



**ACADEMIC YEAR 2021-2022**

**ANNUAL REPORT**

**November 2022**

# Stetson University Title IX Office Annual Report

## Executive Summary

At Stetson University, we believe every student and employee has the right to learn and work in an environment free from gender bias, sexual discrimination, sexual harassment, sexual assault, dating violence, domestic violence, and stalking. We also promote a culture of consent and positive relationships, free of exploitation, coercion, or abuse. Using the Federal protections and requirement of Title IX of the Civil Rights Act of 1964, Stetson addresses this commitment through the Gender-Based Misconduct Policy and the Office of Title IX.

The University focuses on implementing strategies and systems to appropriately address reports of policy violation as well as prevention and education strategies related to consent, positive relationships, and all forms of gender-based harassment. Throughout the academic year, the Title IX Team (see Member chart below) addresses reports provided by students, faculty, and staff. Issues and concerns related to Title IX at Stetson are shared with the Title IX Steering Team, made up of the Executive Vice President and Provost, Dean of the College of Law, Executive Vice President and CFO, Vice President of Campus Life and Student Success, and the Dean of Students. The Steering Team meets six times each Academic Year and is responsible for approving policy, training for staff and faculty, and addressing concerns about trends seen in reporting.

At Stetson University, Title IX violations fall under the Gender-Based Misconduct Policy. This policy addresses all form of gender-based or sex-based harassment, including verbal harassment, harassment by electronic means, sexual exploitation, sexual assault, domestic violence, dating violence, and stalking. It includes discrimination based on sex or gender (including pregnancy), gender identity or perceived gender identity, gender expression, and sexual orientation or perceived sexual orientation. The Title IX Office tracks and addresses situations on a case-by-case basis, depending upon the unique information provided by the reporting individual or complainant and whether the person who has been harmed desires a University response. All cases are considered private and covered by FERPA and personnel law, both of which prohibit sharing of processes and outcomes with the larger University Community. Some behaviors that do not meet the federal definition for Title IX are addressed through the Sexual Harassment Policy or the Code of Community Standards.

Additionally, all full-time staff of the Office of Title IX receive extensive training related to their role and possess relevant certifications (listed at the end of this document). The Office of Title IX provides training opportunities to all personnel serving in Title IX roles in addition to



University-wide employee trainings and trainings for all athletics teams per NCAA standards. Finally, Title IX compliance also requires institutions to assist pregnant and parenting students with academic, housing, employment, and activity accommodation. This report does not include information on those students assisted to protect their privacy.

***Title IX Office Team Members***

<b><u>Institutional</u></b>	
<b>Lyda Costello Kiser</b>	Executive Director and Title IX
<b>Stanley Stoy</b>	Coordinator Assistant Director and Title IX Investigator
<b><u>DeLand Campus</u></b>	
<b>Barbs Hawkins</b>	Deputy Title IX Coordinator (Students)
<b>Alicia Queally</b>	Deputy Title IX Coordinator (Athletics)
<b>Graciela Dufour</b>	Deputy Title IX Coordinator (Employees)
<b><u>College of Law</u></b>	
<b>JoCynda Hudson</b>	Deputy Title IX Coordinator (Students)
<b>Pam Skoularakos</b>	Deputy Title IX Coordinator (Employees)
<b><u>Title IX Steering Team</u></b>	
<b>Noel Painter</b>	EVP and Provost
<b>Robert Huth</b>	VP of Finance
<b>Teri Radwan</b>	Interim Dean, College of Law
<b>Lynn Schoenberg</b>	Interim VP of CLaSS and Dean of Students
<b>Graciela Dufour</b>	AVP of HR
<b>Alicia Queally</b>	Deputy Athletic Director
<b>Pam Skolarakos</b>	Director of HR, College of Law
<b>JoCynda Hudson</b>	Assistant Dean for Student Affairs, College of Law



In addition to individual with Title IX duties found in their job descriptions, there are several members of faculty, staff, and administration at both DeLand and the College of Law that volunteer to assist with specific cases as an investigator, advisor, or hearing officer. These individuals receive mandatory training and serve as needed. For AY21, those individuals are:

#### Investigators

Zachary Beaver*	Chris Chellberg	Chris Colwell
Colin MacFarlane	Carolyn Nicholson	Mitchell Reddish
Leila Roach	Sven Smith	Pegjohnny Moses*
Jenna Kelly (COL)*	Mike Pridemore (COL)	Pam Skolarakos (COL)

