Report of the Campus Climate Response Team

2021-2022

Background

Goal 2 of the UMD's strategic plan is to "Advance equity, diversity, inclusiveness, and social justice within the campus community." The Campus Climate Response Team was formed by the Campus Change Leadership Team in the summer of 2012. The CCRT was formed in order to respond to issues or incidents that degrade or threaten the campus climate and that require a response beyond that provided by established processes.

The CCRT website lists these among the team's responsibilities:

- The CCRT receives data from other processes and offices that also respond to campus climate incidents. CCRT conducts regular reviews of the data to analyze how incidents are handled on campus and to identify trends and patterns occurring over time.
- The CCRT designs and recommends strategies to improve responses to issues and incidents and addresses outcomes of data analyses. This includes recommendations for programming, education and other proactive approaches.

With regard to the first responsibility, Corey Christensen and Gabrielle Mead (Equal Opportunity and Affirmative Action) and Dr. Katie Jackson (formerly of the Office for Student Conduct and Conflict Resolution) compiled data regarding incidents that occurred during the 2020-2021 academic year. All identifying data were removed from the incidents.

The data were presented in half year increments: July – December, 2021 and January – June 2022. A summary report is posted to the CCRT website. The CCRT met in September, 2022 to review the incident data, to identify and discuss trends and patterns, and to devise recommendations to the Campus Climate Leadership Team (CCLT) for programming, training, and other proactive approaches.

Updates on Progress on 2020-2021 Recommendations

The CCRT made the following recommendations to the CCLT for 2021-2022 and those recommendations were accepted. Progress on each of the recommendations is reported.

Recommendation 1: UMD should continue to offer alternative, informal incident resolution options in addition to formal processes. The Office of Student Conduct and Conflict Resolution (OSCCR) developed a series of conflict resolution options, as illustrated on the OSCCR "Opportunities for Resolution" website. It might be worthwhile to have clear information for faculty and staff as to what options for informal resolution are available to them as employees.
Update on Progress:
No progress was made on this recommendation.

Recommendation 2: The CCRT continues to support the creation of an Ombuds position. Such a role could provide additional support for faculty, staff, and students as well as assistance with implementing informal resolutions.
Update on Progress:
An Ombuds position was developed by Chancellor Black and a search commenced. Unfortunately, the search was not successful, and the position was suspended until a new Chancellor begins at UMD.

Recommendation 3: UMD should consider exploring a way to make the schedule for diversity, equity, and inclusion training for students, faculty, and staff more easily available.
Update on Progress:
No progress was made on this recommendation.

Recommendation 4: The CCRT supports the effort currently underway to improve the UMD community's understanding of how to report a campus climate incident.
Update on Progress:
Under the leadership of University Marketing and Public Relations, an effort was undertaken to create a new, streamlined reporting website.

Recommendation 5: UMD should consider exploring ways to help members of the community deal with harmful social media. Student Life's new Freedom of Expression website might provide a vehicle for education (through the Discern page).
Update on Progress:
No progress was made on this recommendation.

Discussion of Incident Data

The CCRT reviewed the 2021-2022 summary incident data.

Harassment Reports

With the exception of the academic year most profoundly impacted by the COVID-19 pandemic, campus climate reports have steadily increased since the CCRT began tracking those data. The campus continues to place an emphasis on encouraging students, faculty, and staff to report incidents. The redesign of the campus climate reporting site was an important accomplishment for UMD in 2021-2022. The effort to recreate the reporting website in a way that was clear and helpful was led by University Marketing and Public Relations, with input and feedback from the OSCCR, EOAA, and other members of the CCLT. Several other examples of the way the campus places an emphasis on reporting is that students learn about making campus climate incident reports during Bulldog Welcome Week and the topic is a focus during Resident Advisor training.

In 2021-2022, members of the CCRT noted that reports of harassment continue to dominate all reporting categories. Table 1 depicts the overall increase in campus climate incidents as well as in harassment reports. For the purposes of this table, all forms of harassment are aggregated. Details are found in the reports on the CCRT website (under "Reports").

