



Furman University
Title IX Office 3-Year Report
Fall 2020 – Spring 2023

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I. Increasing Transparency

Fostering Trust

Promoting Awareness

Thank you for reading this inaugural Sexual Misconduct Report. This report includes statistical information from the following academic years: 2020-21, 2021-22 and 2022-23. The Title IX Office is publishing this report with the goal of **increasing transparency**, **fostering trust** in Furman's process for addressing sexual misconduct concerns and **promoting awareness** of sexual misconduct on our campus.

Transparency. Privacy is a top concern of parties involved in sexual misconduct cases—both of people who have experienced sexual misconduct and people who have been accused of committing it. As a result, the university keeps information about individual cases and outcomes private. To help students, faculty and staff understand both the occurrence of sexual misconduct on campus and how reports are addressed, the university is publishing information about efforts taken to educate the community, reports made to the Title IX Office and actions taken in response to those reports. By aggregating three years of data, the University is balancing the need to protect the privacy of individual parties and case outcomes with the desire to be transparent about the process and data regarding outcomes.

Trust. It is important that students and employees who need support and resources feel comfortable reaching out to the Title IX office for help. Community members may be more comfortable accessing support if they know how their concerns will be addressed.

Awareness. Sexual misconduct is a problem at colleges and universities across the nation, and Furman is no exception. People who experience sexual assault and other forms of sexual misconduct often have a difficult time recognizing what happened and understanding that they are not at fault for the actions of others. By raising awareness that these behaviors occur on our campus, we hope to help survivors of sexual misconduct understand that they are not alone. And we hope to move closer to a community free of sexual misconduct.

Furman's Title IX Office is the university's centralized resource for receiving reports of sexual misconduct, supporting students and employees impacted by sexual misconduct and providing a fair and equitable process to adjudicate sexual misconduct complaints. Sexual misconduct is a community-wide issue that requires a community-wide response, and employees from multiple divisions at the university serve as confidential resources for students, Deputy Title IX Coordinators, investigators, and hearing board members in sexual misconduct cases. Other individuals serve as members of the Title IX Committee, providing input into policy changes as well as prevention and response. This team approach helps foster a fair grievance process and ensures that students and employees have many resources available to them.

I. Increasing Transparency

Fostering Trust

Promoting Awareness

While the data shared in this report can help the university community understand general information about misconduct being reported and about the university's response to those reports, it is important to remember that each report made to the Title IX Office is unique. The data in this report represent very difficult experiences of our community members. These experiences often impact individuals long after the end of any formal process or other interactions with the Title IX Office. At the end of this report, we share resources. And we invite individuals reading this report to share feedback, questions, and suggestions for future reports.

*Many thanks to Alice Tyska for her hard work and assistance in creating this report.



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II. Training, Awareness, and Prevention Efforts

FOR EMPLOYEES

Employees who serve as the Title IX Coordinator, Deputy Title IX Coordinators, Investigators or Hearing Board members in sexual misconduct cases undergo extensive annual training that includes a half-day in-person training on Furman's policy and process, as well as additional training by an external trainer on Title IX regulations, trauma-informed practices, conducting a fair and impartial investigation, and adjudication process and issuing sanctions. In the 2022-23 academic year, these individuals also participated in a half-day in-person training on weighing evidence and decision-making. Individuals can review the [materials used in these trainings](#) on Furman's website.

All employees are required to complete an annual online training module called "Title IX for Employees" by [Get Inclusive](#), a company whose vision is to create more inclusive and empathetic communities.

Furman uses a combination of passive programming (through the distribution of the Title IX brochure, tabling at various campus events and poster campaigns), online education modules and in-person sessions to educate students about healthy relationships, consent, and sexual misconduct.

FOR STUDENTS

Before they arrive on campus, first-year and transfer students complete the online program, "Voices for Change," by Get Inclusive. "Voices for Change" is an education course intended to help students learn more about sexual and relationship violence prevention, alcohol, and their role in creating and maintaining a more respectful and safe campus culture.

During Orientation, all incoming students attend a session called "Life at Furman," at which Orientation Leaders educate students about situations they might encounter at college around health, safety, well-being and respect for others. The Title IX Coordinator and other campus resources also speak to students at this session and afterward, Orientation Leaders follow up with a scenario-based small group conversation. In addition, starting the 2023-24 academic year, all new students will attend an interactive session called "I Said, You Said," which aims to educate students on issues related to consent.