#### Advisors

Camille King	Will Miles	Kathryn Pelham (COL)
John Riggs	Rajni Shankar-Brown	Kevin Winchell

#### Hearing Officers

Jim Beasley	Larry Correll-Hughes	Bonisha Townsend-Porter*
Kirstin Davis (COL)	Savannah-Jane Griffin*	Lance Long (COL)
Teri Radwan (COL)	JoCynda Hudson (DeLand cases only)	

Barbs Hawkins (COL Cases only)

#### Appeals Officers

Larry Correll-Hughes	Theresa Radwan (COL)	Lynn Schoenberg
Robert Huth		

\*Denotes individuals who are no longer employed with Stetson





## Confidential Resources

Sexual Misconduct can be difficult to talk about. Stetson University has professional staff members available to listen and discuss such matters. Conversation with these pastoral counselors, professional counselors, and/or medical practitioners are protected as confidential\* (within the limits of a professional license, and as described below); they will not report/disclose any personal, identifying details shared with them. Stetson's Confidential Resources include counselors employed by the Stetson University Student Counseling Services, medical practitioners serving at Stetson University Health Service office, and the Chaplains in the Office of Religious and Spiritual Life.

\*Exceptions to maintaining confidentiality are generally set by law; for example, confidential resources may need to report certain incidents. The grounds for breaking confidentiality include suspected abuse/neglect of a child or a vulnerable adult; concern/threat of imminent harm to oneself or others; or based on a subpoena issued by criminal or civil courts.

### DeLand Campus:

<b>Stetson University Student Counseling Services</b>	386-822-8900
<b>Crisis Counseling (evenings/weekends/holidays)</b>	386-822-8740, select option 1
<b>Religious and Spiritual Life</b>	386-822-8706
<b>Stetson University Health Service</b>	386-822-8150

### College of Law Campus:

<b>College of Law Student Counseling Services</b>	727-562-7575
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### University employees:

<b><u>The Employee Assistance Program</u></b> (username: STET, password: STET)	800-272-7252
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## Academic Year 2021-2022 (AY22) Snapshot

AY22 refers to the time period from the beginning of fall semester 2021 to the end of summer semester 2022, which are between the following dates: August 1<sup>st</sup>, 2021 - July 31<sup>st</sup>, 2022.

During AY22, the University continued to ensure processes met the requirements of the US Department of Education (USDOE), Office on Civil Rights (OCR) and address relevant court case decisions and state law. This included removal of the requirement for a party to present themselves for cross-examination at the hearing or have their statements and evidence disqualified. This means that any party can refuse to attend the hearing and have the statements, interviews, and other evidence they provided be considered by Hearing Officers. In May 2022, the USDOE announced a proposed new rule, which would require policy changes in Spring 2023.

Stetson maintains its policy of allowing the complainant to determine the course of action. This includes:

- **Support only** – referral to Counseling Services, faculty emails, safety planning, addressing issues related to housing, work, or class schedules, addressing concerns in activities, University No Contact Orders;
- **Informal Resolution** – facilitated meetings or discussions, agreed upon actions or behavioral expectations, restorative processes;
- **Formal Process** – formal investigation and hearing with cross-examination of the parties by advisors; sanctions can result.

Most reports fall into the first two categories, with most requesting support only. The Title IX Office offers the same support services to respondents in the process, and No Contact Orders at the University are always reciprocal. ***Even when it is determined that a situation does not fall under the Gender-Based Misconduct Policy, support is always offered including referral to appropriate University and community-based resources.***

As the University has returned to full in-person activities, reporting incidents of sexual harassment, specifically nonconsensual touching and other sexual activity have increased from those reported over the past two academic years. The University continues to see reports of sexual harassment online, through video or photographic means (considered sexual exploitation under Stetson's policy), and stalking. As the University moved to a less restrictive environment beginning in mid-Fall 2021, student reports of harassment, non-consensual sexual conduct, and stalking increased. This pattern continued in Spring 2022. As in previous years, there were only a few reports from the College of Law requesting support only. The University conducted one full hearing following the new process required by the U.S. DOE during AY 22. This hearing was conducted virtually in real time, included cross-examination by the advisors of the complainant and



respondent, and utilized a secure platform where hearing officers, complainant, and respondent were in separate physical locations.

