issued. The charts below demonstrate the types of sanctions that have been implemented and how many times each has been used, but they do not illustrate the various combinations of sanctions that have been implemented with respect to each particular case. For a more detailed chart that demonstrates the specific combination of sanctions issued in each of the seven cases, please see Appendix A.

#### **a. Permanent Separation**

A permanent separation, or expulsion, is a sanction that prohibits the Respondent from enrolling in coursework or participating in University programs at any time. This year, one student who was found to have engaged in sexual assault (with penetration) was permanently separated from the University.



#### **b. Temporary Separation**

A temporary separation, or suspension, is a period of time during which the Respondent is unable to enroll in classes or participate in University programs.<sup>10</sup> As shown in the charts below, this year there were four temporary separations: two separations were for a period of more than one year (one case involved sexual assault without penetration, one involved stalking) and two were for a period less than one year (one case involved sexual assault without penetration, one involved stalking).

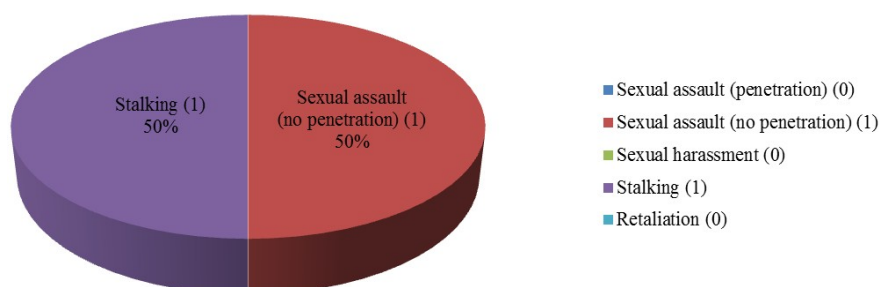
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<sup>10</sup> For purposes of this report, the length of the separation period is measured by calendar year rather than academic year.

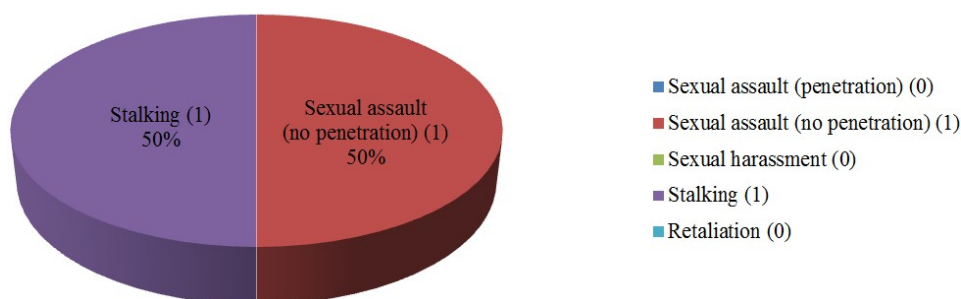


In all cases in which a temporary separation was imposed, the Respondent was also subject to a period of disciplinary probation upon returning to the University, and was required to complete other sanctions, including educational measures. Typically, a Respondent who is temporarily separated from the University must complete the educational measures and meet with appropriate staff member(s) before the Respondent is approved to resume enrollment in classes.

## 2 Temporary Separations of Greater Than One Year



## 2 Temporary Separations of Less Than One Year



### c. Disciplinary Probation

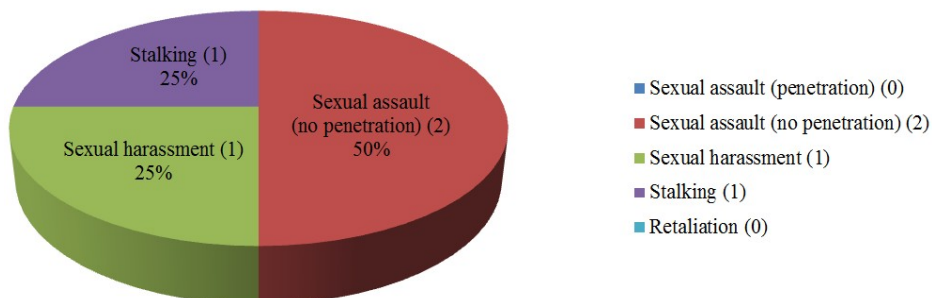
As described in the Policy, disciplinary probation is “a designated period of time during which the student is not in good standing with the University.”<sup>11</sup> In essence, any further misconduct, whether sexual in nature or not, will result in increased sanctions, up to permanent separation. As noted above, disciplinary probation may follow a period of separation; however, disciplinary probation may also be imposed where the Respondent has not been separated from the University.

