

2019 Annual Report

Campus Sexual Assault in Delaware





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December 13, 2019

To: Governor John C. Carney and Members of the 150th General Assembly
Re: **Annual Report on Campus Sexual Assault in Delaware**

Dear Governor Carney and Members of the General Assembly,

Pursuant to 14 *Del. C.* § 9006A, the Delaware Department of Justice (DOJ) has prepared and submits the annual report on campus sexual assault in Delaware reflecting the 2018 calendar year. Six schools- Delaware State University, Delaware Technical Community College, Goldey-Beacom College, the University of Delaware, Wesley College, and Wilmington University- met the criteria to report to DOJ, and we extend our thanks to them, their public safety agencies where applicable, and the Statistical Analysis Center (SAC) for providing the required information need for this report.

Schools were asked to report on their compliance with training requirements, the numbers of sexual assaults reported and how such reports were handled, and in the case of schools with public safety agencies, the numbers of reports of criminal sex offenses.

Overall findings include:

- For the 2018 calendar year, schools reported providing training between 0% and 100% of faculty members depending on the school and between 0% and 100% of staff members depending on the school. Because of biannual training requirements, schools may have fulfilled their training requirement in a prior reporting period.
- Four schools reported training between 82% and 100% of newly enrolled students depending on the school. Two schools reported training between 31.23% and 38.5% of the total student population depending on the school. (Future reporting methods will be adjusted to ensure reporting consistency across schools.)
- There were 40 campus reports of rape, 47 campus reports of nonconsensual genital contact, and 59 campus reports of nonconsensual sexual or physical contact.

- Campus police agencies reported 4 criminal reports of rape, 2 criminal report of rape and unlawful sexual contact, 5 criminal reports of unlawful sexual contact, 5 criminal report of lewdness, 2 criminal report of sexual harassment, and 1 criminal report of indecent exposure.

A reader may notice differences between the numbers of campus criminal reports and the numbers of campus reports of sexual assault. The figures do not encompass the criminal reports made to non-campus police agencies. In addition, schools are generally tracking the number of reports they receive, regardless of whether the student proceeds with a formal school or criminal complaint or seeks resources, so their numbers are expected to be higher. It is also possible for an action to constitute sexual assault as defined in § 9001A but not meet the elements necessary to charge a criminal sex offense.

In addition, it is important to highlight that sexual assault has historically been unreported or underreported. Increased reporting of sexual assault can reflect the culture shift in our community to take cases of sexual assault seriously.

All information was provided and is presented without identifying information regarding the complainant or respondent to protect the privacy of all individuals. As the statute requires DOJ to present what is received from schools, their public safety agencies, and SAC, the information contained herein has not been, and should not be interpreted to have been, verified by DOJ.

Sincerely,



Gregory Patterson
Chief of Staff

cc: Title IX staff of Delaware State University, Delaware Technical Community College, Goldey-Beacom College, University of Delaware, Wesley College, and Wilmington University
Delaware Statistical Analysis Center

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Methodology

The Department of Justice provided an online portal for campuses and campus law enforcement to submit that information electronically.

The statute only requires reporting of aggregate data on the “nature” of offenses, which is not defined. The schools each have their own methods of classifying campus offenses that in some cases did not fit the way DOJ requested that they report them (rape or nonconsensual penetration, nonconsensual genital contact, and nonconsensual physical or sexual contact, including attempts within each category). As a result, the aggregate data for schools in the report may differ from schools’ own reports because in certain cases, DOJ found that the description of an offense was more suited to a different classification of offense than used by the school or, in the case of a definition that encompassed verbal harassment or non-sexual violence, did not meet the definition of sexual assault in the statute. We have also opted to provide more description of offenses (when such information was provided) than required to highlight the variety of actions encompassed by the statute and how schools responded.

Any information that could identify a complainant or respondent was removed from the materials to protect the privacy of all individuals.

Statutory Requirements

To address campus sexual assault, Delaware law ([14 Del. C. §§ 9001A — 9007A](#)) requires Delaware colleges with more than 1,000 students to: offer to victims to report incidents of sexual assault perpetrated by or against a student to law enforcement authorities servicing the college, inform victims of their rights under the Victims' Bill of Rights, inform victims of available confidential medical and counseling services, and to report data to state government to insure compliance and measure the scope of the issue.

This law provides:

- “Responsible college employees” as defined in § 9001A(3) must offer to contact law enforcement or public safety staff if a student reports a sexual assault to them, and must contact law enforcement or public safety staff within 24 hours if the student accepts the offer.
- For purposes of this policy, a sexual assault is defined as “physical contact of a sexual nature perpetrated without consent or where consent is unable to be given”.
- Victims must be provided or directed to a copy of the Delaware’s Victims’ Bill of Rights or a summary version thereof.
- Colleges must provide training to employees and students on sexual assault and the law. Training is required for new employees within 3 months of beginning work as a responsible employee. Refresher training is required for all responsible employees at least every 2 years. Training is required for all newly enrolled full-time students.
- By October 1 of each year, law enforcement agencies, colleges, and the Statistical Analysis Center must provide data on campus sexual assault to the Delaware Department of Justice, which will prepare a report for the Governor and General Assembly.
- These requirements apply to Delaware State University, Delaware Technical Community College, Goldey-Beacom College, University of Delaware, Wesley College and Wilmington University.

In June 30, 2019, the enforcement provisions of the statute went into effect. DOJ will receive and investigate reports and complaints of higher education institutions not complying with their requirements for dealing with sexual assaults on campus under 14 Del. C. §§ 9001A — 9007A.

Examples of violations would include:

- A responsible employee of an academic institution informed by a victim of an alleged sexual assault who DOES NOT offer to notify law enforcement or public safety officials, when the alleged sexual assault occurred while the victim or perpetrator was on campus or was enrolled as a student at the academic institution.
- In the situation above, if the victim requests a report, the employee DOES NOT make the report to law enforcement within 24 hours.

- In the situation above, the employee or the academic institution DOES NOT provide or direct the alleged victim to a copy of the Victim’s Bill of Rights or a summary version thereof approved by the Delaware Department of Justice.
- If law enforcement officers or public safety officials serving an academic institution receive a report of an alleged assault that took place outside of their jurisdiction but DO NOT within 24 hours of receiving the report notify the municipal or state law enforcement agency having jurisdiction over the offense.
- A college subject to the law DOES NOT offer training regarding the prevalence and nature of sexual assaults on college campuses, the reporting requirements of state law, and the reporting requirements under federal Title IX of the Education Amendments of 1972 [20 U.S.C. § 1681 et seq.] or regulations thereunder.

Reports of a suspected violation of 14 Del. C. §§ 9001A — 9007A by an academic institution can be made to the Department of Justice via webform, <https://attorneygeneral.delaware.gov/complaint-academic/>

Text of the Annual Report Statute

Title 14

§ 9006A Annual report.

(a) By October 1 of each year, an academic institution is required to make a report to the Department of Justice detailing the following information for the prior calendar year:

(1) Certify its compliance with the training requirements of this section. The certification shall include information on training participation rates for faculty, staff, and students, as well as information regarding the format and length of training for each group.

(2) Total number of reports of sexual assault made to the academic institution's Title IX coordinator. The report shall include aggregate data regarding the nature of the assault, the outcomes of any investigation, and any penalties enforced by the school against the perpetrator of a sexual assault where the assault was found substantiated.

(3) Where the academic institution has law-enforcement officers or public-safety officials of its own, that campus law-enforcement agency shall provide the aggregated data of the number and nature of alleged sexual assault reports they received.

(b) By October 1 of each year, the Statistical Analysis Center shall submit to the Department of Justice a report on the outcome or status of complaints of violations of §§ 767-773 of Title 11 where the alleged victim or the alleged perpetrator, or both, is a student of an academic institution and whether the alleged offense occurred on campus at an academic institution. The report shall cover the previous calendar year. The Statistical

Analysis Center may work with the Delaware Criminal Justice Information System to create a mechanism for police reports of such complaints to indicate whether the alleged victim or the alleged perpetrator, or both, is a student of an academic institution and whether the alleged offense occurred on campus at an academic institution as defined in this section.

(c) By December 15 of each year, the Department of Justice shall furnish to the Governor and the General Assembly all the information provided by each academic institution in subsection (a) of this section and the statistical information reported by the Statistical Analysis Center under subsection (b) of this section. This report shall be considered a public record and shall be posted on the Department of Justice website.

(d) No reports under this section shall contain any personally identifiable information relating to the alleged victims or perpetrators of a sexual assault.

Campus Compliance with Training Requirements

Delaware State University

	# Trained	# Employed or Enrolled	Percentage Trained
Faculty	0	333	0.00%
Staff	0	529	0.00%
Students	1,876	4,872	38.5%

DSU reported that they did not provide training to faculty or staff in 2018 as they provide training every two years (DSU's prior report covering 2017 showed faculty training was provided). DSU reported 333 faculty members and 523 staff members employed. They reported that 45 minutes of training is provided during New Employee Orientation which consists of face-to-face training, a PowerPoint presentation about federal and state laws, university policies, notices on sexual assault, harassment, retaliation, ADA regulations and discrimination, resource information about trauma, scenarios of reporting responsibility, pamphlets from VAWA, Responsible Employee's card, filing a complaint link, Delaware Victim's Bill of Rights link, and resource information for victims both national and local.

DSU reported a total of 4,872 enrolled students with 1,047 newly enrolled students. It reported a total of 1,876 students trained, 38.5% of the total student population. Newly enrolled students were provided a 35-minute training during New Student Orientation. A 45-minute training was provided for students involved in athletics, international students, Greek life affiliated students, and welcome back training. Student training included the "Thirteen Reasons Why DSU Loves You" campaign, face-to-face presentation about the laws and policies of sexual assault, the process and procedures of investigating, facts about sexual assault, VAWA information about trauma, Delaware State Responsible employee information, state and local resource information, "Tea Video", Kahoot It, "Until it happens to you" video, and scenarios about sexual assault situations.