All first-year students also complete a module in the Pathways program on boundaries, consent, and bystander intervention skills. This module is designed to help students develop interpersonal skills needed to cultivate a safe, supportive, and healthy community.

Research shows that students are at the highest risk for experiencing sexual assault during their first two semesters in college. For this reason, Furman focuses additional sexual assault prevention efforts on new students.

Throughout the year, Furman offers additional educational opportunities, through nationally known scholars and speakers like Jackson Katz, through CLPs about Title IX, and other programming opportunities. Certain groups of students, such as RAs, peer mentors, and orientation leaders, receive additional education and training. Athletes receive annual education on issues involving healthy relationships and consent.

III. Terms Used in this Report

Data shared in this report differs from the data shared annually in the University's Annual Security and Fire Report. The data shared in that report is governed by the Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act ("Clery Act"), which has specific criteria for reporting, including timeframes, locations and crime definitions that differ from those used to compile data for this report. For example, while the Clery Act reporting only includes data about certain crimes that occur on campus (or other delineated property), this report includes data about all reports the Title IX Office receives, even those in which someone reported experiencing sexual misconduct while out of state visiting family or at another off-campus location.

Throughout this report, there are terms used that may not be familiar to everyone.

COMPLAINANT

A person who is alleged to have experienced sexual misconduct.

RESPONDENT

A person who is alleged to have committed sexual misconduct.

MANDATED REPORTER

A university employee who is required by the university to report to the Title IX Coordinator any information they learn about sexual misconduct.

REPORT

The term "report" is used in this annual report to describe any time the Title IX Office is informed of alleged sexual misconduct, including when a third-party reports concerns and when a complainant contacts the Title IX office directly.

WHAT HAPPENS WHEN A REPORT IS MADE?

The first meeting someone has with the Title IX Coordinator is an opportunity for them to ask questions and receive information and support. Everyone who contacts the Title IX Office is informed of their options, including their right to submit a formal complaint, as well as supportive measures and resources. A relatively small number of the students who meet with the Title IX Coordinator request a formal investigation. Other students may want the university only to provide supportive measures, may want to engage in the alternative resolution process, may want the Title IX Coordinator to have an educational conversation with the other party or may need additional time to process what happened before they decide how they want the university to proceed. It's an individual decision, and the university respects the right of each individual to make the decision that works best for them, on their own timetable.

FORMAL COMPLAINT

A Formal Complaint is a document, typically filed by a complainant, alleging sexual misconduct by a respondent and requesting that the university initiate a formal grievance process or an alternative resolution process to investigate and resolve the concerns about sexual misconduct. In rare situations where there are concerns about an ongoing threat to the university community, the Title IX Coordinator may file a Formal Complaint and initiate the formal grievance process.