<sup>11</sup> For purposes of this report, the length of the disciplinary probation period is measured by calendar year rather than academic year.

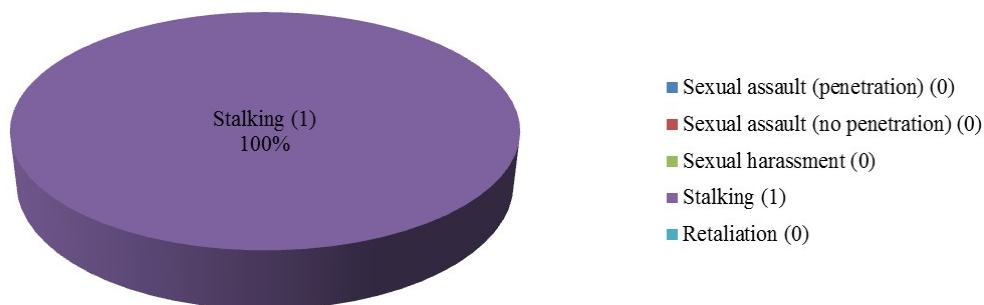


This year, five Respondents were sanctioned with disciplinary probation, along with other sanctions. Of these five instances, four were probationary periods of greater than one year (two sexual assaults with no penetration, one stalking, one sexual harassment), and one was less than one year (stalking).

#### 4 Disciplinary Probation of Greater Than One Year



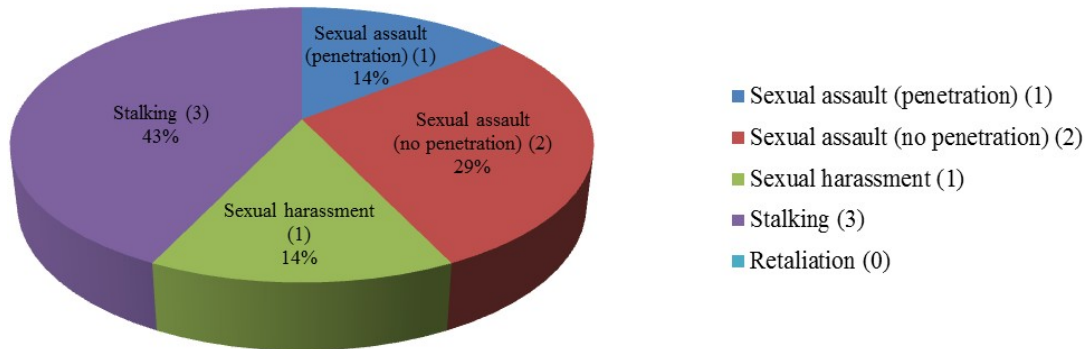
#### 1 Disciplinary Probation of Less Than One Year



#### d. No Contact

Each Respondent found responsible for a violation of the Policy has been subject to a continuing requirement that they not have contact with the Complainant. In some instances, this provision specifically includes a restriction on the Respondent's activities and/or course enrollment. For example, a no contact sanction may include a prohibition against the Respondent participating in a particular activity that the Complainant participates in or being present at a location, such as the Complainant's fraternity or sorority house.