Delaware Technical Community College

	# Trained	# Employed or Enrolled	Percentage Trained
Faculty	722	1,109	65.10%
Staff	763	1,168	65.33%
Students- Newly Enrolled	3,394	4,128	82.22%

DTCC reported training 722 out of 1,109 faculty members and 763 of 1,168 staff members. They received a Power Point presentation during in-service by the Title IX Coordinator or legal counsel, which took 15-25 minutes. There was also an online training, required annually, called "Prevent Sexual Violence Together" for all employees, which took 30 to 45 minutes to complete.

DTCC trained 3,394 of 4,128 newly enrolled students. Training included a 15 minute lecture during new student orientation by the Chief of Public Safety and a video, lecture, and case study

during the first year seminar delivered by course instructors, which took 30-45 minutes. Monthly sexual misconduct awareness and prevention campaigns are conducted at each campus.

Goldey-Beacom College

	# Trained	# Employed or Enrolled	Percentage Trained
Faculty Full Time	21	21	100.00%
Faculty Part Time	61	74	82.43%
Staff Full Time	53	55	96.36%
Staff Part Time	39	47	82.98%
Students- New Enrolled Full Time	227	267	85.02%
Students- Athletes	192	200	96.00%
Students- Residential	301	304	99.01%

Goldey-Beacom reported providing 20 minutes of online training to all 21 full-time faculty members, 61 of 74 part-time faculty members, 53 of 55 full-time staff members and 39 of 47 part-time staff members, 13 of 19 contract employees, and 9 of 12 volunteers, including the Board of Trustees, in 2018.

To be counted as completing this training, each faculty and staff member was required to get a score of 80 or higher on the 360 Stay Safe training assessment. All faculty and staff were required at their hiring meeting to sign the Sexual Misconduct Obligation to Report form to document their understanding of their obligation to report sexual or dating violence, abuse, or gender discrimination. An annual reminder of their responsible employee obligations was sent via email by the Title IX Coordinator to all faculty and staff, and the Board of Trustees in August 2018. Faculty were also refreshed on Violence Against Women Act crimes and reporting practices at their Fall 2018 faculty meeting.

Newly enrolled undergraduate students received a 45-50 minute online training module of “Building GBC Community” Training. New undergraduate students completed the Undergraduate Module which was broken up into four sections: Forming Healthy Relationships, Sexual Assault, Stalking and Bystander Intervention. Each section has a 10 minute video followed by a short assessment of multiple choice questions. All other students including graduate students and returning undergraduates received a 20-25 minute online training known as the Student Module, which was an abbreviation of the Undergraduate Module. It contains a 20 minute video regarding the types of sexual misconduct and how to define them, how to intervene in situations that could constitute sexual misconduct, and how to report instances of sexual misconduct to the appropriate offices of the College. For both the Undergraduate and Student module, students must have received a score of 80 or higher on their assessment for the training to be marked as completed. Both modules also give background information regarding Jeanne Clery and the Clery Act to provide legislative context for Title IX and Clery at the College. Both modules also have “Helpful Links” that direct students to the College’s Annual Security and Fire Report and the contact information for the College’s Title IX Coordinators.

University of Delaware

	# Trained	# Employed or Enrolled	Percentage Trained
Faculty Full Time	1,221	1,331	91.74%
Faculty Part Time	816	887	92.00%
Staff Full Time	2,998	3,205	93.54%
Staff Part Time	1,922	1,937	99.23%
Students- Incoming Undergraduate	5,551	5,577	99.53%
Students- Incoming Graduate	1,259	1,283	98.13%

The University of Delaware reported that 6,957 faculty and staff (full time and part time) of 7,360 received 60 minutes of online sexual misconduct training provided by a contractor and customized by the University. 6,810 new students, undergraduate and graduate, received 60 minutes of online sexual misconduct training provided by a contractor and customized by the University. The new student population totaled 6,860 meaning 99% of newly enrolled students were trained.

Wesley College

	# Trained	# Employed or Enrolled	Percentage Trained
Faculty	147	193	76.17%
Staff	213	213	100.00%
Students- Full Time Undergraduate	306	979	31.25%

Wesley College reported that a 40 minute online training was completed by 147 of 193 faculty members and all 213 staff members. Content of the training included information on Title IX, VAWA, and sexual assault. Faculty also received a flyer with this information at their faculty meeting.

Students were provided approximately 90 minutes of in person training presented by the Title IX Specialist who combined interactive activities with a lecture and PowerPoint presentation. This training was completed by 306 of the 979 full time undergraduate students, 31.25% of the student population.

Wilmington University

	# Trained	# Employed or Enrolled	Percentage Trained
Faculty	1,521	1,521	100.00%
Staff	600	600	100.00%
Students- Newly Enrolled	1,776	1,776	100.00%

Wilmington University reported a 20 to 75 minute training, including online and in person components, was provided to all faculty and staff. Topics included: harassment and discrimination prevention; Title IX, the Clery Act and reporting guidelines; federal and state law definitions of consent, sexual assault, domestic and dating violence; victim protections; bystander intervention; and the responsibilities of “Responsible Employees” and “Campus Security Authorities”. Wilmington reported that all faculty, staff and newly enrolled students receive training.

Students were required to view and confirm completion of a training video, “Title IX and Dating Violence”. Topics included: Title IX, the prevalence of sexual assault, the definition of consent, dating violence, what to do if sexually assaulted, resources on-campus, bystander intervention, and alcohol safety. New students were provided access to additional online training covering: hooking up, substance abuse, sexual violence, and healthy relationships through a variety of interactive, realistic scenarios and guided self-reflection. International students received a face to face presentation for 90 minutes at their orientation covering Title IX, the Clery Act, University Safety, sexual assault, consent, dating and domestic violence, resources for victims of sexual harassment, bystander awareness, and alcohol safety. New and returning student-athletes received a face to face presentation for 60 minutes that included the topics of Title IX, the Clery Act, sexual assault, consent, dating and domestic violence, resources for victims of sexual harassment, bystander prevention, and alcohol safety. The Title IX Coordinator provided additional resources via email to new students and international students which included links to campus resources, materials, relevant videos, and polices.

Campus Reports of Sexual Assault

Delaware State University

There was one report of rape.

- DSU counseling and health services provided information to the victim. The report was made by a non-DSU student who indicated that the respondent was also not a DSU student. She was provided information on reporting to local police.

There were two reports of nonconsensual genital contact.

- After receiving a formal complaint, notification was sent to both parties. One party was 17 years old. A no contact order was sent regarding the complainant and Early College High School (ECHS) female students. DSU spoke with the Title IX director from the ECHS. The Title IX Director interviewed the student and sent her statement to DSU Title IX. Investigative interviews of all the witnesses and respondents took place. Respondent had not received Title IX training. He was a commuter and missed it. The respondent received a \$100 fine. Complainant requested that the respondent not be removed from campus.
- After receiving a formal complaint by the campus police, a no contact for one year notification was sent to both parties and policy and procedures of Title IX. Title IX investigator interviewed both parties and witnesses. Findings were sent to an Equity Resolution Panel hearing to determine outcome. DSU listed the following as outcomes: \$100 fine, 20 hours of community service, restricted from university privileges. Complainant did not want the respondent to be removed from school.

There were no reports of nonconsensual sexual or physical contact.

Delaware Technical Community College

There were three reports of rape. All three involved victims who were not affiliated with the college.

- On August 9, 2019, the college learned of a sexual assault of a woman not affiliated with the college through the news media. She alleged that she was raped by a tennis instructor between the years of 1989-1990 on the grounds of the Terry campus (specifically on the tennis courts) in Dover. The allegations were investigated by Dover Police Department. No further information was provided to DTCC Public Safety or Title IX Coordinator. Since neither party were affiliated with the college and the respondent was not identified, no further action was taken by DTCC.¹
- Wilmington Police Department reported a sexual assault to the college on September 4, 2018. The assault was reported to have occurred on the George campus property in Wilmington between two individuals who are not affiliated with the college. Wilmington PD contacted the college in order to request video footage for their investigation. No further information was provided to DTCC Public Safety or Title IX Coordinator. Since neither

¹ This case was prosecuted by DOJ.

party were affiliated with the college and the respondent was not identified, no further action was taken by DTCC.

- A woman not affiliated with the college, reported to the DTCC Title IX Coordinator that she had a sexual relationship with an employee during the years of 1977 or 1978. The woman alleged that she was 13 or 14 years old at the time and that our employee was around the age of 24. She claimed the relationship took place over a period of 3 months while she was babysitting for the employee's children. The woman reported that these incidents all took place in Bellevue, Nebraska. The employee was not employed by the college at the time of the alleged incident but was employed at the time of the complaint. The case was investigated by a review officer through the Title IX process. It resulted in a finding of insufficient evidence that there was a violation of the College's Policy on Sexual Misconduct. There was an appeal filed by the complainant in this case and the finding was upheld by the Sexual Misconduct Review Committee that there was insufficient evidence to support, by a preponderance of the evidence, the claims that the respondent violated the College's Policy on Sexual Misconduct.

There were two reports of nonconsensual genital contact.

- On April 8, 2018, a female student filed a complaint with the Title IX coordinator alleging she was fondled by another student without consent on her breasts, buttocks and genital areas while fully clothed. The case was investigated by a review officer through the Title IX process. It resulted in a finding that there was sufficient evidence to support that the respondent had violated the College's Policy on Sexual Misconduct. The respondent filed an appeal and the Sexual Misconduct Review Committee found that there was insufficient evidence to support, by a preponderance of the evidence, that the respondent had violated the College's policy on Sexual Misconduct.
- On August 29, 2018, a female student reported to Public Safety that a male student attempted to have her sit in his lap. His attempts were both verbal and physical and at one point the male student attempted to touch the female student's vaginal area while clothed. The complainant requested not to open an investigation after the respondent apologized to her. The case was not investigated through the Title IX process.

There were two reports of nonconsensual sexual or physical contact.

