



OCRI

ANNUAL REPORT



JULY 1, 2019 – JUNE 30, 2020

OFFICE OF CIVIL RIGHTS & INVESTIGATIONS



CONTENT

NOTIFICATION

This report details incidents of sexual harassment and sexual assault at the University of Idaho. While best practice and common sense dictate the importance for the university community to have access to this information, we also know that some of the material may be upsetting for some readers. We encourage you to decide for yourself how much to delve into this report and to seek support as needed.

The Counseling and Testing Center is available to all students in all campus locations and can be reached 24/7 at 208-885-6716.

The Employee Assistance Program is likewise available for all employees in all campus locations and can be reached 24/7 at 800-999-1077.

Please review our resources section on Pg. 18 for additional information on satellite campus community resources.

AT A GLANCE

TABLE OF CONTENTS

3	INTRODUCTION Annual Report
5	DIRECTOR'S MESSAGE by Erin Agidius
6	STAFF & TEAM MEMBERS Meet OCRI
8	DEFINITIONS & POLICIES Frequently Referenced
9	PRELIMINARY NOTES ON DATA Limitations
10	DATA & NUMBERS Summary
14	TRAINING & OUTREACH Summary
16	INVESTIGATION PROCESSES Flowchart
17	RESOURCES Support

ANNUAL REPORT

Beginning with the 2018-2019 fiscal year, OCRI published the first data regarding reported incidents of sexual harassment, including sexual assault, stalking, domestic violence, and dating violence. This annual report expands on that inaugural report to also cover all discrimination, harassment, and retaliation matters based on a protected class or process brought to the attention of OCRI from July 1, 2019 to June 30, 2020. Most reports relate to recent concerns, although in some instances the reports are from prior fiscal years. Reports come to the university through many channels and with varying levels of detail, from a complete written report with names of parties and witnesses to a vague description of a concern without identifying the parties involved. The university is sharing information about all reports, including those where the university did not have enough information to proceed because it was unable to obtain additional information.

We know that the ability of our students, staff, and faculty to succeed depends upon a healthy academic, work, student living, and learning environments. In 2018–2019, there were 266 reported incidents. In 2019–2020 that number dropped to 184. The reduction in reported incidents is believed to be a result of the campus closure and other COVID-19 related restrictions over much of the reporting period. Regardless, it's clear we have much work to do to eliminate all forms of discrimination and harassment, including sexual harassment/assault, from our university community. We are committed to addressing allegations of discrimination, harassment, and retaliation, including sexual harassment such as sexual assault, stalking, domestic violence, and dating violence.

2019-2020

This annual report focuses on all reports of discrimination and harassment based on a protected characteristic, including sex and gender discrimination and harassment, as well as retaliation for engaging in a protected process. This will include incidents connected to U of I's programs and activities, on and off campus. The subject matters covered in this report include:

- Age
- Religion
- Race/National Origin
- Disability
- Veteran Status
- Gender/Sex
- Sexual Assault
- Sexual Harassment
- Domestic/Dating Violence
- Stalking
- Retaliation

Although there is a requirement that all reports relating to sexual harassment and violence will be reported and addressed centrally by the Title IX Coordinator, it is possible that not all incidents were forwarded for various reasons. Moreover, we know that many instances of gender discrimination, sexual harassment, and violence are never reported to the university. Accordingly, we acknowledge that this data is incomplete.

We also recognize that, while the University of Idaho strongly encourages reports of discrimination, harassment, and retaliation that are unrelated to sexual harassment, it's likely that not all incidents were reported to OCRI and thus, again, we acknowledge that the data is incomplete.

DIRECTOR'S MESSAGE

The Office of Civil Rights and Investigations is galvanized in its dedication to appropriate transparency, accessibility, and simplicity. Although many years bring about change, this year has been one for the history books: a global pandemic and the release of revised Title IX regulations in May of 2020. With an eye towards continuous improvement and commitment to transparency, I am pleased to present OCRI's comprehensive annual report, building upon last year's Title IX Report, to encompass all issues of retaliation, discrimination or harassment based on a protected class.

While this report focuses on data collected from July 1, 2019 to June 30, 2020, OCRI has modified our policies and procedures to adapt to the barrage of changes to reflect modifications by federal law, executive orders, city ordinances, and more. Because of these unusual circumstances, I know this report will look different, likely not reflecting the same level of reporting, outreach, and engagement we typically see. Regardless, I must offer my sincerest thanks to the OCRI staff and our community colleagues for their patience, diligence, and unwavering partnership.

Regardless of what may be happening in the world, OCRI remains committed to you: to support, connect, and coach. Whether you need resources for yourself or a friend, please be proactive – reach out, ask questions, but most importantly, engage. I am grateful for our resilient, informed, and unified community; from our students to our employees, Vandals find a

way to demonstrate our commitment to an inclusive, welcoming, and diverse environment. We are appreciative to our campus and community partners, including the Dean of Students Office and numerous student affairs partners, Moscow Police Department, Athletics, Equity and Diversity Units, Housing and Residence Life, and many more. Their collaborative work on prevention, training, and response efforts are unmatched.