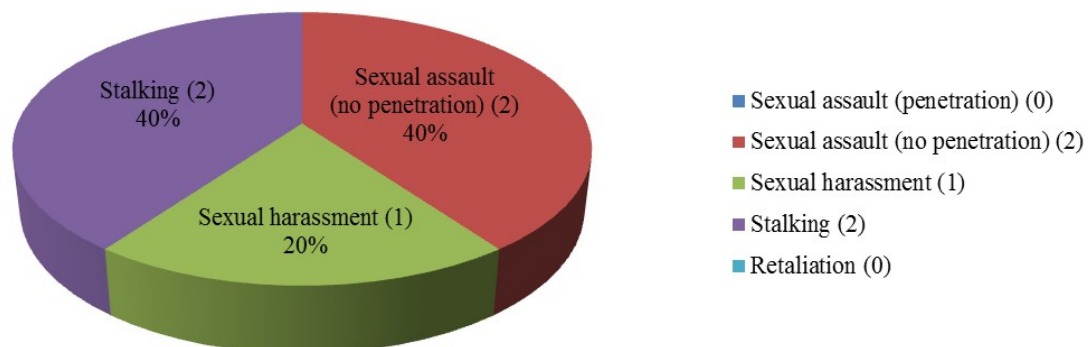
## 7 No Contact Sanctions



### e. Educational Measures

Educational measures are sanctions that involve the Respondent in a project, training, or other experience that is intended to prevent the recurrence of the same or similar conduct by educating the Respondent. For example, a student may be directed to engage in one-on-one sexual harassment training, a reflection essay/project, and/or guided readings. Typically, when the Respondent is still affiliated with the University, educational measures are added to other sanctions, and this year they were included as part of the sanctions in five cases (two sexual assault no penetration, two stalking, and one sexual harassment). It is noted that no student received only educational sanctions, rather, they received educational measures in addition to other sanctions.

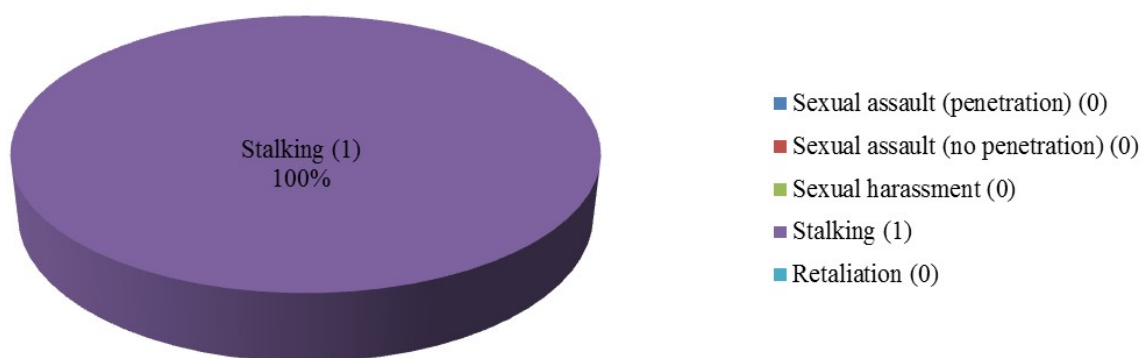
## 5 Sanctions That Include Educational Measures



#### f. Notification to Another Institution

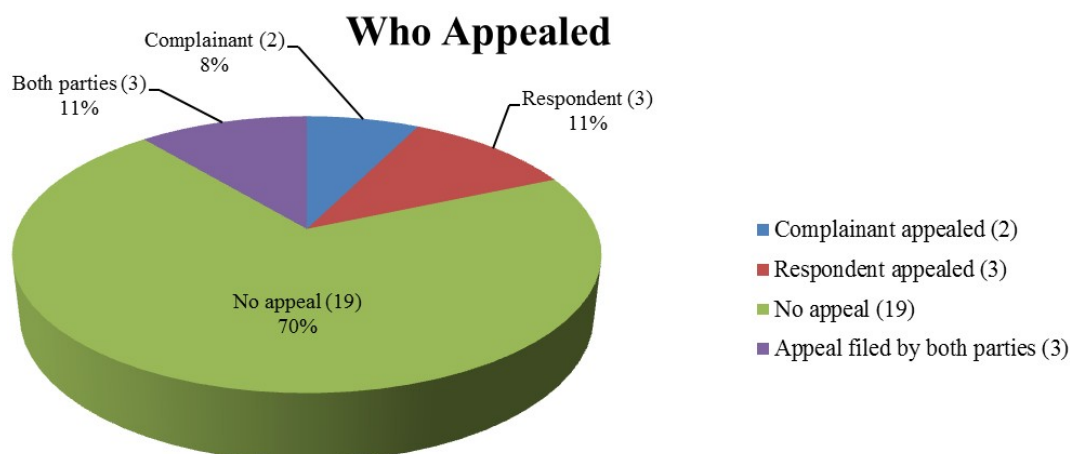
In some cases, a Respondent may choose to leave the University and continue his/her/zir education elsewhere. The Respondent's departure from the University does not necessarily mean that the University will not continue with its investigation. In cases where a Respondent is found responsible for violating the Policy, the University may require notification of the Respondent's current institution. This year, the University engaged in such notification in one instance (stalking).