Finally, the University continues to use a US Department of Justice grant to improve coordinated response at the DeLand campus for sexual assault, domestic violence, dating violence, and stalking. By DOJ requirement, this program is not housed under Title IX but within Wellness and Recreation. However, the efforts of this program assist the Title IX Office as it engages in outreach and education, creates deeper relationships with community-based organizations and develops protocols to improve responses to incidents involving Stetson students and employees.

## Data on Reports and Case Dispositions

The two tables below provide the number of reports broken down by type of misconduct for Academic Year 2022, and a comparison of reports for Academic Year 2021 and Academic Year 2022. Each unique incident may include one or more factors as the basis of conduct/harassment.

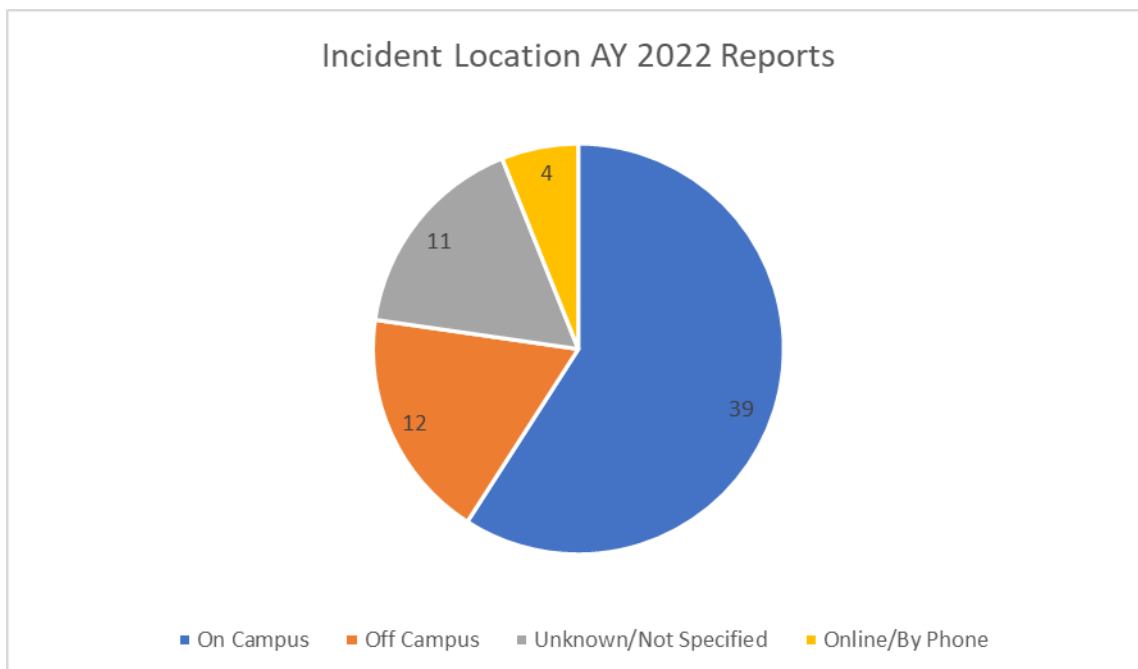
Type of Misconduct	Number of Incidents
<b>Sexual Harassment (including assault)</b>	
<i>Harassment</i>	19
<i>Exploitation</i>	6
<i>Coercion</i>	2
<i>Sexual Assault – unwanted touching</i>	10
<i>Sexual Assault - intercourse</i>	3
<b>Total Sexual Harassment</b>	<b>40</b>
<b>Domestic or Dating Violence</b>	
<i>Physical Violence</i>	5
<i>Non-physical</i>	8
<b>Total Dating Violence</b>	<b>13</b>
<b>Stalking</b>	
<i>In-person</i>	3
<i>Social Media</i>	3
<i>Text/phone</i>	4
<b>Total Stalking</b>	<b>10</b>