Through continuous self-evaluation and reflection, OCRI continues to improve upon the experiences we offer to all who engage with our office, whether it be through training or as an involved party. To be neutral, impartial, and thorough is at the core of who we are and what we do. We know that we are here to honor and respect the rights of all parties, to provide support and resources to our university community, and to serve as a consultant, a coordinator, an investigator, a trainer, or general expert in the areas of discrimination, harassment, and retaliation.

I look forward to continuing to serve our entire university community and hope to be an accessible and friendly support when needed. Let's hope the upcoming year brings peace, harmony, and understanding.

Go Vandals!



Erin Agidius, '08 | '11

STAFF & TEAM MEMBERS

THE PEOPLE BEHIND THE MISSION

The OCRI staff works to support the university community by gathering and reviewing information, conducting interviews, and writing reports. All staff have completed at least 40 hours of civil rights investigator training and continue their education throughout the year by attending webinars, workshops, and more. This year, we virtually welcomed colleagues from across the nation as we hosted a training facilitated by the Association of Title IX Administrators.



LINDSAY EWAN
DEPUTY DIRECTOR



ERIN AGIDIUS
DIRECTOR



LAURA PTAK
ASSOCIATE INVESTIGATOR



TRENT TAYLOR
CIVIL RIGHTS INVESTIGATOR



AMBER FELDMAN
CIVIL RIGHTS INVESTIGATOR

COLLABORATORS

The work accomplished by OCRI is not possible without the help and support of our many campus and community collaborators. From accommodations and adjustments to threat assessment and supportive measures, OCRI owes much of its execution to these partners and more. They play a tremendous role in our ability to be thorough, prompt, and impartial.



DEFINITIONS

Throughout the course of this report, we have used specific terminology and referenced various institutional policies. This page is to aid you in better understanding the language used within the context of this report.



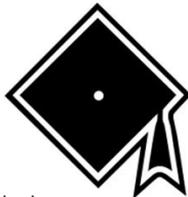
Complainant(s): The person(s) who is alleged to have experienced the reported behavior.

Respondent(s): The person(s) who is alleged to have engaged in the reported behavior.

Party: Either the complainant or respondent. Parties includes the complainant(s) and respondent(s), collectively.

FSH: Abbreviation for university policy found in the Faculty Staff Handbook.

Title IX: A federal, nondiscrimination statute enforced by the US Department of Education and Office of Civil Rights, prohibiting discrimination on the basis of sex under any education program or activity receiving federal financial assistance. Sexual harassment constitutes discrimination prohibited by Title IX.



Discrimination: The differential treatment of an individual or group of people based on a protected characteristic (e.g., race, color, national origin, religion, sex, including pregnancy and gender identity, age, marital and parental status, disability, sexual orientation, genetic information veteran status). Harassment is a form of discrimination.

Report: When the university has knowledge of a concern related to discrimination, harassment, or retaliation.

Investigation: The formal collection of information and in some cases, the determination or recommendation of responsibility.

POLICIES

FSH 2300 - Student Code of Conduct

FSH 2310 - Amnesty Policy

FSH 2400 - University Disciplinary process for Alleged Violations of Student Code of Conduct