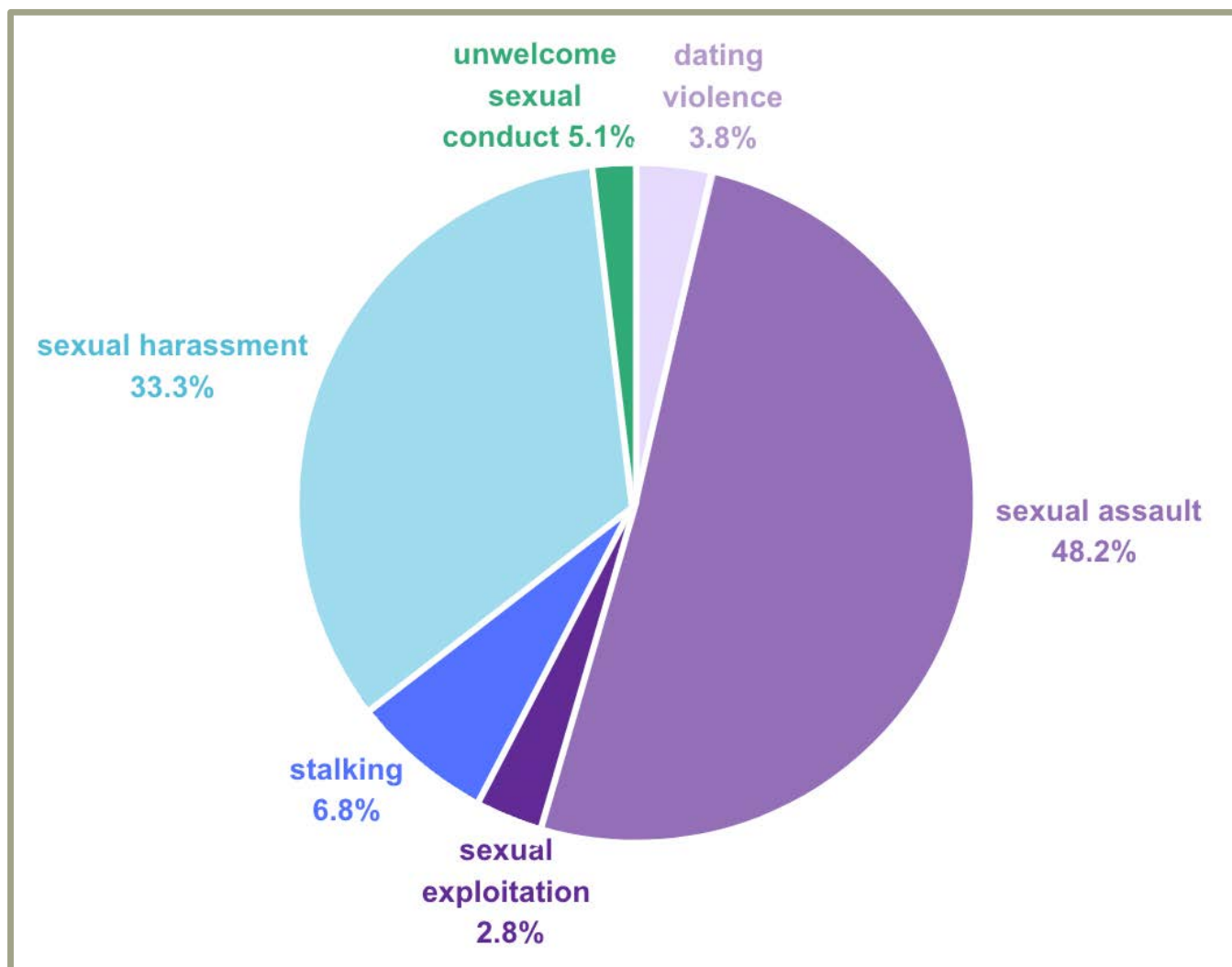
RESPONSIBLE

The term used to signify that a hearing board found that the evidence indicated it was more likely than not that the Respondent violated the University's Sexual Misconduct Policy.

NOT RESPONSIBLE

The term used to signify that a hearing board found that the evidence did not indicate that it was more likely than not that the Respondent violated the University's Sexual Misconduct Policy.

IV. Sexual Misconduct Reports by Type



Between Fall 2020 and Spring 2023, the total number of reports each academic year was between 29 and 57. During the 2020-21 year, social restrictions were in place for COVID, and reports were lower than other years. These reports (and the chart above) include situations in which both parties were students and/or employees, as well as situations in which one party was not a student or employee or was unknown.

The sexual exploitation cases referenced above involved allegations of recording sexual activity without permission. Two of those cases involved a respondent who withdrew from Furman as part of an alternative resolution. The other case involved a report made by a mandated reporter, where the potential complainant denied any unwanted recording had occurred.

While most reports are made in the year in which the conduct being reported occurred, some of the reports identified in this document were made in years subsequent to when the conduct occurred.

V. Supportive Measures Available and Used

What Are Supportive Measures?

The Title IX Office provides supportive measures and resources to community members who experience sexual misconduct, even if that conduct does not occur on campus or in the university's programs or activities. The impacts of such off-campus conduct can interfere with a student's or employee's ability to participate fully in programs or activities, and therefore, the university offers a variety of supportive measures and resources to address those impacts.

Supportive measures are non-disciplinary, non-punitive services provided to parties without charge to address safety, academic and other concerns. A complainant may receive supportive measures regardless of whether they file a Formal Complaint.

