

The Evergreen State College Report on Sexual Harassment and Sexual Misconduct

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Executive Summary

This report provides institutional data about sexual misconduct on campus including a summary of statistics for the past year and an overview of activities and services on campus designed to decrease and prevent sexual violence and sexual misconduct and to respond when incidents do occur. This overview is intended to serve as an annual update to the [multi-year report sent to the campus community in January 2015](#).

The Evergreen State College is committed to maintaining and strengthening an educational and employment environment founded on mutual respect, civility, and adherence to the law. Sexual harassment and sexual misconduct, which includes sexual assault, are antithetical to these standards and ideals and are prohibited. The College therefore emphasizes both prevention and effective response.

Based on its [Sexual Harassment and Sexual Misconduct Policy](#), Student Conduct Code and legal obligations, including federal Title IX regulations, the College enlists a range of resources: the [Office of Sexual Violence Prevention](#), the Sexual Misconduct Response Network, [Health and Counseling Services](#), [Police Services](#), the Senior Student Conduct Administrator, the Civil Rights Officer, the Title IX Coordinator, community resources, and others to do so.

A Coordinated Response

Reducing sexual violence depends on everyone's involvement and diligence—conveying intolerance for sexual harassment and sexual misconduct, being alert to behaviors that signal a problem, helping people set and honor healthy personal boundaries, and promptly reporting concerns or incidents. In cases where College officials receive a report of sexual misconduct or sexual harassment in which one of the parties involved is a student the Sexual Misconduct Response Network—a team of clinicians, providers and administrators—meets to determine best next steps to support the affected student.

Evergreen Data Summary

National data suggest that sexual violence is significantly under-reported and it is likely that under-reporting continues to be the case at Evergreen. In recent years, Evergreen has focused increased efforts toward creating a culture of reporting through better training and identification of college officials required to report, through providing information to students, and identifying confidential support and information about what to expect when a report is made. The goal is to get a clearer picture of incidents that occur on our campus and in our community and therefore, an increase in number of reports does not necessarily reflect an increase in rates of violence, but may be a reflection of efforts to increase reporting of offenses.

Three data sets are included below that capture the range of reports made to the college. The first is from the Student Conduct Office and includes the total number of reports made (and investigative results) to Student Conduct involving sexual misconduct, harassment, dating and domestic violence, and stalking. The second set is data about the number of students who have worked with the Office of Violence Prevention and breaks down incidents by type. The last set of data is the campus Clery Statistics, which are maintained by Police Services and document specific categories of crimes that were reported on or adjacent to Evergreen's Olympia campus.

Student Conduct Data 2014-15

In the 2014-15 academic year staff received 38 reports that included allegations of student violations of the Student Conduct Code involving sexual misconduct, harassment, dating and domestic violence, and stalking. This is up from 30 reports in the 2013-14 academic year, 12 in 2012-13 and five in 2011-12.

Of the 38 cases brought forward, 18 could not be investigated due to the following factors: an unknown respondent, a third party report where the complainant was unknown, the College did not have jurisdiction because the respondent was not a student, or because the harmed party requested that action not be taken. Of the remaining 20 cases, 11 students were found responsible for violations of the Student Conduct Code and 9 students were found not responsible. Typical sanctions include suspension for a year or more and educational requirements such as consent workshops, evaluation and treatment, and personal reflection.

Office of Sexual Violence Prevention (OSVP) Data 2014-2015

Total individual students served by OSVP: 56

Total individual students served by OSVP in 2013-2014: 41*

***The OSVP data for the 2013-14 year in this report are different than what was submitted in the 2015 report for the same time period. This reflects a change in procedure, which shifted to include students served following the conclusion of the academic year (i.e. second half of June) in the fiscal calendar year rather than the subsequent academic year. Additionally, the breakdown of categories changed to include a category of general assistance (not resulting from a specific incident of violence) and incidents were categorized by primary incident type.**

Breakdown of Incidents by Type:

- Types are based on [Student Conduct Code](#) definitions.
- Every report is labeled, noting off-campus incidents and incidents where only the student seeking services is enrolled at Evergreen.
- Incidents reported during the time period may have occurred outside the time period.
- Numbers may include more than one type of incident. For example, the same individual experiencing domestic violence and stalking.

Type	14-15	13-14
Sexual Misconduct	23	18
Domestic Violence	5	5
Dating Violence	11	8
Stalking	3	2
Harassment (general)	5	3
Harassment (sexual)	4	3
Client seeking general assistance	5	2

Clery Act Reporting

Breakdown of Incidents by Type:

Classification	2014	2013
Forcible Sex Offense <ul style="list-style-type: none">Forcible rape, sodomy, fondling, sexual assault with an object.	5	3
Non-Forcible Sex Offense <ul style="list-style-type: none">Incest and statutory rape	0	0
Domestic Violence	6	N/A
Dating Violence	1	N/A
Stalking	4	N/A

Clery data reflects incidents reported during the calendar year. The data for calendar year 2015 will be reported in Fall 2016. Reporting of domestic violence, dating violence, and stalking began in 2014 in accordance with the Violence Against Women Reauthorization Act of 2013.