FSH 3200 - Policy of Nondiscrimination

FSH 3210 - Antidiscrimination

FSH 3215 - Non-Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression

FSH 3220 - Sexual Harassment

FSH 3810 - Retaliation

FSH 6100- Title IX Sexual Harassment

For the full details of each policy visit

www.uidaho.edu/fsh



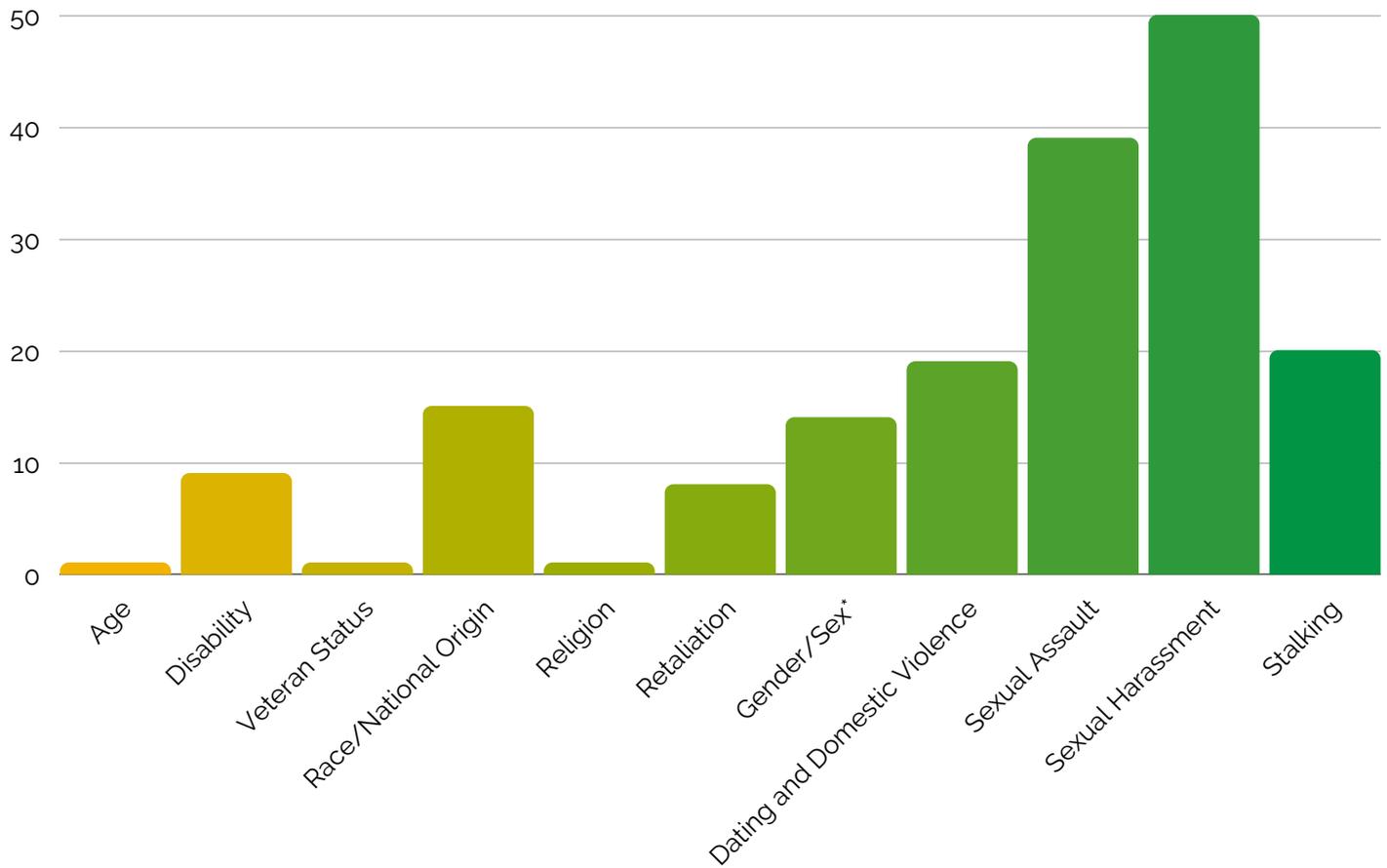
NOTES ABOUT DATA

This data is being published to enhance transparency and inform the campus community about the number of reports of discrimination, assault, or retaliation alleged to have been committed within the university community.

The following notes are offered in an effort to provide the reader clarity:

- The data is collected and reported on a fiscal year basis, July 1, 2019 to June 30, 2020 (FY 20).
- The data does not include reports made to confidential resources such as the Counseling and Testing Center, Ombuds, Vandal Health Clinic, or the Women's Center.
- Although new Title IX regulations were released May 2020, they were not effective and implemented until August 14, 2020. Therefore, any changes from the new regulations are not reflected in this annual report.
- If an incident involved more than one type of misconduct or basis for complaint, they are all reflected in this data as OCRI is unable to create a hierarchy between protected status complaints. However, some may be grouped together to preserve party privacy.
- All reports are included, even those where the identity of one or both parties is unknown.
- Complaint allegation data in this report will not correspond to the university's Annual Security and Fire Safety Report (ASFR), required under federal law, "The Clery Act." This annual report uses definitions of prohibited conduct that are more expansive than the Clery-reportable offenses and also includes cases from a wider geographic jurisdiction than the ASFR.
- Some reports involve several allegations relating to a single complainant. All allegations will be reflected in this data. Where a complainant indicates more than one basis for the complaint, all of those bases are separately reported here. The bases identified by complainants are also reported regardless of whether the allegations or the investigation determined there to be a policy violation or finding of responsibility.
- Multiple complaints reported individually at different times will be entered as separate cases. However, it's possible those cases are consolidated into a single investigation. Therefore, because of the possibility of multiple complainants and/or respondents in a single case, and because of the possibility of consolidating multiple cases into a single investigation, there may be differing data between reports and investigations.