Some examples of supportive measures:

1. Extensions of deadlines or other course-related adjustments.
2. Modifications of work or class schedules.
3. No contact orders.
4. Taking an incomplete in a class.
5. Facilitating a class withdrawal or a transfer to a new class section.
6. Facilitating access to counseling and medical services.
7. Academic support services.
8. Temporary campus escort to ensure safe movement between classes and activities and other safety planning steps.
9. Facilitating access to free legal services.
10. Assisting with change in campus housing.
11. Guidance in obtaining a sexual assault forensic exam.
12. Referrals to resources to assist with obtaining a restraining order.
13. Trespass order (issued by Furman Police).
14. Other remedies that can be tailored to the concerns of the individuals involved to address concerns related to reported sexual misconduct.

No contact orders, connections to resources, and academic accommodations are the top 3 most commonly requested supportive measures

About No Contact Orders

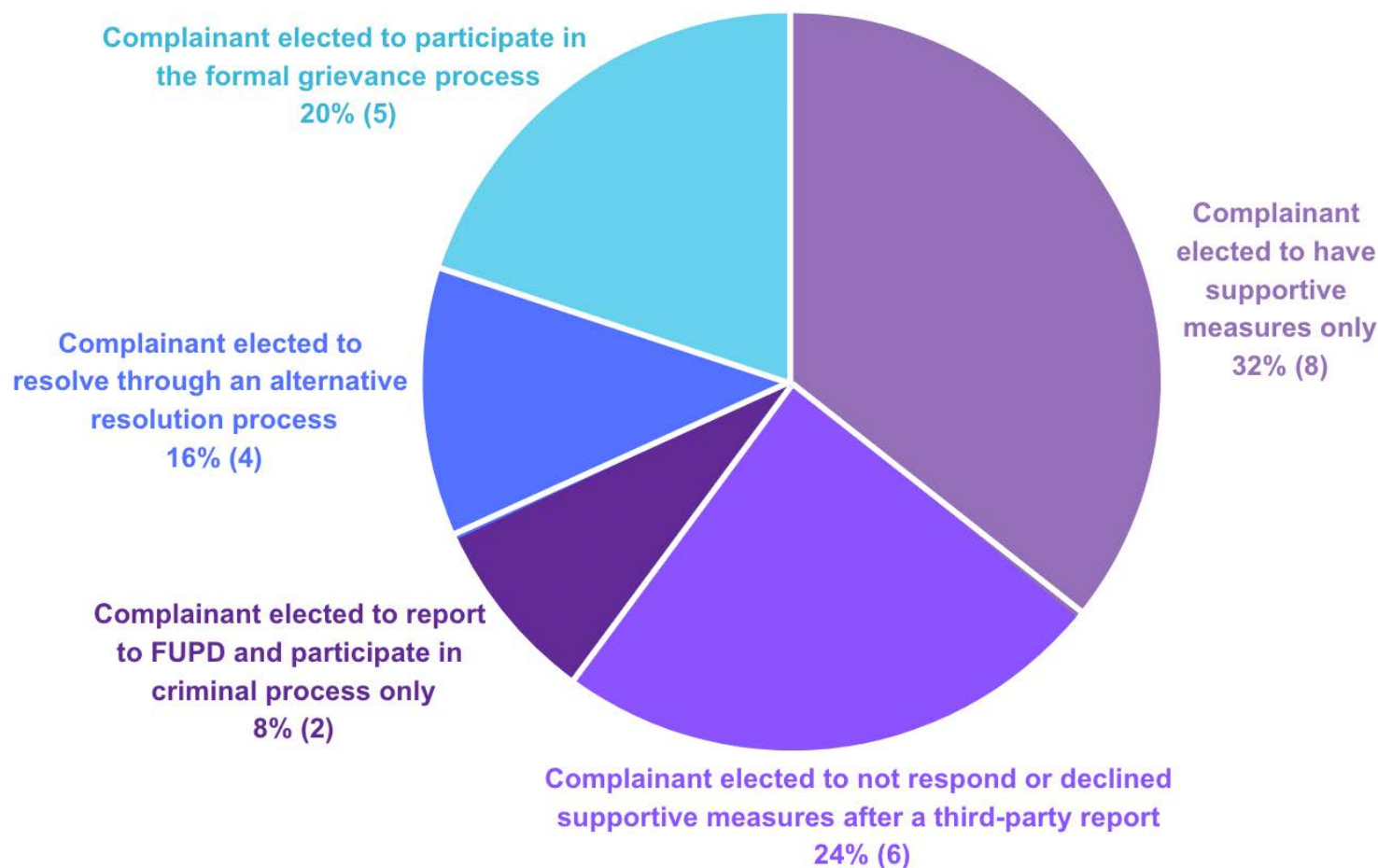
administrative orders that prohibit a student from contacting another student directly or indirectly

address safety and security concerns and help de-escalate situations

non-punitive, do not create disciplinary records, and can be issued without an investigation