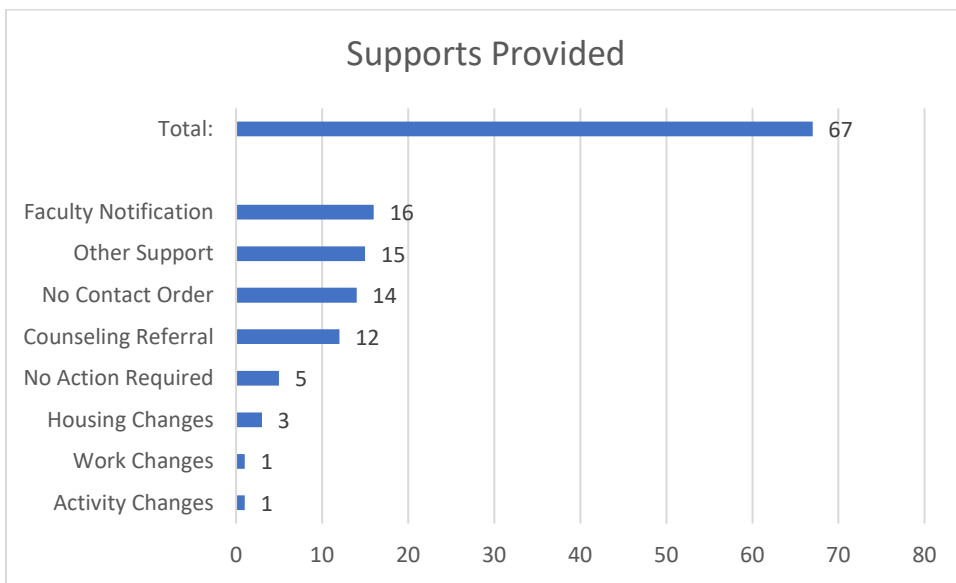
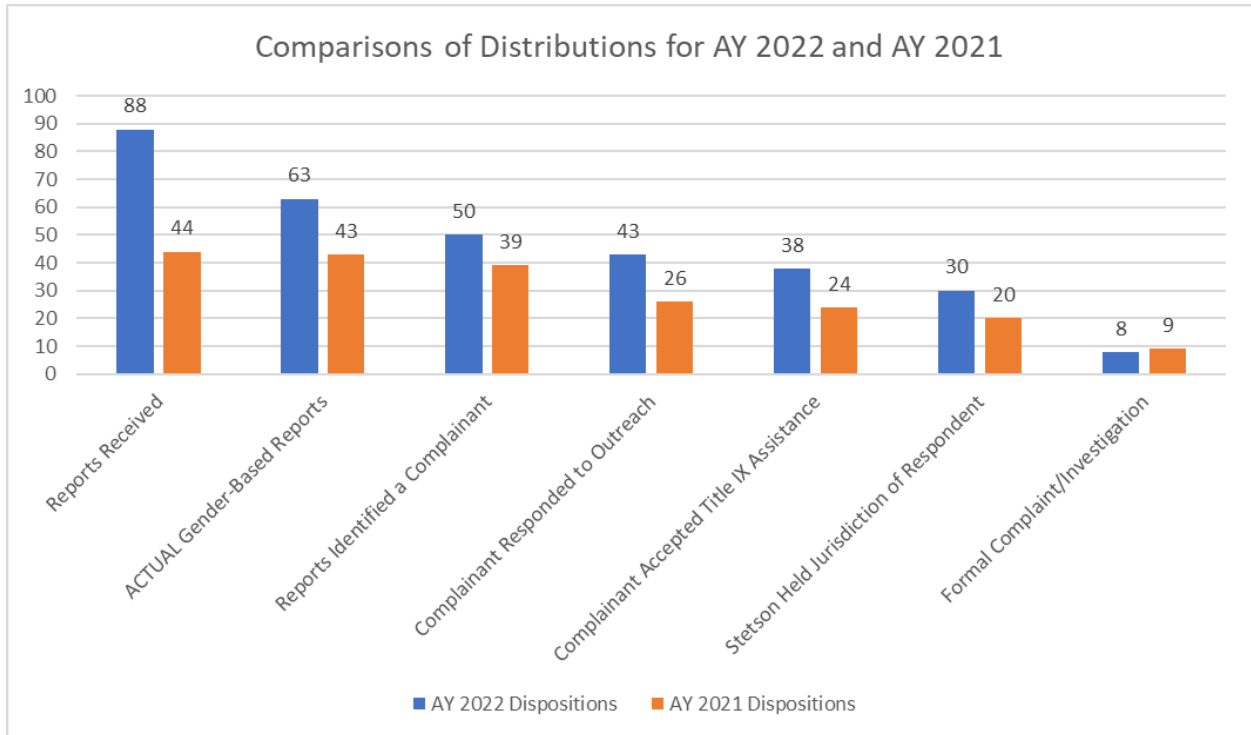