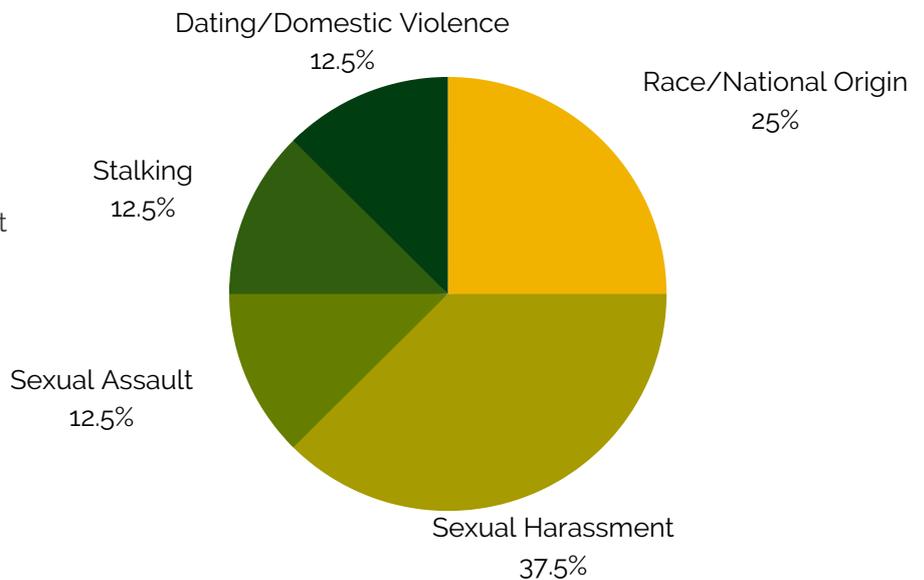
COMPLAINT ALLEGATIONS BY CATEGORY



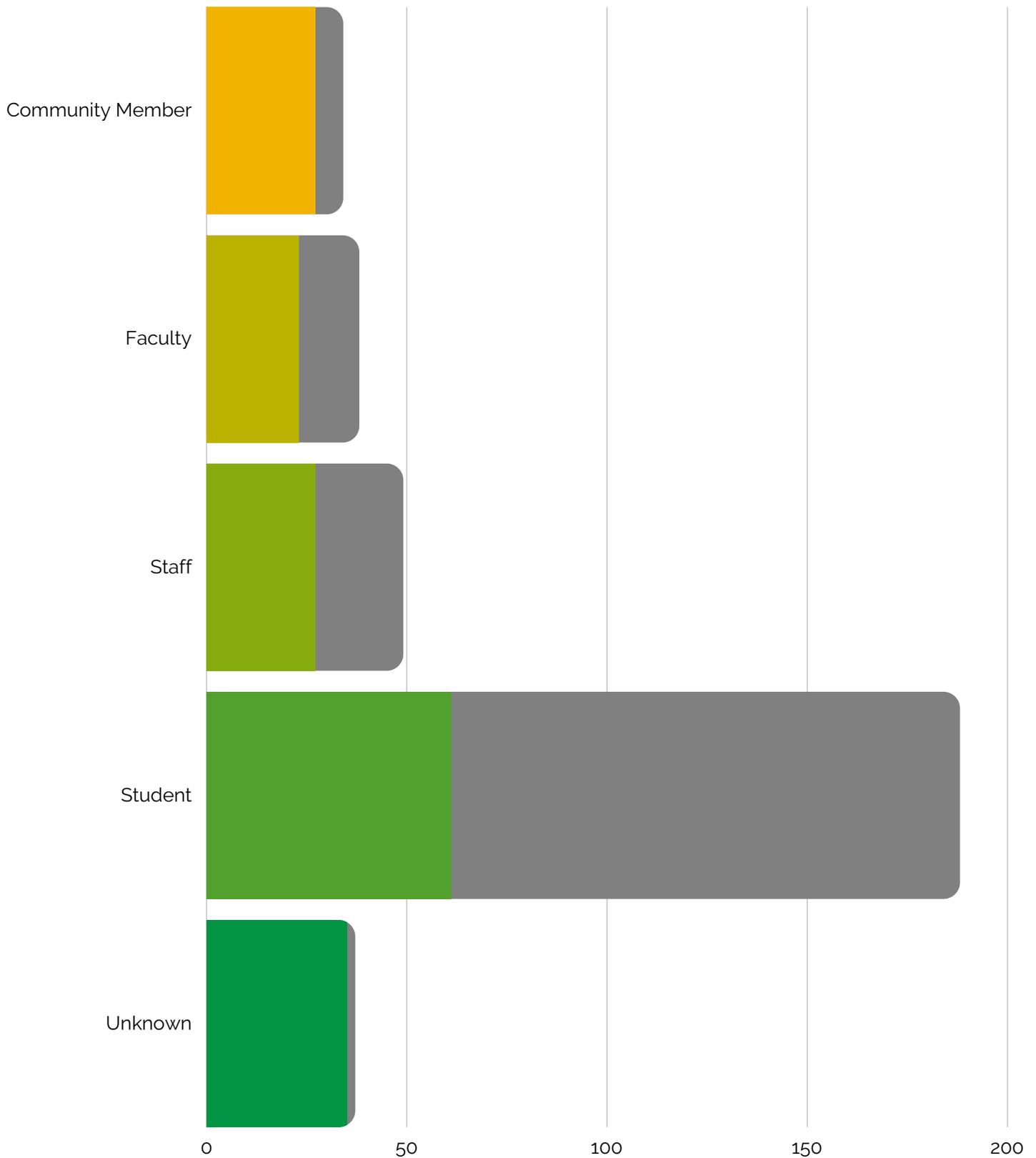
*For reports that do not meet the definitions of dating violence, domestic violence, sexual assault, sexual harassment, or stalking.

FORMAL INVESTIGATION

Not all reports will result in a formal investigation for a variety of reasons (e.g., lack of jurisdiction, complainant disengagement, inarticulable basis to proceed, etc.). This data reflects OCRI's formal investigations from FY19. Please note that some categories have been combined and limited data is provided to ensure anonymity.