VI. Breakdown of Sexual Assault Reports

Between Fall 2020 and Spring 2023, there were 25 reports involving sexual assault allegations where both parties were Furman students:



Of the 4 sexual assault cases that were resolved through an alternative resolution process, 3 resulted in respondents withdrawing from the university, as well as other measures.

Alternative resolution is a voluntary process that allows parties to propose a resolution or terms as an appropriate outcome to a formal complaint without an investigation or hearing. Any outcome reached through an alternative resolution process must be agreed to by both parties and approved by the university.

Between fall 2020 and spring 2023, a total of 5 students initiated the criminal process by reporting sexual assaults to Furman Police, and two of these cases resulted in arrests.

VI. Breakdown of Sexual Assault Reports

There also were 35 reports during these three years where either one of the parties was either not a student or employee with the university or unknown to the university. These reports are broken down as follows:

➡ 27 of those reports involved a respondent not affiliated with the university

When the respondent is not affiliated with the university at the time of the report, the Title IX Office provides supportive measures, including a trespass order when requested, academic accommodations, and resources.

➡ In 5, the identity of the respondent was not shared with the university

➡ There were 2 anonymous reports

Where the respondent's identity is known in an anonymous report, the university engages in preventative intervention efforts with the respondent to stop the behavior.

➡ 1 complainant was not affiliated with the university and not responsive. This resulted in preventative intervention with the respondent to stop the behavior and prevent similar behavior in the future.

Students often reach out to other students for information after an unwanted sexual experience. Title IX Peer Liaisons are students who receive training on reporting options, available supportive measures, resources, the alternative resolution process, the formal grievance process and more and have volunteered to be available to provide this information to other students.

Some reports may involve concerns about multiple potential policy violations. For example, a report of sexual assault within a dating relationship might involve a dating violence charge (because it occurred within a dating relationship), a sexual assault charge and an unwelcome sexual conduct charge.

For this report, the following hierarchy was applied to classify a report in one category: sexual assault, dating violence, stalking, sexual exploitation, unwelcome sexual conduct and sexual harassment. **So, if a person was accused of both sexual assault and sexual harassment, the report would be categorized here as sexual assault.**

A single respondent would be included in this three-year report more than once if there were concerns reported involving multiple complainants, for example, if two different people reported concerns about sexual harassment involving the same respondent.

VII. Breakdown of Sexual Harassment

Cases categorized in this report as sexual harassment include a variety of reported behaviors, and this category is used as a “catch-all” category for unwanted sexual or gendered behaviors where other policy violations are not alleged.

While many of the behaviors reported do not meet the Title IX definition of sexual harassment, reporting these behaviors creates an opportunity to have educational conversations about healthy relationships and establishing appropriate boundaries to help prevent similar behavior in the future.

For that reason, these behaviors are addressed through a variety of non-punitive interventions when they do not involve a policy violation or when the complainant does not want them addressed through a formal process.

Some examples of concerns that are categorized as sexual harassment:

- Repeated unwanted sexual comments in a group setting that make other students uncomfortable
- Violating personal physical boundaries of other students at a party
- Continuing to pursue complainant romantically after being told repeatedly by the complainant that they weren't interested
- Repeated unwanted or disparaging comments about someone's gender identity
- Continued unwanted contact from a former romantic partner after a relationship with unhealthy behaviors

Interventions are an important part of the work of the Title IX office. When someone reports concerns but does not want to initiate a formal grievance process, the Title IX Coordinator explores whether a complainant is comfortable with the Title IX Coordinator engaging the respondent in an educational conversation or otherwise addressing the behavior with the respondent in an effort to stop the behavior and prevent its recurrence. These types of interventions are used often in cases that are categorized as sexual harassment.