### 1 Notification to Another Institution



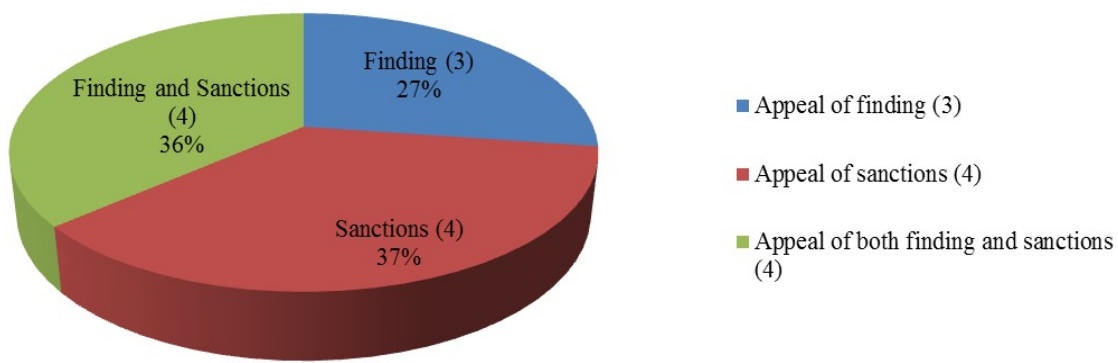
## V. Appeals

Both the Complainant and the Respondent have the opportunity to appeal the outcome of an investigation and, if there was a finding that the Policy was violated, both parties may also appeal the sanctions. As shown in the following chart, eight of the twenty-seven investigations – a total of thirty percent – resulted in an appeal. Each appeal is considered by an Appeals Board. The Appeals Board then issues recommendations to the Vice President for Student Life, which the Vice President for Student Life may accept or modify.



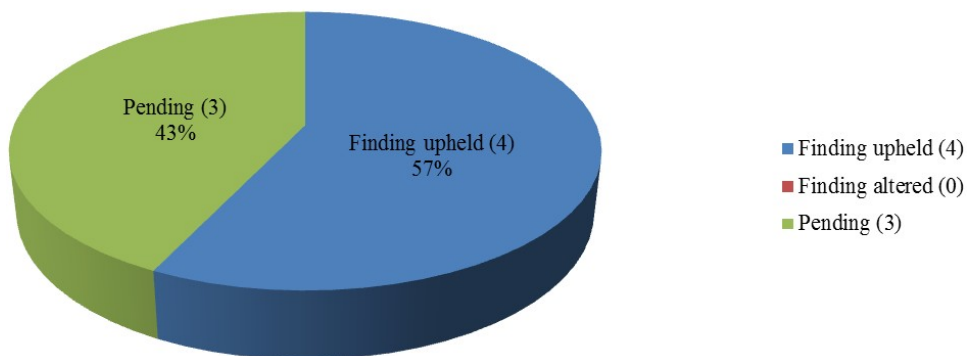
In three cases, as noted on the above chart, both the Complainant and Respondent appealed either the finding and/or the sanctions, meaning that although eight cases were appealed, there were eleven parties who appealed. In addition, since a party can appeal both the finding and the sanctions, this has occurred in some cases. Of the eleven parties who appealed, four appealed both the finding and the sanctions. As a result, in the eight cases that were appealed by eleven parties, the University was asked to consider fifteen appeals. Of the fifteen appeals, as shown in the below chart, seven were appeals of the finding of the investigation and eight were appeals of the sanctions.