Year	Total # of Reports	Total # of Harassment Reports
2012-2013	50	20
2013-2014	28	9
2014-2015	47	12
2015-2016	51	15
2016-2017	70	25
2017-2018	97	51
2018-2019	124	57

Year	Total # of Reports	Total # of Harassment Reports
2019-2020	134	73
2020-2021*	86	37
2021-2022	116	82

**Significant COVID-19 impacts to campus operations*

In 2021-2022, harassment reports comprised 70.7% of all campus climate reports, and among the 82 reports, sexual harassment comprised over half (48 reports). The CCRT also noted that 23 of the 48 reports of sexual harassment involved graffiti and drawings of a sexual nature found on housing surfaces (white boards, walls, elevators, etc.) in areas where others could see them. In the vast majority of those incidents, the individual responsible was not identified. Therefore, the emphasis on addressing climate incidents in RA training continues to be very important for the housing environment.

Frequency of incidents

As noted in the previous section, the category of incidents with the most reports was harassment (82) and this was followed by discrimination (16). Again, within the harassment category, sexual harassment was reported most frequently (48), followed by racial harassment (14). The 2022-2023 recommendations for the CCLT will include suggestions related to these areas of concern. The CCRT noted several trends with regard to the incidents reported in 2021-2022.

First, the majority of incidents reached some form of resolution through informal processes. No cases (at this writing) were resolved through a formal process. The resolution of cases through informal means happens for several reasons:

- Complainants ***chose*** an informal resolution.
- Incidents do not rise to a policy violation, but still need to be addressed. Informal resolution opportunities (notice and coaching, conversation with professional staff, removal of offensive signs, etc) can provide education to students, faculty, or staff who have engaged in harmful behavior.

Some cases have no resolution, and this occurs for a variety of reasons. For example, reports often come from third parties who receive information from a member of the campus community. A case might not be resolved when the identity of a complainant, respondent or respondents is unknown to the third-party reporter. A case might not be resolved when the

complainant indicates they want no follow-up or does not respond to outreach from EOAA or the Office of Student Conduct and Conflict Resolution. Table 2 depicts the types of resolutions achieved in 2021-2022.

Resolutions	July - Dec., 2021	Jan. - June, 2022	TOTAL
Informal process	52	29	81
Formal process	0	0	0
No resolution	19	13	32
TOTAL	**71***	**42****	**113**

** Two cases are still open*
*** One case is still open*

Second, the CCRT continued to observe that on a number of occasions, the appropriate office received no response after reaching out to members of the campus community who may have experienced a harmful campus climate incident. This happened most frequently when someone other than the complainant made a report on behalf of the person who experienced the harm. An absence of a response from a complainant meant that a resolution to the issue was difficult (and often impossible) to achieve. Table 3 depicts the responses from complainants in 2021-2022.

Response from Complainant	July - Dec., 2021	Jan. - June, 2022	TOTAL
A response was received from the complainant(s)	44	30	74
No response was received from the complainant	11	8	19
Third party report - no complainant identified	18	5	23
TOTAL	**73**	**43**	**116**

When the identity of a complainant is known, in all cases they are provided with options for formal reporting, resources, and an invitation to meet with staff who can provide support. This is true in cases where a third party makes a report for someone else, or when a complainant files the report but doesn't respond to further attempts at contact.

Outcomes

Members of the CCRT hear frequently from members of the campus community that there is a desire to learn about the outcomes that follow a campus climate incident report. There is interest in a more open and transparent accounting after a campus climate incident, and it can be frustrating to learn that privacy laws and policy largely prevent the disclosure of outcomes. In addition, employing a trauma-informed approach to supporting individuals who have experienced a climate concern also limits disclosure.