VIII. Formal Complaints & Resolutions

Between Fall 2020 and Spring 2023, 13 formal sexual misconduct complaints were filed. Of these:

1 was withdrawn
by the complainant prior to
the hearing

**5 were resolved through the
alternative resolution process**

5 charges of sexual assault proceeded to hearing

3
**responsible findings for
sexual assault**

These findings involved only two
respondents; one student was
suspended for a year; one student
was permanently separated from the
university

2
**not responsible findings for
sexual assault**

In one case, 1 respondent was not found
responsible for sexual assault
but was responsible for other policy
violations and suspended

When a student is suspended for a sexual misconduct policy violation, they are not permitted on campus property or at events during the period of suspension and must complete certain educational sanctions before returning to the university.

1 student was found responsible
for providing false or misleading information to university officials in a formal
Title IX grievance process and was suspended for a semester

1 employee respondent was found responsible
for sexual harassment – permanently separated from the university, ineligible for rehire

When a student or employee is permanently separated from the university, they are prohibited to be on university property.

VIII. Formal Complaints & Resolutions

What assessment is conducted to determine the appropriate steps to take when a report is made?

As is evident in the numbers shared in this report, not all reports result in a formal disciplinary process. When a report is made, the university assesses whether any information in the report indicates that there is a continuing risk to the university community. Factors considered include the nature of the conduct alleged and whether the university has received any other reports involving the same respondent.

In the event of such a risk, the university takes immediate steps to protect the community. These steps may include consulting with Furman Police, issuing a Timely Warning notice to the community, taking interim measures involving the respondent to address specific safety concerns and initiating a formal grievance process. Because the university cannot take action that would be deemed punitive without following the formal disciplinary process, in limited circumstances, the university may need to initiate that process even if the complainant does not wish to do so. However, in the vast majority of cases, the university follows the wishes of the complainant regarding what actions the university takes in response to a report of sexual misconduct. Respecting the autonomy of the person who experienced the conduct is important to help promote healing and is consistent with best practices nationally. However, this means that in the majority of cases where a report is made involving sexual misconduct between two students, the university's response does not involve a formal grievance process and discipline. As a result, members of the university community may mistakenly believe that "nothing was done" when, in fact, the university took the actions requested by the complainant after they were informed of all their options.

Why do so few students choose to proceed with the formal grievance process?

There are many reasons someone might not wish to initiate a formal grievance process.

1. **They fear their friends won't support them:** Some students share concerns that their friends might not support them or don't believe what happened was assault.
2. **They have friends in common with accused student:** Many students know the person who engaged in the conduct and often share friends with that person. Particularly when the parties are part of a close-knit social group, share a minoritized identity or belong to the same organization, a complainant may be reluctant to report due to concerns about the impact an investigation could have on the group.
3. **Lack of trust in systems and/or belief that the respondent won't be found responsible:** If a complainant does not think they will be believed or that the respondent will be found responsible, they may be reluctant to initiate the grievance process.
4. **Lack of interest in undergoing the long and difficult investigation and adjudication process:** The grievance process is a formal disciplinary process that is governed by federal regulations. Despite university efforts to make the grievance process more efficient and less burdensome, the procedural steps required in the process mean most cases take approximately three months complete. Many complainants do not want an experience that has already been traumatic to consume their energy for that length of time.

IX. Looking to the Future

Federal Regulations: In 2022, the Department of Education proposed new federal regulations to govern how schools address sexual misconduct. The final regulations are expected to be issued in Spring 2024. Those regulations may result in changes to the formal grievance process and to the Sexual Misconduct Policy. Any policy and/or grievance process changes will be shared with the university community.

Timeframe for completion of cases: The Title IX Office consistently hears from students that one of the most difficult aspects of the formal grievance process is the length of time it takes to complete. While required procedural steps in the process impact the length of time it takes to resolve cases, the office will continue to make efforts to shorten this timeframe where possible. One reason the university uses an external investigator in these cases is help resolve investigations more quickly.

Additional visibility: It is clear that people feel more comfortable reporting concerns if they know the person they are reporting to and have confidence in how their concerns will be addressed. The Title IX Office is working to increase awareness of and comfort with the office through tabling and other events to introduce students to the office during the first six weeks of the year, and through visiting student organizations and athletic teams.

Restorative Practices: As the university incorporates restorative practices into a number of areas, the Title IX Office is starting to offer restorative options for students who wish to try to resolve their concerns through alternative resolution. The practices may also be beneficial for friends impacted by the actions of a respondent.