### What Was Appealed

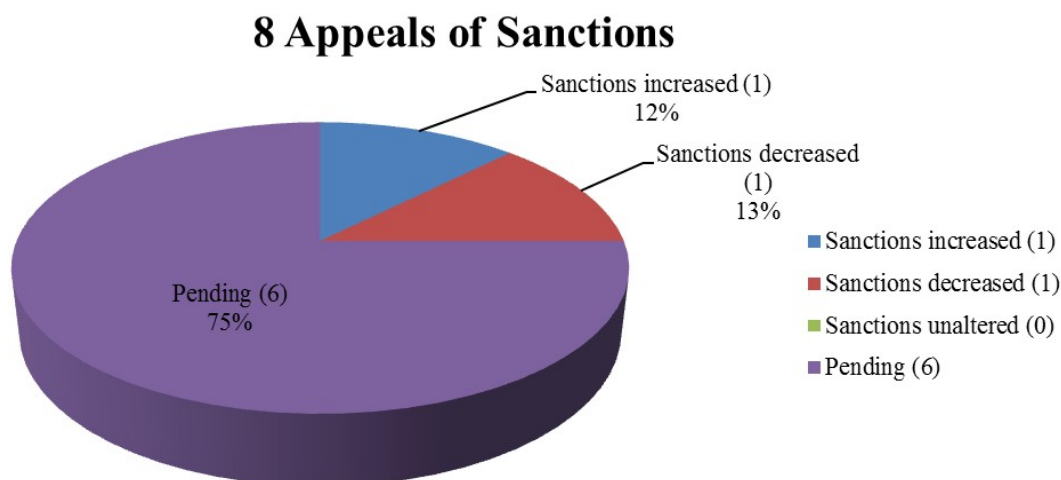


With regard to the seven appeals of the finding, as of the date this data was developed for use in this report, four appeals had been decided and three were pending. Of the four that were decided, all four findings were upheld.

### 7 Appeals of the Finding



In the eight appeals of the sanctions, as of the date that data was developed for use in this report, two of the appeals had been decided and six were pending. In the two cases that were decided, in one instance the sanctions were increased and in one instance the sanctions were decreased.



## VI. Education and Prevention Measures

The University is aware of research indicating that incoming students are particularly vulnerable to sexual misconduct during their first several weeks on campus. As such, all incoming students are required to participate in *Haven—Understanding Sexual Assault*, an interactive on-line program that relies on prevention theories and educational strategies to help students understand the many aspects of sexual assault as well as alcohol issues. Topics covered include common myths about sexual assault and rape, the definition of consent, the link between sexual assault and alcohol, and bystander intervention.

During orientation, all first-year students attend the University of Michigan Educational Theatre Company's presentation of *Stand Up, Step In, Speak Out*. This program is a direct-talking sketch regarding campus sexual assault. The sketch addresses myths around rape culture, men's response to combat a culture of sexual assault, how to help a friend who has been affected by sexual assault, and other issues related to sexual and intimate partner violence.

In addition, every fall semester, all first-year students in the residence halls have the opportunity to attend *Relationship Remix*, an educational program presented by SAPAC and the University Health Service's Sexperteam. The program consists of small group (approximately 20 participants) workshops on relationships, sex, and decision making. Participants reflect upon personal values, discuss healthy relationships, and practice skills related to consent.

First-year Housing residents also have the opportunity to participate in *Change It Up!* - an interactive bystander intervention program co-facilitated by students and Student Life professional staff. The program explores the impact of students' identities and experiences on their interactions, and aims to help participants develop the tools to safely and effectively intervene in situations that may be harmful.

This fall, all graduate students were offered on-line training that focuses on sexual harassment, sexual assault, intimate partner violence, stalking, and bystander intervention. The University also offers this or similar programming to new and existing faculty and staff.

In addition to these efforts, there are a variety of in-person educational sessions that are focused to specific groups, such as student athletes and athletics administrators, housing staff, summer camp counselors, etc.