- On October 8, 2018, a male student reported that another male student inappropriately touched him while sitting together in the student lounge. The student alleges that the other student reached into his pants pocket and touched his inner thigh, but he was able to physically stop the student and let him know that he was not interested. It was not referred to a Title IX review officer after it was reported because the complainant said he did not wish to pursue a formal complaint/investigation.
- On October 26, 2018, a female student reported that a male student inappropriately touched her while eating at an off-campus establishment with a group of students after class. The woman alleged that the male student touched her thigh. It was investigated by a review officer through the Title IX process. It resulted in a finding that there was sufficient evidence to support that the respondent had violated the College's Policy on Sexual Misconduct. The respondent requested an appeal hearing. The Sexual Misconduct Review Committee upheld

the review officer's finding that, by a preponderance of the evidence, the respondent violated the College's Policy on Sexual Misconduct. The respondent withdrew from the College but was informed that a hold would be placed on his account and that he would be unable to register for classes in the future without meeting with the Dean of Student Affairs, who would initiate sanctions through the student conduct process.

Goldey-Beacom College

There was one report of rape.

- A report was made to the Title IX Coordinator by the victim's professor after disclosure of a rape and subsequent experiences were shared in class. The Title IX Coordinator met with the victim; the victim did not want any action from the institution as this event had happened in high school. The Title IX Coordinator provided local resources to the victim along with the Victim's Bill of Rights. As this report was regarding an incident that occurred years prior, no institutional investigation was launched. Therefore, there were no findings and no sanctions imposed.

There was one report of nonconsensual genital contact.

- The victims reported to the Title IX Coordinator that one of their roommates was inappropriately touching them over their clothes on the chest and genitals. At the request of the victims, an institutional Title IX investigation was launched, and investigators began interviewing the victims, the accused, and any potential witnesses. However, the victims requested for the investigation to be called off three weeks into the investigation. Both reported that the accused has changed their behavior significantly since the investigation had begun. The Title IX Coordinator honored the victims' requests' but informed them that the investigation could be reopened if they felt uncomfortable or if any future behavior arose. As the victims requested for the investigation to be halted, there were no findings and no sanctions levied.

There were no reports of nonconsensual sexual or physical contact.

University of Delaware

There were 35 reports of rape. There were 42 reports of nonconsensual genital contact. There were 57 reports of nonconsensual sexual or physical contact. Of the reports, 8 were investigated by the University of Delaware's Office of Equity and Inclusion, in accordance with the University's Sexual Misconduct Policy.

The 8 investigations included 5 rape cases, 2 nonconsensual sexual contact cases and 1 nonconsensual sexual or physical contact cases. The 8 investigations resulted in the following dispositions: 4- responsible findings with disciplinary action ranging from suspension (2) to expulsion (2), 4- not responsible findings, as such no sanctions were applied.

University of Delaware provided a chart providing more detail on each investigation (Appendix D):

University of Delaware Investigations- CY 2018							
Case #	OSC Date	UD Charge	DE DOJ Related Charge	Location	Description	Outcome	Sanction
1	2/6/18	Sexual Harassment	Nonconsensual Sexual or Physical Contact	On Campus and Electronically	Unwanted electronic communications and unwanted physical contact of a sexual nature (e.g. butt grabbing, bear hugging, etc.)	NOT RESPONSIBLE	N/A
2	4/9/18	Sexual Assault	Nonconsensual Penetration	Off Campus	Complainant said Respondent had non-consensual sexual intercourse based on Complainant's incapacitation from alcohol consumption	NOT RESPONSIBLE	N/A
3	6/14/18	Sexual Assault	Nonconsensual Penetration	On Campus	Complainant said Respondent had non-consensual sexual intercourse based on Complainant's incapacitation from alcohol consumption	NOT RESPONSIBLE	N/A
4	7/10/18	Sexual Assault	Nonconsensual Penetration	On Campus	Complainant reported Respondent engaged in non-consensual sexual intercourse while Complainant was asleep	RESPONSIBLE	EXPULSION, Increased from 2-year suspension on Respondent's appeal
5	9/4/18	Sexual Assault & Dating Violence	Nonconsensual Penetration	Off Campus	Complainant reported that Respondent engaged in non-consensual sexual intercourse based on Respondent choking Complainant to the point of difficulty breathing and forcing the sexual interaction.	RESPONSIBLE	Expulsion
6	9/6/18	Sexual Assault, Dating Violence, and Retaliation	Nonconsensual Penetration	On Campus	Complainant stated Respondent forced Complainant to engage in sexual activity.	NOT RESPONSIBLE	N/A
7	11/9/18	Sexual Assault	Nonconsensual Genital Contact	On Campus	Respondent provided Complainant with alcohol before touching Complainant's breasts and vagina without her consent	RESPONSIBLE	Suspension
8	12/7/18	Sexual Assault	Nonconsensual Genital Contact	On Campus	Complainant reported Respondent touched Complainant's breasts and vagina while Complainant was asleep and unable to provide consent	RESPONSIBLE	Suspension

Wesley College

Wesley College reported receiving no complaints of rape, nonconsensual genital contact, or nonconsensual sexual or physical contact.

Wilmington University

Wilmington University reported receiving no complaints of rape, nonconsensual genital contact, or nonconsensual sexual or physical contact.

Statistical Analysis Center Report on Criminal Offenses

Because DELJIS does not have an indicator for sexual assaults involving a college student, the Statistical Analysis Center (SAC) searched for data on violations of 11 *Del. C.* § 767-773 that would approximate the results of such an indicator by searching for victims or suspects between the ages of 17 to 30 and then manually reviewing the results for references to student status. We note that this age band could have potentially excluded older students and most faculty or staff members, and thus we would recommend an indicator be added to DELJIS to better align future reports to the statute.

The data collection resulted in 385 complaints in calendar year 2018 that the Center manually reviewed for alleged victim and suspect information. This manual review resulted in 25 complaints that had an explicit reference to the alleged victim(s) or suspect(s) being a student of an academic institution that occurred in 2018. The table below provides a breakout of these 25 complaints and their status.

Complaint Status/ Student Status	On Campus			Off Campus		
	Adult Arrest	Pending Case	No Prosecution	Adult Arrest	Pending Case	No Prosecution
Student Victim/Student Suspect	2	3	1	1	1	1
Student Victim/Non- Student Suspect	0	2	0	2	2	5
Non-Student Victim/Student Suspect	0	0	0	4	0	1

This report can be found in Appendix G.

Campus Law Enforcement Reports

Delaware State University reported 7 cases with criminal charges:

- One case with charge of Rape.
- Four cases with charges of Unlawful Sexual Contact.
- One case with charges of Unlawful Sexual Contact and Rape.
- One case with charge of Indecent Exposure.

Delaware State University also noted that in one of the Unlawful Sexual Contact cases, the charge was listed as an offense on the crime report, but the investigation determined it was unfounded. It also noted that in two cases of Unlawful Sexual Contact, a Rape charge was not listed as an offense on the crime report but would have been applicable.

This chart can be found in Appendix A.

The University of Delaware reported 12 cases with criminal charges:

- Three cases with charges of Rape 2nd Degree.
- One case with charges of Unlawful Sexual Contact 3rd Degree.
- One case with charges of Unlawful Sexual Contact 3rd Degree and Rape 4th Degree.
- Two cases with charges of Sexual Harassment.
- Five cases with charges of Lewdness.

The cases resulted in 5 arrests and 3 cases are still pending.

This chart can be found in Appendix D.

Delaware Technical Community College, Goldey-Beacom College, Wesley College, and Wilmington University do not have security agencies with jurisdiction to charge offenses. Goldey-Beacom's contractually provided security services reported that there were no incident reports in 2018 that were not reported to the College's Title IX Coordinator. Wesley College's public safety agency reported no incidents of rape, fondling, incest or statutory rape on campus. Reports from Goldey-Beacom and Wesley College can be found in Appendix C and Appendix E, respectively.

APPENDIX A- Delaware State University

Information submitted by
Delaware State University

Vella, Lauren (DOJ)


From: DOJ_DoNotReply@state.de.us
Sent: Friday, September 27, 2019 2:09 PM
To: Vella, Lauren (DOJ); csanders@desu.edu
Subject: Online Form Submission - College Compliance Self-Reporting
Attachments: 2018 DOJ 11 del.c.bb 761-778A.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

Name of School: Delaware State University
Name of Person Completing the Form: Candy E. Young
Email Address of Person Completing the Form: csanders@desu.edu
Send a copy to me?: yes
Phone Number of Person Completing the Form: 302-857-7698 or 302-382-8918
Number of Faculty Trained: Our training for is every two years, we did not train our current responsible employees for 2018
Number of Faculty Employed: 333
Minutes of Training Provided To Faculty: 45 minutes of training during NEO (New Employee Orientation)
Description and Format of Training Provided To Faculty: Face to face training, PowerPoint presentation about, federal and state laws, university policies, and notices of sexual assault, harassment, retaliation, ADA regulations and discrimination. Resource information about trauma, scenarios of reporting responsibility, provide pamphlets from VAWA, Responsible Employee's card, filing a complaint link, Delaware Victim's Bill of Rights link, Resource information for victims- national and local.
Number of Staff Trained: Our training for is every two years, we did not train our current responsible employees for 2018
Number of Staff Employed: 529
Minutes of Training Provided To Staff: 45 minutes of training during NEO (New Employee Orientation)
Description and Format of Training Provided To Staff: Face to face training, PowerPoint presentation about, federal and state laws, university policies, and notices of sexual assault, harassment, retaliation, ADA regulations and discrimination. Resource information about trauma, scenarios of reporting responsibility, provide pamphlets from VAWA, Responsible Employee's card, filing a complaint link, Delaware Victim's Bill of Rights link, Resource information for victims- national and local.
Number of Students Trained: 1876
Number of Students Enrolled: 4872
Minutes of Training Provided to Students: Thirty -five minutes for NSO (New Student Orientation) and 45 minutes for athletics, international, Greeks, and Welcome Back training for freshman
Description and Format of Training Provided To Students: We launched our "Thirteen Reasons Why DSU Loves You" campaign, Face to face presentation about the laws and policies of sexual assault, the process and procedures of conducting an investigation, facts about sexual assault, Vawa information about trauma, Delaware State Responsible employee information, resource information state, and local. "Tea Video" , Kahoot It, "Until it happens to you" video, scenarios about sexual assault situations.
Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts: 1
Number of Reports of Nonconsensual Genital Contact, Including Attempts: 2
Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts: 0
Please Describe The General Nature Of Alleged Assault Using Categories Above: Incidents from January 1, 2018 to December 31, 2018
Please Describe The Methods Of Investigation Used: Case # Type of Incident Method of Investigation
Findings/Responsible or Not Responsible Penalties/Sanction 008DOJ Nonconsensual Penetration Jane Doe walked in and