Prevention Education: Educational programming about consent has increased in the past couple of years, both through in-person programming, such as the “I Said, You Said” program for first-year students, as well as passive programming like tabling and poster campaigns. However, as a community, we need to continue to identify ways to reduce the prevalence of sexual misconduct on campus.

X. Resources

TITLE IX COORDINATOR & DEPUTY TITLE IX COORDINATORS	ROLES AND SERVICES	AVAILABLE TO
<p>TITLE IX COORDINATOR Melissa Nichols Melissa.nichols@furman.edu 864.294.2221</p> <p>DEPUTY TITLE IX COORDINATORS Jason Cassidy AVP for Student Life/Dean of Students 864.294.2093</p> <p>Stephanie Boyd Associate Dean of Student Success & Wellbeing 864.294.2292</p> <p>Kristen Davis Employee Relations Manager 864.294.3101</p> <p>Kyle Longest Associate Academic Dean, Professor of Sociology 864.294.3303</p> <p>Rob Carson Associate Athletics Director for Academic Success, Diversity, Inclusion, & Engagement 864.294.2467</p>	<ul style="list-style-type: none"> ▪ Implement Furman's policy ▪ Provide consultation and resources ▪ Provide supportive measures and advise ▪ Receive complaints ▪ Coordinate responses to concerns ▪ Educate the community 	<p>All Furman students, faculty, and staff</p>
MORE NON-CONFIDENTIAL ON-CAMPUS RESOURCES	ROLES AND SERVICES	AVAILABLE TO
<p>University Police Department 864.294.2111</p> <p>Local Police 911</p> <p>Campus Conduct Hotline (can report anonymously) 866.943.5787</p> <p>Student Life Office Vice President 864.294.2202</p> <p>Housing and Residence Life 864.294.2092</p> <p>Human Resources 864.294.2217</p>	<ul style="list-style-type: none"> ▪ Provide assistance and support ▪ Mandated reporters ▪ Coordinate responses to reports and concerns 	<p>All Furman students, faculty, and staff</p>

CONFIDENTIAL ON-CAMPUS RESOURCES	ROLES AND SERVICES	AVAILABLE TO
<p>FOR EVERYONE Office of Spiritual Life 864.294.2133</p> <p>FOR EMPLOYEES Employee Assistance Program 800.854.1446</p> <p>John Kemp (ombudsperson for staff) 864.294.3717</p> <p>Victoria Turgeon (ombudsperson for faculty) 864.294.3731</p> <p>FOR STUDENTS Counseling Center 864.294.3031 For Crisis Line, press #3 (anywhere/anytime)</p> <p>Earle Student Health Center 864.294.2180</p> <p>Judy Bagley Director of the Student Office for Accessibility Resources 864.294.2322</p> <p>Dr. Franklin Ellis Associate Dean and Director of the Center for Inclusive Communities 864.294.2267</p> <p>Dr. Cynthia King Associate Dean for Diversity, Equity, and Inclusive Excellence 864.294.3068</p> <p>Dr. Scott Henderson Professor of Education 864.294.3384</p>	<ul style="list-style-type: none"> ▪ Offer confidential counseling, assistance, and support ▪ Provide supportive measures and access to online resources for students ▪ Provide information about reporting options, supportive measures and other resources 	<p>Furman community members, students, faculty, and staff (as listed)</p>
OTHER RESOURCES	ROLES AND SERVICES	AVAILABLE TO
<p>1 in 6 (website for male survivors) 1in6.org</p> <p>The Anti-Violence Project (for LGBTQIA+ survivors of violence) 212.714.1141 avp.org</p> <p>Julie Valentine Center for Sexual Assault and Child Abuse Recovery (24/7 hotline) 864.467.3633</p> <p>Safe Harbor (dating / domestic violence help) 800.291.2139</p>	<ul style="list-style-type: none"> ▪ 1 in 6 helps men who have had unwanted or abusive sexual experiences live healthier, happier lives ▪ AVP serves LGBTQIA+ survivors of violence through counseling and advocacy ▪ JVC and Safe Harbor are off-campus resources that support survivors of sexual assault, child abuse, and dating or domestic violence 	<p>All Furman community members, students, faculty, and staff</p>