PARTY AFFILIATION

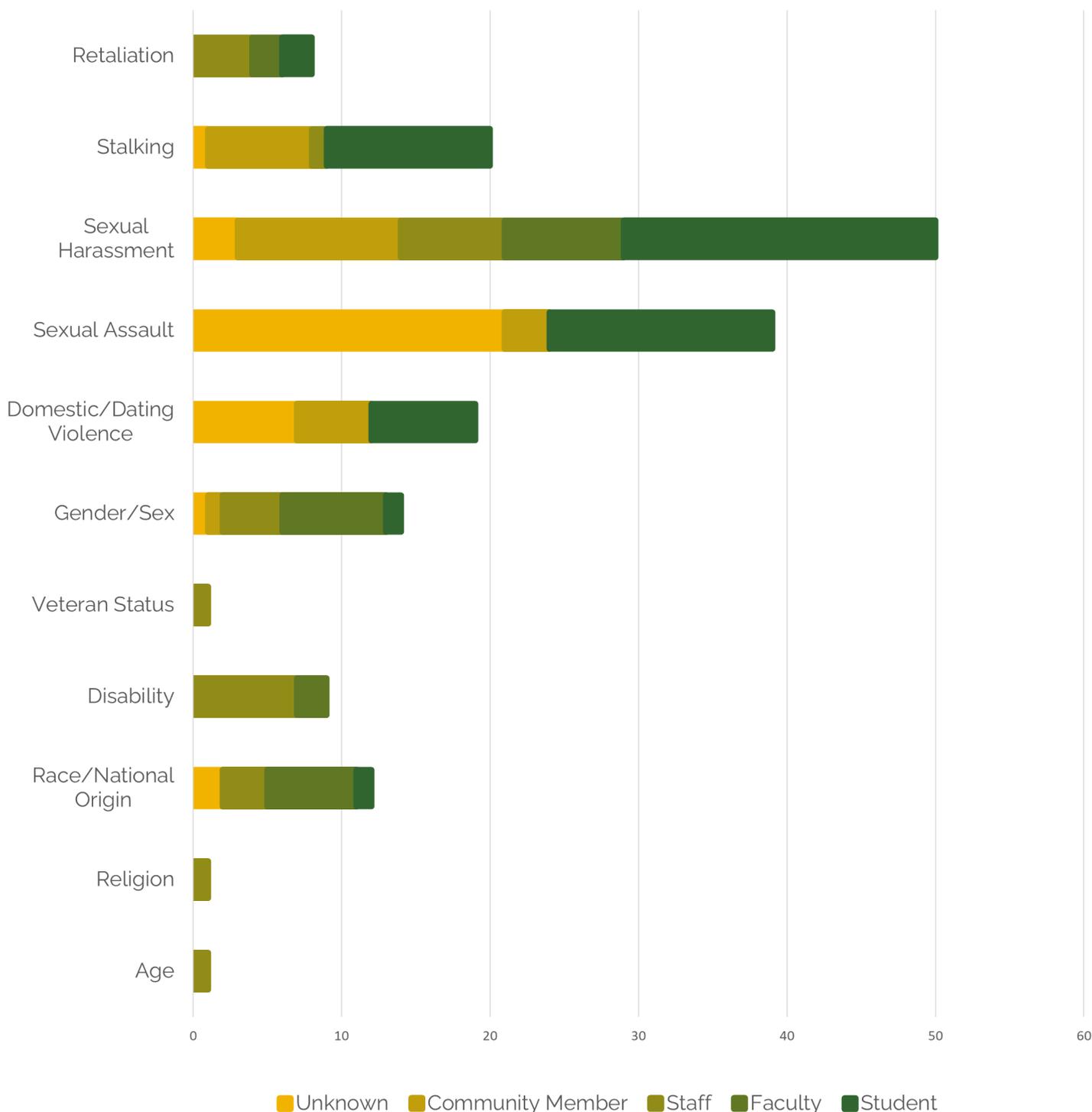


Parties are categorized by their affiliation status based on the context in which the reported behavior occurred. For example, if a student employee reports sexual harassment during work, they will be categorized as an employee.