stated she was raped, but did not want her name to be used. The respondent was not a DSU Student- she could contact the local police to follow up. Resources Provided* Alleged Sexual Assault/Rape She indicated that the person, was not a student at DSU. DSU Counseling She indicated that this person had sex with her without consent, she did not give the name of the person. DSU Health Services She was given the Sexual Assault card information and the local police information 009DOJ Nonconsensual Genital Contact Attempt Received a formal complaint Responsible Alleged Sexual Misconduct/Attempted Rape Notification sent to both parties, one member of the party was 17. Policy and procedure sent No Contact Order with complainant ECHS female students We had to speak with the T9 director from the ECHS The Principal (T9 director) interviewed the student and sent me her statement Title IX one on one Training immediately Investigative interview of all witnesses and the respondent \$100 fine Report included the police investigation information Recommended Counseling Respondent did not receive any Title IX training during orientation. He was a commuter and missed it Provide Resources* Complainant request that the respondent not be removed from campus 010DOJ Nonconsensual Genital Contact Attempt Received a formal complaint by the campus police Responsible No Contact for 1 year Notification was sent to both parties and policy and procedures of T9 20 hours of community service Title IX Investigator interviews with both parties, and witnesses Restricted from university privileges Findings were sent to an ERP hearing to determine the outcome \$100 fine Equity Resolution Panel Decision Counseling Recommendation Panel had to reconvene to review the Decision Provide Resources* Complainant did not want the respondent to be removed from school DSU Police Emergency- 302-420-5751 or 302-857-7381 Delaware Victim Center- 800-842-8461 National Sexual Assault Hotline-800-646-HOPE attached a file to make it easier to read.

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed: I will attach the file of the three cases which maybe easier to understand.

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C.  761-778A

Vella, Lauren (DOJ)

Subject: FW: Online Form Submission - College Compliance Self-Reporting

Switch-MessageId: 7b21e23ebd5d4d74b341a5e1355f259b

From: Candy Y. Sanders <csanders@desu.edu>

Sent: Monday, December 2, 2019 3:28 PM

To: Vella, Lauren (DOJ) <Lauren.Vella@delaware.gov>

Subject: RE: Online Form Submission - College Compliance Self-Reporting

Our newly enrollment number for DSU in 2018, is 1047.

From: Vella, Lauren (DOJ) <Lauren.Vella@delaware.gov>

Sent: Monday, December 02, 2019 2:43 PM

To: Candy Y. Sanders <csanders@desu.edu>

Subject: RE: Online Form Submission - College Compliance Self-Reporting

Good afternoon Ms. Young,

DSU provided the total student enrollment in the submission below. I wanted to see if you wanted to provide the number of newly enrolled students at DSU in 2018. The statute calls for the training of newly enrolled full-time students in § 9004A (d). In addition, § 9004A (e) requires training for at-risk student populations designated by the Title IX coordinator. If you are able to provide the number of newly enrolled students training and the number of other students trained, we would welcome that information. This additional information will further clarify the information that will be published in the report.

Best,
Lauren

Lauren CW Vella

Policy & Legislative Director
Delaware Department of Justice

Lauren.Vella@delaware.gov

Office: 302-577-8738

	Sexual Harassment	Indecent Exposure	Incest	Unlawful Sexual Contact	Rape	Sexual Extortion	Bestiality	Continuous Sexual Abuse	Sex Offender Unlawful Contact	Sexual Abuse by a Person in Position of Trust	
18-000047					X						
8-000126*				X	W						
18-000716				X	X						
18-000763				X							
8-000771*											
18-000918		X									
18-001000				U							
18-001018				X	W						
	*NOTE: Report S4-18-000771 (on-campus sexual assault) was improperly entered into LEISS as S4-18-000126 (off-campus sexual assault/agency assist); therefore all information pertaining to S4-18-000126 should instead be attributed to S4-18-000771										
	U: denotes that this charge was listed as an offense on the crime report, but investigation determined it was unfounded										
	X: denotes that this charge was listed as an offense on the crime report										
	W: denotes that this charge was not listed as an offense on the crime report, but would have been applicable										

APPENDIX B- Delaware Technical Community College

Information submitted by
Delaware Technical Community
College

Vella, Lauren (DOJ)

From: DOJ_DoNotReply@state.de.us
Sent: Tuesday, October 1, 2019 3:33 PM
To: Vella, Lauren (DOJ); janis.beach@dtcc.edu
Subject: Online Form Submission - College Compliance Self-Reporting

Name of School: Delaware Technical Community College

Name of Person Completing the Form: Janis C. Beach

Email Address of Person Completing the Form: janis.beach@dtcc.edu

Send a copy to me?: yes

Phone Number of Person Completing the Form: 302-857-1293

Number of Faculty Trained: 722

Number of Faculty Employed: 1109

Minutes of Training Provided To Faculty: 15-45 minutes

Description and Format of Training Provided To Faculty: Annual Power Point presentation during Employee In-service, Campus Update, Adjunct In-service delivered in-person by Title IX Coordinator / Legal Counsel. (15-25 minutes). Annual on-line training "Prevent Sexual Violence Together" for all employees (30-45 mins)

Number of Staff Trained: 763

Number of Staff Employed: 1168

Minutes of Training Provided To Staff: 15-45 minutes

Description and Format of Training Provided To Staff: Power Point presentation during "Employee In-service" delivered in-person by Title IX Coordinator / Legal Counsel. (15-25 mins). Annual on-line training "Prevent Sexual Violence Together" for all employees (30-45 mins)

Number of Students Trained: 3394

Number of Students Enrolled: 4128

Minutes of Training Provided to Students: 45-60 minutes

Description and Format of Training Provided To Students: (1) Lecture-based presentation during "New Student Orientation" delivered in-person by campus Chief of Public Safety. (15 mins) (2) Video, lecture, and case study during "First Year Seminar (SSC-100) delivered in-person by course instructor (30-45 mins). Monthly sexual misconduct awareness and prevention campaigns at each campus

Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts: 3

Number of Reports of Nonconsensual Genital Contact, Including Attempts: 2

Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts: 2

Please Describe The General Nature Of Alleged Assault Using Categories Above: Reports of Rape: 1 - A sexual assault was reported on 8/9/18 to the Dover PD by a woman not affiliated with the College. The College learned about this incident through the news media. The woman alleged that she was raped by a tennis instructor between the years of 1989-1990 on the grounds of the Terry campus (specifically on the tennis courts) in Dover. The allegations were investigated by Dover PD. No further information was provided to DTCC Public Safety or Title IX Coordinator. 2 - A sexual assault was reported to the College by the Wilmington PD on 9/4/18. The assault was reported to have occurred on the George campus property in Wilmington between two individuals who are not affiliated with the College. Wilmington PD contacted the College in order to request video footage for their investigation. No further information was provided to DTCC Public Safety or Title IX Coordinator. 3 - On 9/27/18, a woman (not affiliated with DTCC) reported to the DTCC Title IX Coordinator that she had a sexual relationship with one of our employees (who was not employed by the College at that time of the alleged incident) during the years of 1977 or 1978. The woman alleged that she was 13 or 14 years old at the time and that our employee was around the age of 24. She claimed the relationship took place over a period of 3 months while she was babysitting for the employee's children. The woman reported that these incidents all took place in Bellevue, Nebraska. Reports of Non-consensual Genital Contact: 1 - On 4/9/18 a female student filed a complaint with the Title IX coordinator alleging she was fondled by another student without consent on her breasts, buttocks and genital areas while fully clothed. 2 - On 8/29/18 a female student reported to Public Safety that a male student

attempted to have her sit in his lap. His attempts were both verbal and physical and at one point the male student attempted to touch the female student's vaginal area while clothed. Reports of Non-consensual Sexual or Physical Contact: 1 - On 10/08/18 a male student reported that another male student inappropriately touched him while sitting together in the student lounge. The student alleges that the other student reached into his pants pocket and touched his inner thigh but he was able to physically stop the student and let him know that he was not interested. 2 - On 10/26/18 a female student reported that a male student inappropriately touched her while eating at an off-campus establishment with a group of students after class. The woman alleged that the male student touched her thigh.

Please Describe The Methods Of Investigation Used: Reports of Rape: The first two cases listed were not investigated through the Title IX process as neither parties were affiliated with the College and we did not have any identifiable information regarding the respondents. The second case was investigated by a review officer through the Title IX process. Reports of Non-consensual Genital Contact: The first case listed above was investigated by a review officer through the Title IX process. The second case was not investigated through the Title IX process as the complainant requested not to open an investigation after the respondent apologized to her. Reports of Non-consensual Sexual or Physical Contact: The first case was not referred to a Title IX review officer after it was reported because the complainant said he did not wish to pursue a formal complaint/investigation. The second case was investigated by a review officer through the Title IX process.

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed: Reports of Rape: The one case that was investigated resulted in a finding of insufficient evidence that there was a violation of the College's Policy on Sexual Misconduct. There was an appeal filed by the complainant in this case and the finding was upheld by the Sexual Misconduct Review Committee that there was insufficient evidence to support, by a preponderance of the evidence, the claims that the respondent violated the College's Policy on Sexual Misconduct. Reports of Non-consensual Genital Contact: The one case that was investigated by a Title IX review officer resulted in a finding that there was sufficient evidence to support that respondent had violated the College's Policy on Sexual Misconduct. The respondent filed an appeal and the Sexual Misconduct Review Committee found that there was insufficient evidence to support, by a preponderance of the evidence, that the respondent had violated the College's policy on Sexual Misconduct. Reports of Non-consensual Sexual or Physical Contact: The one case that was investigated by a Title IX review officer resulted in a finding that there was sufficient evidence to support that the respondent had violated the College's Policy on Sexual Misconduct. The respondent requested an appeal hearing. The Sexual Misconduct Review Committee upheld the review officer's finding that, by a preponderance of the evidence, the respondent violated the College's Policy on Sexual Misconduct. The respondent withdrew from the College but was informed that a hold would be placed on his account and that he would be unable to register for classes in the future without meeting with the Dean of Student Affairs, who would initiate sanctions through the student conduct process.