	Fall 2020	Spring 2021	Summer 2021	AY 2021	Fall 2021	Spring 2022	Summer 2022	AY 2022
Harassment	6	3	1	10	7	10	2	19
Exploitation	1	4	0	5	3	3	0	6
Sexual Assault	3	10	0	13	5	10	0	15
Dating/Domestic Violence	5	3	1	9	5	8	0	13
Stalking	2	5	0	7	5	5	0	10
<b>Total Type of Misconduct</b>	<b>17</b>	<b>25</b>	<b>2</b>	<b>44</b>	<b>25</b>	<b>36</b>	<b>2</b>	<b>63</b>

Of reported incidents identified as Gender-Based Misconduct, the majority occurred on campus. On-campus locations include residence halls, common areas/grounds, academic buildings, and athletics facilities.



Reports are processed through a broad range of dispositions, per Stetson policy. The chart below compares reports for AY 2022 and AY 2021 and how the reports were processed by the Title IX Office. The second chart identifies the types of supports provided to Complainants and Respondents during AY 2022.



## Conclusions

As seen in the data provided, reports of violations of Stetson’s Gender-Based Misconduct Policy/Title IX increased over AY 21. This is attributed to a return to in-person activities on-campus and off-campus, including social activities and a higher number of students and employees present on campus. Specifically, increases in reports occurred as Stetson reduced COVID-related restrictions throughout University programs.

In the comparison with AY2021, the increase in the “dating/domestic violence” category may be related to education/awareness/outreach done by PACT and the DOJ Grant initiative. The University continues to receive reports about unauthorized video recordings or photographs of a sexual nature. Other categories are similar to previous years. For AY 2022, the increase in Spring reports coincides with the further lifting of COVID restrictions resulting in an increase in visitors in dorms and social events. The numbers presented here are used to identify topics for Stetson’s community education efforts and guide prevention efforts.

Additionally, as seen in the Disposition Table on page 13, while 88 reports were received only 63 were identified as possible violations of Stetson’s Gender-Based Misconduct Policy. Of these, 50 cases identified a Complainant and were opened by the Title IX Office for possible action. Complainants are not forced into a Title IX process by the University and most choose supportive measures and other remedies over a full investigation.

Finally, Stetson’s practice of having the individual who has experienced harm (the Complainant) guide the University’s response results in a small percentage of reports going through the investigation and formal process. This means that more students receive supportive services, such as faculty emails and counseling, which Stetson recognizes as important to mitigating the negative educational effects of misconduct. This focus on Complainant-determined responses and the private nature of Gender-Based Misconduct Policy violation processes and outcomes combines to result in the University community falsely believing “nothing was done” about a situation when, in fact, the University took the actions requested by the Complainant after they were presented with various options. This belief was evident in student social media posts and comments in a student media article for *The Reporter* in Spring 2022. To address these concerns, the Title IX Office has shared information through several platforms (social media, tabling, presentations) that explains how the University’s process works, the private nature of processes, and how FERPA and employment law impacts the distribution of case outcomes.



## **Title IX Employee Training & Certifications:**

### **Lyda Costello Kiser, Executive Director and Coordinator:**

BA, MEd, MPA, DA

ATIXA SIVRA 35 Certification, 2022

Title IX Investigator Certification, 2022 (Stetson University College of Law)

FERPA Compliance, 2021 (Stetson University College of Law)

ATIXA Risk Assessment Certification, 2021

Inclusive & Ethical Leadership Certificate, University of South Florida, 2021

QPR 2021

NASPA Title IX Coordinator Certification, 2020

NASPA Informal Resolution Process Certification, 2020

Diversity, Equity and Inclusion in the Workplace, University of South Florida, 2020

SafeZone 2020

ATIXA Civil Rights Investigator Level 1, 2016

NACUA Title IX Certification, 2015

### **Stanley J. Stoy, Assistant Director and Investigator:**

BA

ATIXA Civil Rights Investigator, Level 1, 2022

QPR 2022

SafeZone 2022

Leading Strategic Change Certificate (Kellogg School of Management, Northwestern)

Certified Police Instructor - FBI Quantico