 = Respondents
 = Complainants

REPORTS BY CATEGORY

RESPONDENT AFFILIATION



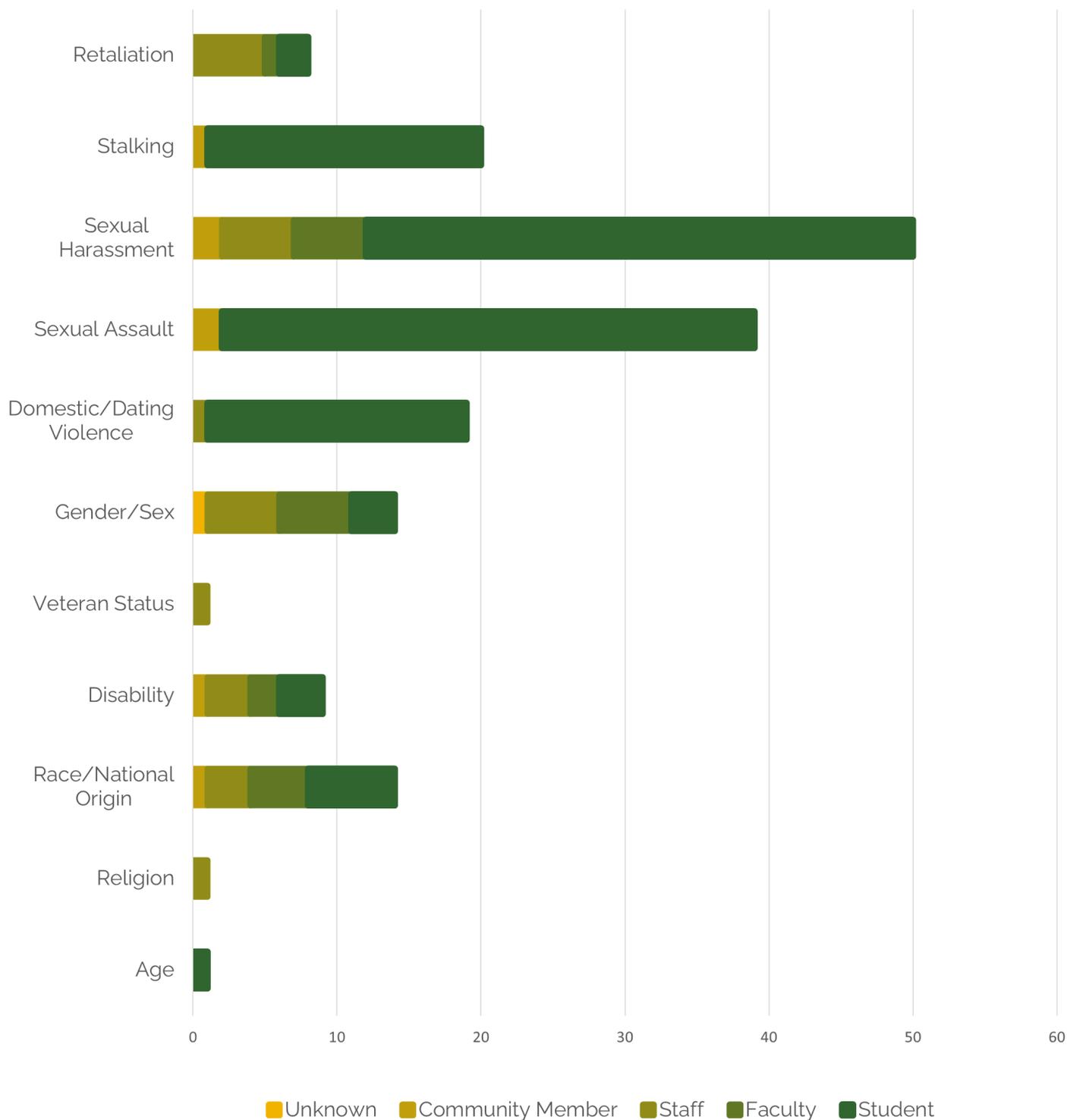
If an incident involved more than one type of misconduct or basis for complaint, they are all reflected in this data as OCRI is unable to create a hierarchy between protected status complaints. However, some may be grouped together to preserve party privacy.

All reports are included, even those where the identity of one or both parties is unknown.

Some reports involve several allegations relating to a single complainant. All allegations will be reflected in this data. Where a complainant indicates more than one basis for the complaint, all of those bases are separately reported here. The bases identified by complainants are also reported regardless of whether the allegations or the investigation determined there to be a policy violation or finding of responsibility.

REPORTS BY CATEGORY

COMPLAINANT AFFILIATION



If an incident involved more than one type of misconduct or basis for complaint, they are all reflected in this data as OCRI is unable to create a hierarchy between protected status complaints. However, some may be grouped together to preserve party privacy.

All reports are included, even those where the identity of one or both parties is unknown.

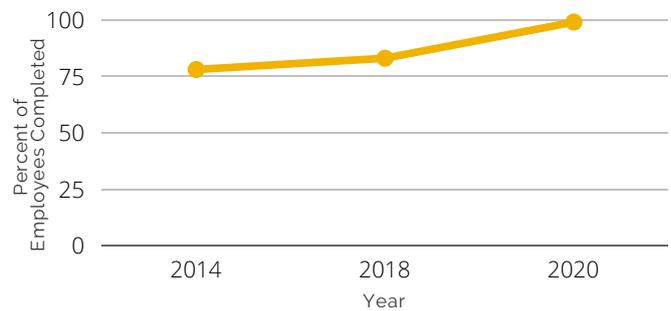
Some reports involve several allegations relating to a single complainant. All allegations will be reflected in this data. Where a complainant indicates more than one basis for the complaint, all of those bases are separately reported here. The bases identified by complainants are also reported regardless of whether the allegations or the investigation determined there to be a policy violation or finding of responsibility.

TRAINING & OUTREACH

Creating a Respectful Community

OCRI worked with campus partners from the Office of Educational Development and Learning (EDL)/Workforce Diversity to update and launch a critical component of compliance — required employee training titled "Creating a Respectful Community." This training covers topics such as reporting requirements, policy, resources, prevention, how to respond to disclosures, and more.

Over the course of the deployment, 4,256 employees completed the required online training, including board-appointed and temporary employees. With only 27 employees failing to complete the training, OCRI is thankful the partnership with EDL allowed for a 99 percent completion rate, demonstrating continuous improvement.