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C. 761-778A

APPENDIX C- Goldey-Beacom College

Information submitted by
Goldey-Beacom College

Vella, Lauren (DOJ)

From: Siegel, Kim (DOJ)
Sent: Thursday, September 26, 2019 10:22 AM
To: Vella, Lauren (DOJ)
Subject: FW: Online Form Submission - College Compliance Self-Reporting
Attachments: PSASatement.pdf

Kim Siegel, MPA
Delaware Department of Justice
577-5306

From: DOJ_DoNotReply@state.de.us <DOJ_DoNotReply@state.de.us>
Sent: Monday, September 23, 2019 5:40 PM
To: Siegel, Kim (DOJ) <Kim.Siegel@delaware.gov>; bakeyh@gbc.edu
Subject: Online Form Submission - College Compliance Self-Reporting

Name of School: Goldey-Beacom College

Name of Person Completing the Form: Hannah Bakey

Email Address of Person Completing the Form: bakeyh@gbc.edu

Send a copy to me?: yes

Phone Number of Person Completing the Form: 3022256285

Number of Faculty Trained: 21 full-time faculty members and 61 part-time faculty members were trained in 2018; 100% of all full-time faculty and 82.43% of all part-time faculty received training in 2018. Overall, 86.32% of all faculty completed training in 2018.

Number of Faculty Employed: In 2018, the College employed 21 full-time faculty and 74 part-time faculty.

Minutes of Training Provided To Faculty: 20 minutes of online training

Description and Format of Training Provided To Faculty: Faculty were required to complete the Employee Module of the 360 Stay Safe training platform and must have received an 80 or higher on the assessment for their training to be completed. All faculty members also received the Sexual Misconduct Obligation to Report form at their hire meeting. A Human Resources representative explained their obligation to report any knowledge or perceived knowledge of a violation related to sexual misconduct, harassment, gender discrimination, retaliation or other sex-or gender-based behaviors, including sexual assault, dating and domestic violence, and stalking. All faculty were required to sign the Sexual Misconduct Obligation to Report form at this meeting to document their understanding of this obligation. Faculty were also refreshed on Violence Against Women Act crimes and reporting practices at their Fall 2018 faculty meeting in September 2018. An annual reminder of their responsible employee obligations was sent via email by the Title IX Coordinator to all faculty on August 8, 2018.

Number of Staff Trained: 53 full-time staff members and 39 part-time staff members were trained in 2018; 96.36% of all full-time staff and 82.98% of all part-time staff completed the 2018 training. Additionally, 13 contracted employees and 9 volunteers, including the Board of Trustees, received training; 85.71% of all staff received training in 2018.

Number of Staff Employed: In 2018, the College employed 55 full-time staff and 47 part-time staff along with 19 contracted employees and 12 volunteers, including the Board of Trustees.

Minutes of Training Provided To Staff: 20 minutes of online training

Description and Format of Training Provided To Staff: Staff were required to complete the Employee Module of the 360 Stay Safe training platform and must have received an 80 or higher on the assessment for their training to be completed. All staff members also received the Sexual Misconduct Obligation to Report form at their hire meeting. A Human Resources representative explained their obligation to report any knowledge or perceived knowledge of a violation

related to sexual misconduct, harassment, gender discrimination, retaliation or other sex-or gender-based behaviors, including sexual assault, dating and domestic violence, and stalking. All staff were required to sign the Sexual Misconduct Obligation to Report form at this meeting to document their understanding of this obligation. An annual reminder of their responsible employee obligations was sent via email by the Title IX Coordinator to all staff on August 8, 2018. At the October 2018 Board of Trustees meeting, Trustees were refreshed of their obligations as responsible employees and 100% of the Trustees signed the Sexual Misconduct Obligation to Report form.

Number of Students Trained: In 2018, 227 newly enrolled full-time students were trained, which was 85.02% of all newly enrolled full-time students. The College defines its at-risk populations as student athletes and residential students. 192 of the College's student athletes completed training; 96% were trained in 2018. The College had 301 of its residential students complete their training, meaning 99.01% of the College's residential students were trained.

Number of Students Enrolled: The College had 267 newly enrolled full-time students, 200 student athletes and 304 residential students in 2018. Some students fall in more than one of these categories; therefore, some duplication exists. Minutes of Training Provided to Students: Newly enrolled undergraduate students received a 45-50 minute online training; all other students received a 20-25 minute online training.

Description and Format of Training Provided To Students: For students, there were two modules of Building GBC Community Training distributed: the Undergraduate Module and the Student Module. New undergraduate students completed the Undergraduate Module which was broken up into four sections: Forming Healthy Relationships, Sexual Assault, Stalking and Bystander Intervention. Each section has a 10 minute video followed by a short assessment of multiple choice questions. All graduate students and returning undergraduate students were given the Student Module, which was an abbreviation of the Undergraduate Module. It contained a 20 minute video regarding the types of sexual misconduct and how to define them, how to intervene in situations that could constitute sexual misconduct, and how to report instances of sexual misconduct to the appropriate offices of the College. For both the Undergraduate and Student module, students must have received a score of 80 or higher on their assessment for the training to be marked as completed. Both modules also gave background information regarding Jeanne Clery and the Clery Act to provide legislative context for Title IX and Clery at the College. Both modules also have "Helpful Links" that direct students to the College's Annual Security and Fire Report and the contact information for the College's Title IX Coordinators. The College continues to use these modules for its student training.

Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts: 1

Number of Reports of Nonconsensual Genital Contact, Including Attempts: 0

Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts: 1

Please Describe The General Nature Of Alleged Assault Using Categories Above: The College defines sexual assault in its Annual Security and Fire Safety Report (ASFSR) as "An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is 'any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent'" (ASFSR, p 40). The College also recognizes that there are four separate classifications for instances of sexual assault: rape, fondling, incest, and statutory rape. The College defines rape as "the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim" (ASFSR, p 40). Fondling is defined "as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity" (ASFSR, p 40). The definitions of incest and statutory rape are not included here as none of the instances below are classified as such. However, their definition can be found in the College's ASFSR (<https://www.gbc.edu/docs/gbc-asr-2018.pdf>). Specific information regarding the incidents noted above are available upon request. Report 1 of Rape – A report of a student presenting on their past experience of an incident of penetration of the vagina or anus with another body part without the consent of the victim. Report 1 of Nonconsensual Sexual or Physical Contact – A reported incident of a sex offense wherein a sexual act or sexual acts were directed toward the victim without the victim's consent.

Please Describe The Methods Of Investigation Used: Upon receipt of a report, the College's Title IX Coordinator met with the victim and the accused, if the accused was a current student or employee, separately to assess if a potential violation occurred. The Title IX Coordinator also investigated through interviews with the victim and the accused to determine if a hostile environment was created or if a larger threat to the College Community was present. If the victim desired such or if a hostile environment and/or larger threat was detected in the Title IX Coordinator's investigation, an

institutional investigation was opened. For institutional investigations, two investigators were assigned to the case by the Title IX Coordinator. The investigators interviewed the victim, the accused, and all relevant parties to produce a fact-finding report for the Title IX Coordinator. The Title IX Coordinator reviewed the report and made a decision as to whether or not the violation occurred using the preponderance of evidence standard. Should there have been uncertainty, the Deputy Coordinator could have been consulted for input and the investigators could have been prompted to conduct more interviews. The College's policy on Title IX violations and instances of sexual misconduct can be found here, under "Types of Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault or Stalking": <https://www.gbc.edu/docs/gbc-asr-2018.pdf>. Report 1 of Rape – The victim's professor had reported to the Title IX Coordinator that the victim shared the narrative of their rape and subsequent experiences in class. The Title IX Coordinator met with the victim; the victim did not want any action from the institution as this event had happened in high school. The Title IX Coordinator provided local resources to the victim along with the victim's bill of rights. Report 1 of Nonconsensual Sexual or Physical Contact – The victims reported to the Title IX Coordinator that one of their roommates was inappropriately touching them over their clothes on the chest and genitals. Both victims were distressed, but it was reported that the accused paid more attention to one over the other. At the request of the victims, an institutional Title IX investigation was launched, and investigators began interviewing the victims, the accused, and any potential witnesses. However, the victims requested for the investigation to be called off three weeks into the investigation. Both said that the accused has changed their behavior significantly since the investigation had begun. The Title IX Coordinator honored the victims' requests, but informed them that the investigation could be re-opened if they felt uncomfortable or if any future behavior arose.

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed: Report 1 of Rape – As this report was regarding an incident that occurred years prior, no institutional investigation was launched. Therefore, there were no findings and no sanctions imposed. Report 1 of Nonconsensual Sexual or Physical Contact – As the victims requested for the investigation to be halted, there were no findings and no sanctions levied.

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C. 761-778A



September 23, 2019

To Delaware's Department of Justice:

Goldey-Beacom College ("the College") does not have its own Public Safety Agency, but does contractually provide security services to the Campus Community. There were no incident reports in 2018 regarding Title IX or VAWA offenses that were not reported to the College's Title IX Coordinator.

Thank you,

Hannah Bakey

Title IX Coordinator

bakeyh@gbc.edu | (302) 225-6285

Goldey-Beacom College

4701 Limestone Road

Wilmington, DE 19808

Vella, Lauren (DOJ)

Subject: FW: Online Form Submission - College Compliance Self-Reporting

Switch-MessageID: 96e7c78fab86485cafcae70684652bfe

From: Vella, Lauren (DOJ)

Sent: Wednesday, December 4, 2019 5:35 PM

To: bakeyh@gbc.edu

Subject: RE: Online Form Submission - College Compliance Self-Reporting

Good evening Ms. Bakey,

In reviewing the submission from Goldey-Beacom College, we have recategorized the one report of nonconsensual sexual or physical contact to a report of nonconsensual genital contact. Given the description of the report provided later in the submission, it best fits the updated category.

We wanted to inform you of this recategorization in the report. Let me know if you have any questions.