## **VII. Conclusion**

We hope that this information is helpful to the University of Michigan community. For more information, including definitions, resources, and a more detailed overview of the processes available under the Policy, or to report an incident of sexual misconduct, please visit:

[studentsexualmisconductpolicy.umich.edu](http://studentsexualmisconductpolicy.umich.edu).

Finally, as noted above, we welcome any feedback on how we can make this document more helpful, easier to understand, or otherwise improve its contents. Please provide any feedback to the Title IX Coordinator:

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1009 Greene Street, Ann Arbor, MI 48109-1432  
(734) 763-0235  
[institutional.equity@umich.edu](mailto:institutional.equity@umich.edu)

## Appendix A

	<b>Type</b>	<b>Finding</b>	<b>Final Sanctions<sup>12</sup></b>	<b>Appeal</b>	<b>Outcome of Appeal</b>
<b>1</b>	Sexual assault (penetration)	No violation		Complainant appealed finding	Pending
	Sexual harassment	Violation	Pending	Complainant & Respondent appealed sanctions	Appeals pending
<b>2</b>	Sexual assault (penetration)	No violation		Complainant appealed finding	Pending
	Sexual harassment	Violation	Pending	Complainant & Respondent appealed sanctions	Appeals pending
<b>3</b>	Sexual assault (penetration)	No violation		None	
<b>4</b>	Sexual assault (penetration)	No violation		None	
<b>5</b>	Sexual assault (penetration)	Violation	Permanent separation; no contact	None	
	Stalking	No violation			
<b>6</b>	Sexual assault (penetration)	No violation		None	
<b>7</b>	Sexual assault (no penetration)	No Violation		None	
<b>8</b>	Sexual assault (no penetration)	No violation		None	
<b>9</b>	Sexual assault (no penetration)	Violation	Separation (greater than one year); disciplinary probation (until conclusion of enrollment); no contact (with course restrictions); educational measures	Respondent appealed the sanctions	Sanctions modified (sanctions increased)
<b>10</b>	Sexual assault (no penetration)	No violation		Complainant appealed the finding	Finding upheld; Respondent required to participate in training
<b>11</b>	Sexual assault (no penetration)	Violation	Separation (one year or less); disciplinary probation (until conclusion of enrollment); no contact; educational measures	Respondent appealed the finding and sanctions	Finding upheld; sanctions modified (employment restriction removed)

<sup>12</sup> This data reflects the final sanctions imposed after both the sanctioning and appeals processes are complete.

	<b>Type</b>	<b>Finding</b>	<b>Final Sanctions<sup>13</sup></b>	<b>Appeal</b>	<b>Outcome of Appeal</b>
<b>12</b>	Sexual assault (no penetration)	Closed without finding; Policy not applicable	Not applicable	Not applicable	Not applicable
<b>13</b>	Sexual assault (no penetration)	Violation	Pending	Sanctioning process pending	Sanctioning process pending
<b>14</b>	Sexual assault (no penetration)	No violation		None	
	Sexual harassment	No violation			
<b>15</b>	Sexual harassment	No violation		None	
<b>16</b>	Sexual harassment	No violation		None	
<b>17</b>	Sexual harassment	No violation		None	
<b>18</b>	Sexual harassment	No violation		None	
<b>19</b>	Sexual harassment	No violation		None	
<b>20</b>	Sexual harassment	No violation		None	
<b>21</b>	Sexual harassment	Violation	Disciplinary probation (greater than one year); no contact (with class restrictions), educational measures	None	
<b>22</b>	Stalking	No violation		Complainant appealed the finding	Finding upheld
<b>23</b>	Stalking	Violation	Notification to current institution; no contact	None	
<b>24</b>	Stalking	No violation		None	
<b>25</b>	Stalking	Violation	Separation (less than one year), disciplinary probation (less than one year); no contact; educational measures	None	
<b>26</b>	Sexual harassment	Violation	Appeal pending	Complainant appealed sanctions	Pending
	Retaliation	Violation		Respondent appealed finding and sanctions	
<b>27</b>	Stalking	Violation	Separation (greater than one year); disciplinary probation (greater than one year); no contact (with geographic restriction); educational measures	None	Not applicable

<sup>13</sup> This data reflects the final sanctions imposed after both the sanctioning and appeals processes are complete.