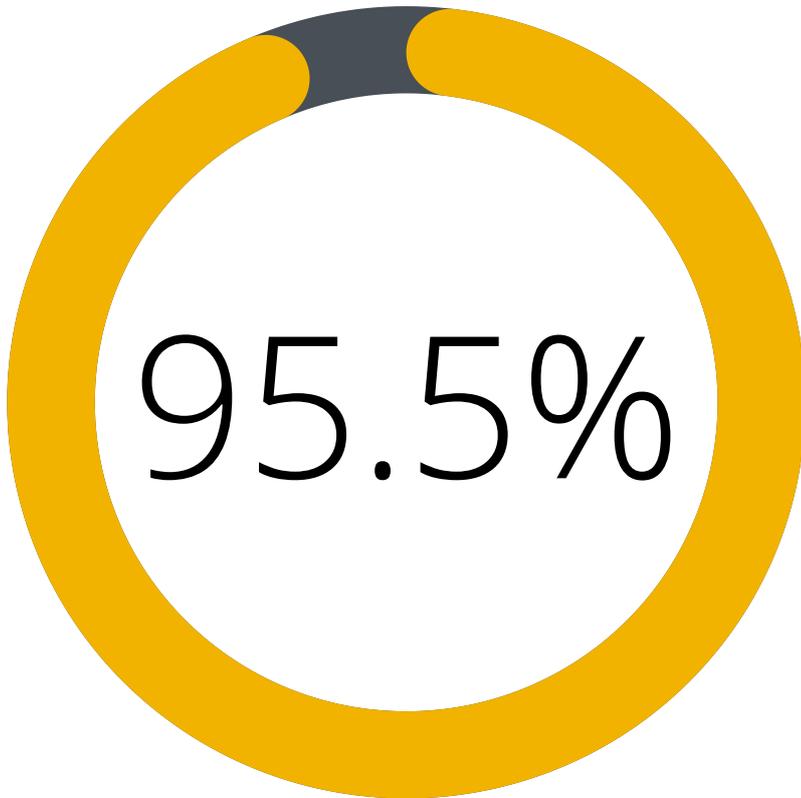


Live Training Opportunities

As we transitioned to remote learning and working, OCRI continued to offer training and education. OCRI reached 2,868 students, staff, and faculty through 30 training sessions. As always, we offer customized trainings to specific student groups, departments, or units in addition to open registration training for the entire university community.

- Sexual Misconduct Disclosure Procedures
- Sexual Harassment: Identify and Prevent
- Title IX Overview
- ADA: Supervisor & Employee Roles and Responsibilities
- Appropriate Interpersonal Relationships
- Consent: The Real Deal
- The Complaint Process: Title VI, Title VII, Title IX, ADA, Retaliation
- Service and Emotional Support Animals
- Faculty Responsibilities under the ADA

STUDENT TRAINING



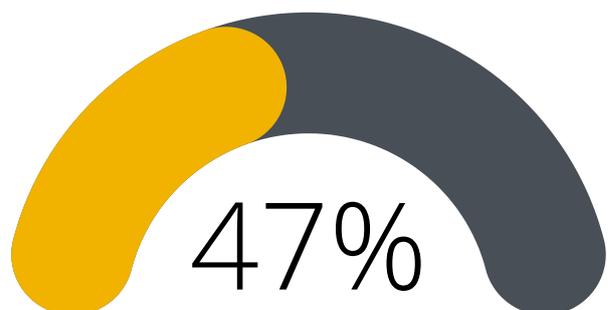
All first-year, undergraduate U of I students under the age of 24 as of the first day of classes, are required to complete the required safety programs "Sexual Assault Prevention for Undergraduates" (SAP=U) and AlcoholEdu. These courses are administered through the Office of the Dean of Students and must be completed in order to register for the following semester. The training covers everything from alcohol and drug use to healthy relationships and sexual assault. It not only guides students through scenarios, but it also equips them with campus specific resources. Of the 1,964 students assigned, 1,876 students completed the program.

As with much of the university's operations, Violence Prevention Programing saw a decrease in Green Dot training outreach from the prior year, with only 554 individuals (including students and employees) reached during the reporting year — a decrease of approximately 47 percent.

Green Dot training was eventually adapted by the national organization so that it could be provided solely online. The time required to transition all materials and to train staff to the new format, in addition to the university shut down and Covid-19 restrictions, likely played a role in the unfortunate outreach decline.