Best,
Lauren

Lauren CW Vella

Policy & Legislative Director
Delaware Department of Justice

Lauren.Vella@delaware.gov

Office: 302-577-8738

APPENDIX D- University of Delaware

Information submitted by the
University of Delaware

Vella, Lauren (DOJ)

From: DOJ_DoNotReply@state.de.us
Sent: Tuesday, October 1, 2019 6:41 PM
To: Vella, Lauren (DOJ); titleixcoordinator@udel.edu
Subject: Online Form Submission - College Compliance Self-Reporting
Attachments: 2018 Title IX Reports.xlsx

Name of School: University of Delaware

Name of Person Completing the Form: Danica Myers

Email Address of Person Completing the Form: titleixcoordinator@udel.edu

Send a copy to me?: yes

Phone Number of Person Completing the Form: 302-831-8063

Number of Faculty Trained: Faculty Full 1,221; Faculty Part 816; Faculty Total 2,037

Number of Faculty Employed: Faculty Full 1,331; Faculty Part 887; Faculty Total 2,218

Minutes of Training Provided To Faculty: 60

Description and Format of Training Provided To Faculty: Online sexual misconduct training contracted through EVERFI and customized by the Office of Equity and Inclusion at the the University of Delaware. Training modules are required of all new hires and biannual training for ongoing faculty.

Number of Staff Trained: Staff Part 1,922; Staff Full 2,998; Staff Total 4,920

Number of Staff Employed: Staff Part 1,937; Staff Full 3,205; Staff Total 5,142

Minutes of Training Provided To Staff: 60

Description and Format of Training Provided To Staff: Online sexual misconduct training contracted through EVERFI and customized by the Office of Equity and Inclusion at the the University of Delaware. Training modules are required of all new hires and biannual training for ongoing staff

Number of Students Trained: Undergrad 5,551; Graduate 1,259; Student Total 6,810

Number of Students Enrolled: Undergrad 5,577; Graduate 1,283; Student Total 6,860

Minutes of Training Provided to Students: 60

Description and Format of Training Provided To Students: Online sexual misconduct training contracted through EVERFI and customized by the Office of Equity and Inclusion at the the University of Delaware. Every fall all incoming students (undergraduate and graduate) receive training modules.

Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts: 35

Number of Reports of Nonconsensual Genital Contact, Including Attempts: 42

Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts: 57

Please Describe The General Nature Of Alleged Assault Using Categories Above: Of the above listed reports to occur on-campus, 8 were investigated by the University of Delaware's Office of Equity and Inclusion, in accordance with the University's Sexual Misconduct Policy. Please see separate table for more detailed information. 1- Nonconsensual Sexual or Physical Contact Allegation 2- Nonconsensual Genital Contact Allegations 5- Nonconsensual Penetration Allegations

Please Describe The Methods Of Investigation Used: For more information, please review the complete UD Sexual Misconduct Policy here: <https://cpb-us-w2.wpmucdn.com/sites.udel.edu/dist/3/3423/files/2017/09/17-18-Sexual-Misconduct-Policy-Final-20170926-2k5adk0.pdf>

E. Investigation If the Title IX Coordinator determines that an investigation is appropriate, the University will conduct a thorough fact-finding investigation by one or more investigators assigned by the Title IX Coordinator. The investigator(s) will be charged with investigating the complaint and reaching a finding of responsible or not responsible for the charges in the complaint in consultation with the Title IX Coordinator. If the matter involves students, and the investigator(s) discover violations that may also violate the University's Student Code of Conduct during the investigation, the investigator(s) will share that information with the Office of Student Conduct to review and take action as deemed appropriate. If the matter involves faculty or staff members, and the Investigator(s) discover(s) potential violations of other University policies during the investigation, the Investigator(s) will share that information with the Chief Human Resources Officer and/or the Vice Provost for Faculty Affairs, as applicable, to review and take action as deemed appropriate. Once the investigator(s) learn of other potential

violations of the Sexual Misconduct Policy and/or other University policies, the complainant and/or the respondent will be notified, as applicable. The investigation will include the investigator(s) meeting separately with the complainant (if the complainant is participating in the investigation), the respondent and relevant witnesses. As discussed in Section VI.G., the complainant and the respondent may each be accompanied to these meetings by up to two support persons. The investigator will review any other information deemed relevant to the report and investigation and to which the investigator has access. This may include surveillance camera footage, photographs, documents, text messages, social media postings, electronic mail messages or other materials provided to the investigator by any person participating in the process or otherwise obtained by the investigator. The investigator will give the complainant and respondent the opportunity to present questions they believe should be asked of the other party and witnesses and the opportunity to respond to statements made by others, if deemed appropriate by the investigator. At any time during the course of an investigation, the complainant, respondent or any witnesses may provide a written statement, other supporting materials or identify other potential witnesses regarding the reported sexual misconduct. The University will complete its review of the complaint within a reasonable time period. If the investigator believes that the review will take longer than 30 days, he or she shall inform the University Title IX Coordinator and the parties to the complaint. If at any time during the course of the investigation the complainant withdraws from participating in the process, the University may proceed with the investigation without the complainant's participation or may determine that it is appropriate to dismiss the charges.

F. Findings of the Investigation and Notification The burden of proof rests with the complainant and a finding must be based on the preponderance of the information available to the investigator(s). This means in order to find the respondent responsible for sexual misconduct, the investigator(s) must conclude that it is more likely than not that the respondent violated the University's sexual misconduct policy. If the investigator(s) cannot reach such a conclusion, then the finding must be not responsible. If the investigator(s) concludes that the complainant filed the report falsely or maliciously, then disciplinary action may be taken by the University against the complainant.

Draft Report When the investigator(s) completes the investigation, he or she will prepare a draft written report. The draft report will include the following sections: • The investigator's charge; • Relevant policies; • Identification of the persons interviewed; • Summary of the information collected; and • Summary of the statements made by the complainant, the respondent and any witnesses; and • A summary of the facts to date. The investigator(s) will provide the draft report to the Title IX Coordinator, who will then advise the complainant and respondent by email that the draft report is available for their review. The complainant and respondent may contact the Title IX Coordinator to make an appointment, accompanied by their support persons if desired, to review a copy of the investigator's draft report, which may be redacted as necessary to protect the privacy interests of the complainant, respondent or other witnesses. The parties and their respective support persons may review the draft report in the presence of the Title IX Coordinator and take notes on the content, but may not copy or photograph the draft report or take a copy with them.

Opportunity to Respond to the Draft Report No later than seven days after the notice of the availability of the investigator's draft report is sent to the parties, the complainant and respondent may each provide to the investigator(s) a written response to the investigator's report, limited to five typewritten, double-spaced pages with 12-point font and 1-inch margins. The response may include, but is not limited to, additional questions the parties believe should be asked of the other parties or witnesses, new evidence they believe is relevant, and the impact the situation has had on them. The written response may not include citations to outside authorities or character evidence.


Final Report After the earlier of (i) the receipt of the parties' written submissions or (ii) the seven day period has passed, the investigator will prepare the final report, which will include a finding of responsible or not responsible on each alleged violation of this Policy. The final report, along with the parties' written responses to the draft report, will be delivered to the Title IX Coordinator. The final report may be redacted as necessary to protect the privacy interests of the complainant, respondent or other witnesses. The final outcome derived from the report of the investigator(s) will be shared with the parties at the same time in writing via email to include information about next steps as well as an invitation to review the final report. The parties and their respective supports persons may review the final report in the presence of the Title IX Coordinator and take notes on the content, but may not copy or photograph the draft report or take a copy with them.

Finding of Responsible If the investigator(s) finds the respondent responsible for violating the sexual misconduct policy, the complainant and respondent may meet with the Title IX Coordinator to discuss the finding and learn about the next steps in the process. During this meeting, the parties may request the opportunity to speak separately with the person(s) deciding the sanctions. The investigator's report, along with the responses to the draft report, will be forwarded to the appropriate sanctioning authority, depending on the status of the respondent, as set forth in Section VIII. A finding of responsible may be appealed after the sanctioning decision is made.

Finding of Not Responsible If the investigator(s) finds the

respondent not responsible for violating the sexual misconduct policy, the complainant and the respondent may meet separately with the Title IX Coordinator to discuss the finding and learn about appeal rights. The complainant may appeal the investigator's decision as set forth in Section IX. Based on the information in the investigator's final report, other university policies may have been violated. In these cases, the Title IX coordinator will refer the investigator's report to the appropriate University official for review and action as deemed appropriate.

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed: Of the 8 of investigations, here are the following dispositions: 4- Responsible findings with disciplinary action ranging from Suspension (2) to Expulsion (2) 4- Not Responsible findings, as such no sanctions were applied. Please see separate table for more detailed information

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C.  761-778A

University of Delaware Investigations- CY 2018

Case #	OSC Date	UD Charge	DE DOJ Related Charge	Location	Description	Outcome	Sanction
1	2/6/18	Sexual Harassment	Nonconsensual Sexual or Physical Contact	On Campus and Electronically	Unwanted electronic communications and unwanted physical contact of a sexual nature (e.g. butt grabbing, bear hugging, etc.)	NOT RESPONSIBLE	N/A
2	4/9/18	Sexual Assault	Nonconsensual Penetration	Off Campus	Complainant said Respondent had non-consensual sexual intercourse based on Complainant's incapacitation from alcohol consumption	NOT RESPONSIBLE	N/A
3	6/14/18	Sexual Assault	Nonconsensual Penetration	On Campus	Complainant said Respondent had non-consensual sexual intercourse based on Complainant's incapacitation from alcohol consumption	NOT RESPONSIBLE	N/A
4	7/10/18	Sexual Assault	Nonconsensual Penetration	On Campus	Complainant reported Respondent engaged in non-consensual sexual intercourse while Complainant was asleep	RESPONSIBLE	EXPULSION, Increased from 2-year suspension on Respondent's appeal
5	9/4/18	Sexual Assault & Dating Violence	Nonconsensual Penetration	Off Campus	Complainant reported that Respondent engaged in non-consensual sexual intercourse based on Respondent choking Complainant to the point of difficulty breathing and forcing the sexual interaction.	RESPONSIBLE	Expulsion
6	9/6/18	Sexual Assault, Dating Violence, and Retaliation	Nonconsensual Penetration	On Campus	Complainant stated Respondent forced Complainant to engage in sexual activity.	NOT RESPONSIBLE	N/A
7	11/9/18	Sexual Assault	Nonconsensual Genital Contact	On Campus	Respondent provided Complainant with alcohol before touching Complainant's breasts and vagina without her consent	RESPONSIBLE	Suspension
8	12/7/18	Sexual Assault	Nonconsensual Genital Contact	On Campus	Complainant reported Respondent touched Complainant's breasts and vagina while Complainant was asleep and unable to provide consent	RESPONSIBLE	Suspension