Clery Act - Definitions

Sex Offenses – Forcible. Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape: The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

B. Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault with an Object: The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses - Non-forcible. Unlawful, non-forcible sexual intercourse.

A. Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Sexual Misconduct Reporting, Response and Prevention

Reporting

Students are encouraged to contact the [Office of Sexual Violence Prevention](#) for confidential support and to learn more about rights and options.

All faculty and most staff positions are Responsible Employees and per our policy and Title IX law, must report any information acquired regarding possible sexual harassment or sexual misconduct to the Interim Title IX Coordinator, Holly Joseph.

An [online form](#) offers the option to report incidents anonymously.

Timely Response to Reports

The Sexual Misconduct Response Network (SMRN) convenes promptly following a report made to a College official that a student may have been involved in sexual harassment or sexual misconduct. The SMRN determines the appropriate steps for addressing safety concerns through interim measures and providing support and outreach to all parties.

The College is committed to responding to reports in a manner that, to the greatest extent possible, supports an affected party's choice about pursuing a criminal or administrative complaint, or taking other measures to support their personal well-being.

Student Conduct Investigations

When a complaint is made to the Student Conduct Office, a Student Conduct Officer initiates an investigation to determine whether the reported behavior is a violation of the Student Conduct Code. Outcomes can include findings of responsibility for a violation, no responsibility for a violation or unable to make a determination of responsibility based on the information from the investigation.

In cases involving sexual misconduct, stalking, dating or domestic violence and sexual harassment, Evergreen provides a parallel process to complainants and respondents. Both parties are offered a process support staff member to provide information and support as the investigation and determination is completed. In these cases, both the complainant and the respondent are informed of the decision and have the right to appeal. If an appeal is requested it is heard by a board of students, faculty, and staff who have been trained in trauma informed questioning.

A group of staff have been recruited and trained to serve as investigators. Sexual misconduct cases, domestic violence and stalking cases are now typically handled by a two-person investigation team.

Office of Sexual Violence Prevention (OSVP)

The Sexual Violence Prevention Coordinator manages prevention efforts designed to increase awareness and reduce risk for students broadly and provides individual support to student victims of sexual misconduct. The Coordinator, or designee, provides the following:

- Confidential support.
- Information about reporting procedures and what to expect.
- Accompaniment to any/all appointments associated with reporting or resources.
- Counseling and referrals including resources for the victim's partner, spouse or family.
- Assistance in accessing community resources, including legal and medical advocacy.

Prevention and Outreach:

During the 2014-15 year, OSVP continued to implement the Green Dot Movement. Green Dot is a bystander intervention program designed to measurably reduce incidents of power based personal violence—sexual assault, partner violence, and stalking by increasing proactive and reactive bystander actions. OSVP offered overview speeches covering basic Green Dot Bystander skills to a total of 796 incoming students during orientation. Further overview speeches were offered for returning resident students, to student leaders, and through academic programs. OSVP offered two in depth bystander trainings. Trainings are six hours and cover expanded skills practice and evidence based information on how red dots occur and bystander dynamics. One training was population specific for students who identify as LGBTQ.

Other outreach activities include:

- Publishing Campus Response process [Sexual Misconduct: Knowing Your Rights and Options](#).
- Partnering with GSU on a fall quarter forum and two think tank sessions and advising members on their sexual violence legislation.

Other Services:

- Provided testimony at a state senate work session on campus sexual violence prevention.
- Represented Evergreen on the planning committee for the Sexual Assault Prevention and Response in Higher Education conference coordinated by the Council of Presidents.
- Presented on assessment and campus climate at the aforementioned conference.

Resources

Office of Sexual Violence Prevention

Green Dot Bystander Intervention Program
Health & Counseling Center

Police Services

Evergreen Clery Statistics

Jeanne Clery Act

Student Conduct

Student Conduct Code

Title IX at Evergreen

Sexual Harassment and Sexual Misconduct
Policy

Non-Discrimination Policy

Washington Coalition of Sexual Assault Programs

SafePlace Olympia

Rebuilding Hope! The Sexual Assault Center
for Pierce County

<http://www.evergreen.edu/violenceprevention/home.htm%20>

<https://www.livethegreendot.com/>

<http://www.evergreen.edu/health>

<http://www.evergreen.edu/policeservices>

<http://www.evergreen.edu/policeservices/cleryreport/home.htm>

<http://www.clerycenter.org>

<http://www.evergreen.edu/studentaffairs/student-conduct.htm>

<http://app.leg.wa.gov/wac/default.aspx?cite=174-123>

<http://www.evergreen.edu/titleix/home.htm>

<http://collab.evergreen.edu/policies/policy/sexual-harassment-misconduct>

<http://www.evergreen.edu/policies/policy/nondiscriminationpolicyandprocedure#iiidefinitions>

<http://www.wcsap.org>

<http://www.safeplaceolympia.org>

<http://www.sexualassaultcenter.com>