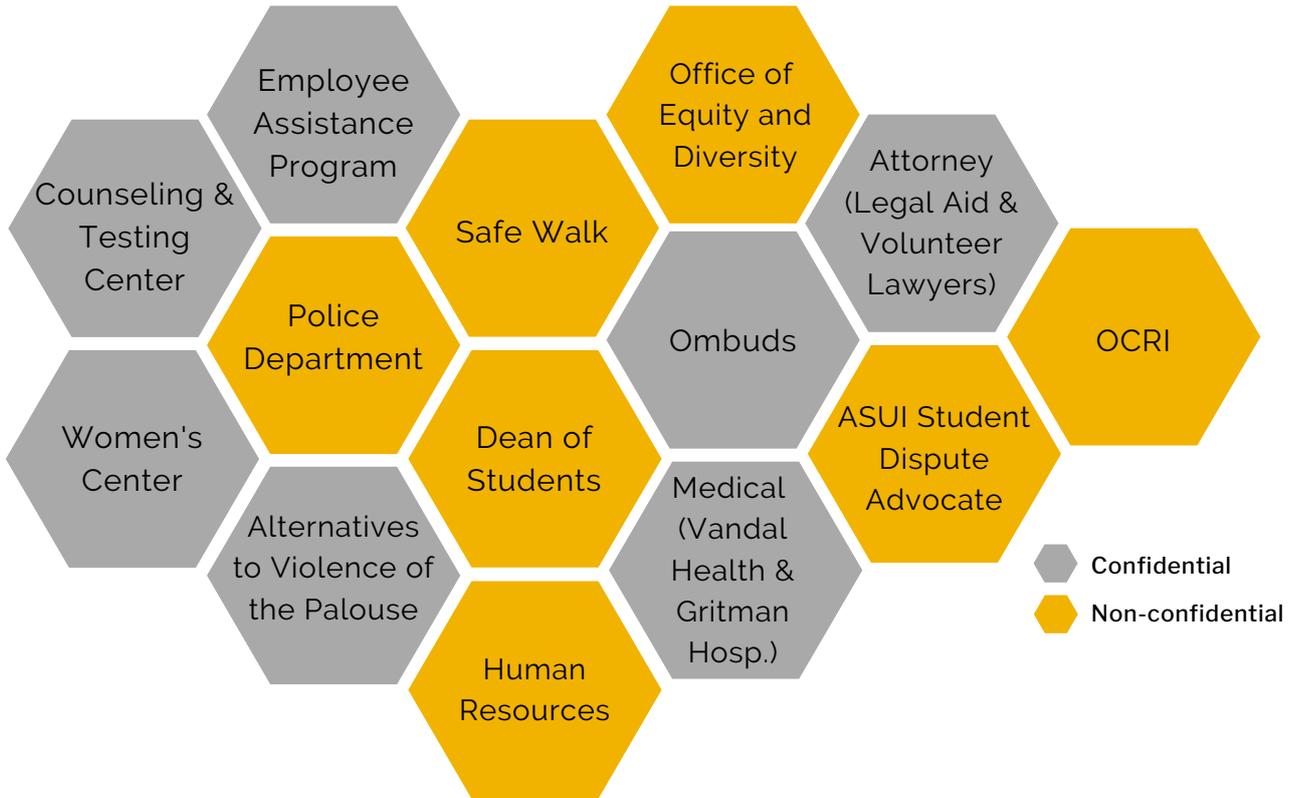
GREEN DOT

Bystander Intervention Programing



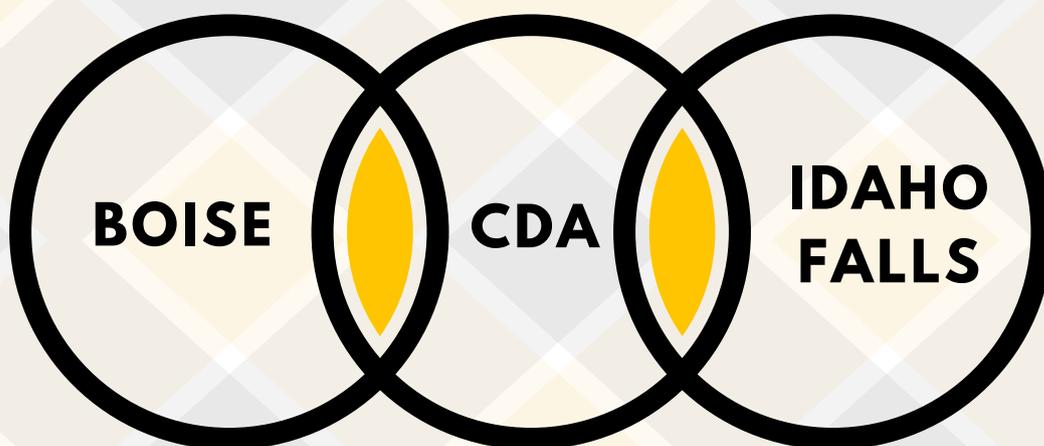
RESOURCES

The Moscow campus at the University of Idaho and surrounding community offer medical, mental health, academic, and other supports to students and employees who experience sexual violence or harassment.



DISTANCE LOCATIONS

Our distance campuses are able to utilize many of the same resources (e.g., Human Resources, Employee Assistance Program, Women's Center, Ombuds, etc.). However, satellite campuses also have other region-specific options at their disposal. Visit <https://www.uidaho.edu/ocri/resources> to learn more.



ALL CAMPUS RESOURCES

Confidential:

Women's Center | 208-885-2777 | wcenter@uidaho.edu
Counseling & Testing Center | 208-885-6716 | ctc@uidaho.edu
Ombuds | 208-885-7668 | ombuds@uidaho.edu

Non-confidential:

Office of Civil Rights & Investigations | 208-885-4347 | ocri@uidaho.edu
Dean of Students | 208-885-6757 | askjoe@uidaho.edu
ASUI Student Dispute Advocate | 208-885-9331

CDA

Confidential:

Safe Passage
208-664-9303

Kootenai Hospital
208-625-4000

Northwest Urgent Care
208-209-2060

Law Enforcement:

CDA Police Dept.
208-769-2320

Kootenai Sheriff
208-446-1300

Post Falls Police Dept.
208-773-3517

BOISE

Confidential:

BSU Counseling
208-426-7459

Faces of Hope
208-577-4400

Idaho Coalition Against
Sexual & Domestic
Violence
888-293-6118

St. Luke's ER
208-381-2222

Law Enforcement:

Boise Police Dept.
208-377-6790

Ada County Sheriff
208-577-3000

IDAHO FALLS

Confidential:

ISU Counseling
208-282-6716

Domestic Violence &
Sexual Assault Center
208-235-2412

Mountain View Hospital
208-557-2700

Law Enforcement:

Idaho Falls Police Dept.
208-529-1200

Bonneville County Sheriff
208-529-1375

Visit uidaho.edu/ocri for additional details about these resources and more.





Office of Civil Rights and Investigations
208-885-4285 | ocri@uidaho.edu | uidaho.edu/ocri