For students, the privacy restrictions are found in the Family Educational Rights and Privacy Act (FERPA) and the Minnesota Government Data Practices Act (MGDPA). Both laws state, in general, that higher education institutions must have written permission from a student in order to release any information from a student's education record. The definition of a "student's education record" is very broad and encompasses any records related to complaints about a student or the resolution of a disciplinary matter involving students. The University of Minnesota Board of Regents Policy: Student Education Records provides information about the application of the federal and state privacy laws at UMD.

For employee records, the MGDPA governs. As noted on this Office of General Counsel website, some categories of information about employees relevant to the topic at hand is public and limited to these situations: "the existence and status of complaints against the employee, and disciplinary history."

Given that all reports either resolved informally or had no resolution at all and the restrictions on publicly disclosing student education records, UMD's ability to disclose information about specific cases is severely limited.

UMD offices who respond to individuals who have experienced a campus climate incident use a trauma-informed approach. This means that there is not only acknowledgement of the trauma experienced by the individual, but a centering of the person in terms of their safety, needs, and well-being. In plain terms, this means that in most circumstances, the individual who experienced the incident determines what happens next and the approach the University takes to resolving the situation (informally, formally, or not at all). That context is important in viewing the data in Tables 2 and 3. In Table 2, we see that all cases were resolved through an informal process. That means the individuals experiencing the unwelcomed conduct desired that approach. In Table 3, we see that 19 individuals did not respond to repeated outreach from the office who received the report. The University does not force someone who experienced a campus climate incident to respond or to engage in a formal resolution process (the only process that has the potential for a disciplinary outcome).

For a number of years, the CCRT has wrestled with this dilemma - the interest in the campus community to learn about the outcomes of campus climate reports vs. the privacy protections and the trauma informed lens used to support individuals who have experienced the incidents. The CCRT does not take lightly or discard cavalierly the interest in the campus community and understands one of the arguments frequently offered: if the campus community was aware of the consequences of misconduct, more reports might be made.

In a movement toward the desired transparency, the CCRT offers this sampling of outcomes of several cases in 2021-2022 (unattached to any information that might disclose the identities of the students, faculty, and staff involved either as individuals who experienced the incident OR who may have been responsible for the incident).

- Informal resolutions
    - EOAA provided recommendations to the department head, director, or supervisor to address the behavior.
    - OSCCR met with the student respondent for “notice and coaching” (discuss relevant University policies prohibiting the alleged behavior, provide education relevant to the concern, and reiterate the University’s prohibition against retaliation).
    - A member of the Bulldog Engagement Network met with the student respondent (informal discussion, mentoring, coaching, review of University policy that could have future relevance, restorative practices, and other non-disciplinary educational or support measures).
    - Supportive measures were provided to the person who experienced the misconduct (changing rooms in Housing and Residence Life, counseling support, WRAC support)
    - In the course of addressing a Student Conduct Code or Housing Policy violation, staff also discussed elements of bias present in the report.

2022-2023 Recommendations

The CCRT makes the following recommendations to the CCLT for 2022-2023.

- The CCRT recommends that staff be reminded of the services of the system Office of Conflict Resolution. We recognize that those services are not available to members of bargaining units on campus, and also recommend that UMD continues to mind that gap.
- The CCRT recommends that UMD widely promote the new reporting website and ensure it is linked in the right places throughout UMD’s website..

- The CCRT recommends the diversity, equity, and inclusion modules for faculty and staff be made mandatory for all new employees, and that a process is developed to standardize the assignment of those modules. The work to develop the process could be overseen by a new campus DEI leader planned to be hired this year.
- Finally, the CCRT recommends that this report and the associated data be shared widely and broadly. Groups that should receive direct outreach include:
    - UMD Faculty Senate
    - UMD Staff Senate
    - UMD Student Association
    - Bargaining Unit Leadership
    - Directors groups (CODAA, Student Life Directors, VCFO Directors, Chancellor's Unit Directors, etc.)

  Members of the CCRT are ready, willing and able to present on these results and recommendations.

Questions about this report may be directed to:

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