Complaint_Nu mber	Crime_ Code	Crime_Stat us_Desc	Crime_Exceptio n_Desc	Crime_Category	Crime_Code_Desc		Reported_Date	MO_Description
3918001234	1103		Prosecution Declined	Rape/Sexual Assault	Rape/Strong-Arm	Rape 2nd Degree	Jan 28, 2018	S1 had sexual intercourse with V1, without consent.
3918003057	1103		No Victim cooperation	Rape/Sexual Assault	Rape/Strong-Arm	Rape 2nd Degree	Feb 28, 2018	V1 stated that she was sexually assaulted after going home with S1 after drinking alcoholic beverages at Grottos.
3918003923	3605		Prosecution Declined	Sex Offenses	Indecent Exposure	Lewdness	Mar 14, 2018	Suspect performed lewd acts by touching his genitals in public at Willard Hall's Library.
3918003948	1198	Adult Arrest		Rape/Sexual Assault	Sexual Misconduct	Sexual Harassment	Mar 15, 2018	Student became disorderly after being contacted in reference sexual statements he made to other students in his dormitory.
3918003948	1198	Adult Arrest		Rape/Sexual Assault	Sexual Misconduct	Sexual Harassment	Mar 15, 2018	Student became disorderly after being contacted in reference sexual statements he made to other students in his dormitory.
3918005289	1126	Pending-Inactive		Rape/Sexual Assault	Unlawful Sexual Contact/No Force	Unlawful Sexual Contact 3rd Degree	Apr 8, 2018	V1 stated that S1 touched her breasts and vagina without consent (skin to skin). V1 stated that S1 provided alcoholic beverages to V1, who is under the legal age to consume.
3918005670	3699	Pending-Inactive		Sex Offenses	Sex Offense/Free Text/Includes Lewdness	Lewdness	Apr 14, 2018	Suspects illegal entered an unsecured motor vehicle and had sexual intercourse.
3918009186	1104		Prosecution Declined	Rape/Sexual Assault	Forcible Sodomy	Rape 2nd Degree	Jun 9, 2018	V1 was raped by known assailant.
3918009186	1103		Prosecution Declined	Rape/Sexual Assault	Rape/Strong-Arm	Rape 2nd Degree	Jun 9, 2018	V1 was raped by known assailant.
3918009186	1103		Prosecution Declined	Rape/Sexual Assault	Rape/Strong-Arm	Rape 2nd Degree	Jun 9, 2018	V1 was raped by known assailant.
3918009186	1103		Prosecution Declined	Rape/Sexual Assault	Rape/Strong-Arm	Rape 2nd Degree	Jun 9, 2018	V1 was raped by known assailant.
3918013457	3605	Adult Arrest		Sex Offenses	Indecent Exposure	Lewdness	Sep 9, 2018	Defendant exposed his penis to the victim and was found to be intoxicated.
3918013838	1126	Adult Arrest		Rape/Sexual Assault	Unlawful Sexual Contact/No Force	Unlawful Sexual Contact 3rd Degree	Sep 14, 2018	S1 was have suspected to sexually assaulted V1
3918013838	1105		Prosecution Declined	Rape/Sexual Assault	Sexual Assault With an Object	Rape 4th Degree	Sep 14, 2018	S1 was have suspected to sexually assaulted V1
3918013838	1126		Prosecution Declined	Rape/Sexual Assault	Unlawful Sexual Contact/No Force	Unlawful Sexual Contact 3rd Degree	Sep 14, 2018	S1 was have suspected to sexually assaulted V1

3918014102	1198	Pending-Inactive	Rape/Sexual Assault	Sexual Misconduct	Sexual Harassment	Sep 18, 2018	Victim advised an unknown person sexually harassed her via Instagram.
3918014368	3699	Adult Arrest	Sex Offenses	Sex Offense/Free Text/Includes Lewdness	Lewdness	Sep 22, 2018	D1 did commit a lewd act in front of the victims by masturbating in public. D1 did trespass on University of Delaware Property.
3918014368	3699	Adult Arrest	Sex Offenses	Sex Offense/Free Text/Includes Lewdness	Lewdness	Sep 22, 2018	D1 did commit a lewd act in front of the victims by masturbating in public. D1 did trespass on University of Delaware Property.
3918018926	3605	Adult Arrest	Sex Offenses	Indecent Exposure	Lewdness	Dec 8, 2018	V1 and V2 observed D1 was masturbating in his vehicle in the Harrington Fire Lane.
3918018926	3605	Adult Arrest	Sex Offenses	Indecent Exposure	Lewdness	Dec 8, 2018	V1 and V2 observed D1 was masturbating in his vehicle in the Harrington Fire Lane.

Information submitted by
Wesley College

Vella, Lauren (DOJ)

From: DOJ_DoNotReply@state.de.us
Sent: Monday, September 30, 2019 9:24 AM
To: Vella, Lauren (DOJ); katharine.mckinney@wesley.edu
Subject: Online Form Submission - College Compliance Self-Reporting
Attachments: Public Safety Report for DOJ, 2018.xlsx

Name of School: Wesley College

Name of Person Completing the Form: Katharine McKinney

Email Address of Person Completing the Form: katharine.mckinney@wesley.edu

Send a copy to me?: yes

Phone Number of Person Completing the Form: 3027362585

Number of Faculty Trained: 147

Number of Faculty Employed: 193

Minutes of Training Provided To Faculty: Approximately 40 minutes

Description and Format of Training Provided To Faculty: Training was an online module that included information on Title IX, VAWA, and sexual assault. A flyer with this information was also covered during Faculty Meeting.

Number of Staff Trained: 213

Number of Staff Employed: 213

Minutes of Training Provided To Staff: Approximately 40 minutes

Description and Format of Training Provided To Staff: Training was an online module that included information on Title IX, VAWA, and sexual assault.

Number of Students Trained: 751 full-time undergraduate students trained (as of 9/30/19, trainings remain ongoing)

Number of Students Enrolled: 973 full-time undergraduate students enrolled in Fall 2019 semester (as of 9/27/19 Census info.)

Minutes of Training Provided to Students: Approximately 30 minutes

Description and Format of Training Provided To Students: Training was provided through an online program from Traliant. The training included interactive elements such as short question and activity sections, videos, and the inability to leave the screen while the training took place. The training is mandatory, and any student who does not complete it will not be able to register for Spring 2020 classes.

Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts: 0 reports

Number of Reports of Nonconsensual Genital Contact, Including Attempts: 0 reports

Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts: 0 reports

Please Describe The General Nature Of Alleged Assault Using Categories Above: N/A

Please Describe The Methods Of Investigation Used: N/A

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed: N/A

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C. 761-778A

	CALENDAR YEAR	2018
SEX OFFENSES, RAPE	ON CAMPUS	0
	**RESIDENTIAL FACILITIES	0
	NONCAMPUS	0
	PUBLIC PROPERTY***	0
	DOVER AIR FORCE BASE	0
		0

SEX OFFENSES, FONDLING	ON CAMPUS	0
	**RESIDENTIAL FACILITIES	0
	NONCAMPUS	0
	PUBLIC PROPERTY***	0
	DOVER AIR FORCE BASE	0
		0

SEX OFFENSES, INCEST	ON CAMPUS	0
	**RESIDENTIAL FACILITIES	0
	NONCAMPUS	0
	PUBLIC PROPERTY***	0
	DOVER AIR FORCE BASE	0
		0

SEX OFFENSES, STATUTORY RAPE	ON CAMPUS	0
	**RESIDENTIAL FACILITIES	0
	NONCAMPUS	0
	PUBLIC PROPERTY***	0
	DOVER AIR FORCE BASE	0
		0

Vella, Lauren (DOJ)

Subject: FW: Online Form Submission - College Compliance Self-Reporting
Attachments: Information for DOJ 2018 Self-Report due 10-1-19.docx
Switch-MessageId: 3fd7e646618c4399bfefa88cfa66780f

From: Howard-Bailey, Dawn <Dawn.Howard-Bailey@wesley.edu>
Sent: Thursday, December 12, 2019 12:03 PM
To: Vella, Lauren (DOJ) <Lauren.Vella@delaware.gov>
Cc: Anderson, Wanda <Wanda.Anderson@wesley.edu>
Subject: RE: Online Form Submission - College Compliance Self-Reporting

Lauren,
As per your request, please find attached the updated report showing the year 2018 College Self Reporting information. Please let us know if you have any additional questions.

Wanda,
Thanks again!

Kind Regards,



Dawn Howard-Bailey
Director of Human Resources
Title IX Coordinator



Wesley College
120 North State Street
Dover, DE 19901

Dawn.Howard-Bailey@wesley.edu
Direct: 302.736.2306
Website: <http://www.wesley.edu>

This message may contain confidential information for the use of the addressee(s) above and may contain legally privileged information. If you are not the addressee, or the person responsible for delivering it to the addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited. If you have

received this message by mistake, notify us by replying to the message and delete the original message immediately. Thank you.

From: Vella, Lauren (DOJ) <Lauren.Vella@delaware.gov>
Sent: Monday, December 9, 2019 12:55 PM
To: Anderson, Wanda <Wanda.Anderson@wesley.edu>
Cc: Howard-Bailey, Dawn <Dawn.Howard-Bailey@wesley.edu>
Subject: Re: Online Form Submission - College Compliance Self-Reporting

****NOTICE: This is an EXTERNAL EMAIL, the sender's email is not Wesley College. If you do not trust the sender, then be aware that this may be SPAM or a Phishing attempt.****

Thank you Wanda.

Dawn, let me know if you have any questions. Again, I am looking the numbers of students trained in 2018 to include in the campus sexual assault report. The information provided earlier this year reflected 2019 rather than 2018. The report is due this Friday, so we need the information as soon as possible.

Best,
Lauren

Lauren CW Vella

Policy & Legislative Director
Delaware Department of Justice
Lauren.Vella@delaware.gov
302-577-8738

From: Anderson, Wanda <Wanda.Anderson@wesley.edu>
Sent: Monday, December 2, 2019 4:40 PM
To: Vella, Lauren (DOJ) <Lauren.Vella@delaware.gov>
Cc: Bailey, Dawn <Dawn.Bailey@wesley.edu>
Subject: RE: Online Form Submission - College Compliance Self-Reporting

Hello Lauren,

Unfortunately, Katharine is no longer employed by Wesley College nor is the former Title IX Coordinator, Heather Schalk. The College's new Title IX Coordinator is Dawn Baily, who I have included on this email.

Take Gentle Care,
Dr. Wanda Anderson
Dean of Students

From: Vella, Lauren (DOJ) [<mailto:Lauren.Vella@delaware.gov>]
Sent: Monday, December 2, 2019 2:22 PM
To: Anderson, Wanda <Wanda.Anderson@wesley.edu>
Subject: FW: Online Form Submission - College Compliance Self-Reporting

****NOTICE: This is an EXTERNAL EMAIL, the sender's email is not Wesley College. If you do not trust the sender, then be aware that this may be SPAM or a Phishing attempt.****

Good afternoon Dr. Anderson,

I received a bounce from my below email to Ms. McKinney. I am hoping you can connect me with the right person. This is regarding the Annual Report on Campus Sexual Assault.

Best,
Lauren

Lauren CW Vella
Policy & Legislative Director
Delaware Department of Justice
Lauren.Vella@delaware.gov
Office: 302-577-8738

From: Vella, Lauren (DOJ)
Sent: Monday, December 2, 2019 2:04 PM
To: katharine.mckinney@wesley.edu
Subject: Online Form Submission - College Compliance Self-Reporting

Good afternoon Ms. McKinney,

The training numbers for students that you provided on behalf of Wesley College say that they reflect fall 2019. This reporting period is for calendar year 2018, so we are looking for the training for students in fall 2018 rather than fall 2019.

We welcome you to email me updated training numbers to reflect 2018 training. If you have any questions, please let me know.

Best,
Lauren

Lauren CW Vella
Policy & Legislative Director
Delaware Department of Justice
Lauren.Vella@delaware.gov
Office: 302-577-8738

Name of School

Wesley College

Name of Person Completing the Form

Dr. Wanda Anderson Dean of Students, Title IX Deputy Coordinator

Email Address of Person Completing the Form

wanda.anderson@wesley.edu

Phone Number of Person Completing the Form

(302) 736-2506

Total Number of Responsible Employees Employed

406

Total Number of Responsible Employees Trained:

360

Number of Faculty Trained

147

Number of Faculty Employed

193

Minutes of Training Provided To Faculty

Approximately 40 minutes

Description and Format of Training Provided To Faculty

Training was an online module that included information on Title IX, VAWA, and sexual assault. A flyer with this information was also covered during Faculty Meeting.

Number of Staff Trained

213

Number of Staff Employed

213

Minutes of Training Provided To Staff

Approximately 40 minutes

Description and Format of Training Provided To Staff

Training was an online module that included information on Title IX, VAWA, and sexual assault.

Number of Students Trained

306 full-time undergraduate students trained (as of 10/22/18, trainings remain ongoing)

Number of Students Enrolled

979 full-time undergraduate students enrolled in Fall 2018 semester (as of 9/21/18 Census info.)

Minutes of Training Provided to Students

Approximately 90 minutes

Description and Format of Training Provided To Students

Training was provided face to face workshops with students using a power point presentation. The training was presented by the Title IX Specialist who combined interactive activities with a lecture.

Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts

0 reports

Number of Reports of Nonconsensual Genital Contact, Including Attempts

0 reports

Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts

0 reports

Please Describe The General Nature Of Alleged Assault Using Categories Above

N/A

Please Describe The Methods Of Investigation Used

N/A

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed

N/A

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C. §§ 761-778A

Please see enclosed document.

Information submitted by
Wilmington University

Vella, Lauren (DOJ)

From: DOJ_DoNotReply@state.de.us
Sent: Monday, September 30, 2019 12:49 PM
To: Vella, Lauren (DOJ); linda.m.andrzjewski@wilmu.edu
Subject: Online Form Submission - College Compliance Self-Reporting

Name of School: Wilmington University

Name of Person Completing the Form: Dr. Linda Van Drie Andrzjewski

Email Address of Person Completing the Form: linda.m.andrzjewski@wilmu.edu

Send a copy to me?: yes

Phone Number of Person Completing the Form: 302-356-6754

Number of Faculty Trained: 1521

Number of Faculty Employed: 1521

Minutes of Training Provided To Faculty: 20-75 minutes

Description and Format of Training Provided To Faculty: Both online and face-to-face training provides training on Harassment and Discrimination Prevention, Title IX and the Clery Act, including reporting guidelines, federal and state law definitions, of consent, sexual assault, domestic and dating violence, and victim protections. The courses also cover the guidance for employees designated as "Responsible Employees" and "Campus Security Authorities". Both courses raise employee awareness about harassment and discrimination by providing insight on how to appropriately respond to and report misconduct. The training provides tips on how to maintain a safe, inclusive work environment, including options for bystander intervention. • All new faculty members were provided online training on Title IX and the Clery Act. This training included an overview of both laws including reporting requirements, understanding what it means to be both a "Responsible Employee" and a "Campus Security Authority", state and federal law definitions of sexual assault, sexual harassment, domestic and dating violence, and victim protections. • A seminar was given at Faculty Development Day regarding Title IX, the Clery Law and Delaware House Bill 1. Topics included federal and state law definitions, the reporting requirements under Title IX and Delaware House Bill 1, what it means to be a "Responsible Employee". The seminar also included information on how to handle traumatized victims. • A Power Point training presentation was provided to a population of adjunct faculty, which included information on Title IX, Clery, and Delaware House Bill 1, definitions of sexual assault and consent, a discussion of the prevalence of sexual assault, information on trauma, what it means to be a "Responsible Employee" and reporting obligations of Responsible Employees. • We also offer several face-to-face training opportunities for faculty on Title IX, the Clery Act and Delaware House Bill 1. Topics included federal and state law definitions, the reporting requirements under Title IX and Delaware House Bill 1, what it means to be a "Responsible Employee".

Number of Staff Trained: 600

Number of Staff Employed: 600

Minutes of Training Provided To Staff: 60-75

Description and Format of Training Provided To Staff: Both online and face-to-face training provides training on Harassment and Discrimination Prevention, Title IX and the Clery Act, including reporting guidelines, federal and state law definitions, of consent, sexual assault, domestic and dating violence, and victim protections. The courses also cover the guidance for employees designated as "Responsible Employees" and "Campus Security Authorities". Both courses raise employee awareness about harassment and discrimination by providing insight on how to appropriately respond to and report misconduct. The training provides tips on how to maintain a safe, inclusive work environment, including options for bystander intervention. Provided additional face-to-face training in our Athletics department on Harassment and Discrimination Prevention, Title IX and the Clery Act, including reporting guidelines, federal and state law definitions, of consent, sexual assault, domestic and dating violence, and victim protections, and the responsibilities of a Responsible Employee.

Number of Students Trained: 1776

Number of Students Enrolled: 1776

Minutes of Training Provided to Students: 10-60

Description and Format of Training Provided To Students: • Students received and confirmed completion of a training video, "Title IX and Dating Violence" which they were required to view. The video discussed Title IX, the prevalence of sexual assault, the definition of consent, dating violence, what to do if sexually assaulted, resources on-campus, bystander intervention, and alcohol safety. • All new students were provided access to additional online training. The online course examines the interconnected issues of hooking up, substance abuse, sexual violence, and healthy relationships through a variety of interactive, realistic scenarios and guided self-reflection. The course promotes a healthier and safer campus environment for everyone. • International student orientations were held for all New F-1 visa students. Students received a face-to-face presentation that lasted 90 minutes about Title IX, the Clery Act, University Safety, sexual assault, consent, dating and domestic violence, resources for victims of sexual harassment, bystander awareness, and alcohol safety. • All (new and returning) student-athletes received a face-to-face presentation in Fall that lasted one hour that included the topics of Title IX, the Clery Act, sexual assault, consent, dating and domestic violence, resources for victims of sexual harassment, bystander prevention, and alcohol safety. • All new students were provided additional information from the Title IX Coordinator which included links to campus resources including the Title IX webpage, the Wilmington University Sexual Misconduct, Discrimination, and Harassment Policy, the "9 Thing to Know about Title IX" video, the Delaware Victim's Bill of Right, and the Wilmington University Sexual Harassment Flyer. • International students were provided additional information from the Title IX Coordinator. The email contained helpful links to campus resources including the Title IX webpage, the Wilmington University Sexual Misconduct, Discrimination, and Harassment Policy, the "9 Thing to Know about Title IX" video, the Delaware Victim's Bill of Right, the Wilmington University Sexual Harassment Flyer, and the Annual Security Report. The email also contained a Power Point similar to the presentation that students received earlier in the year.

Number of Reports of Rape (Any Nonconsensual Penetration), Including Attempts: 0

Number of Reports of Nonconsensual Genital Contact, Including Attempts: 0

Number of Reports of Nonconsensual Sexual or Physical Contact, Including Attempts: 0

Please Describe The General Nature Of Alleged Assault Using Categories Above: NA

Please Describe The Methods Of Investigation Used: NA

Please Describe The Findings. If Reports Were Substantiated, Please Describe What Penalties Were Imposed: NA

Campus Police or Public Safety Reporting (Only For Those Institutions with Their Own Public Safety Agencies): Please Upload, Preferably In Microsoft Excel or Word Format, A Chart of All Reports of Offenses Under 11 Del. C. §§ 761-778A

APPENDIX G- Statistical Analysis Center

Information submitted by the
Statistical Analysis Center



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
CRIMINAL JUSTICE COUNCIL
STATISTICAL ANALYSIS CENTER
410 FEDERAL STREET, SUITE # 6
DOVER, DELAWARE 19901

Telephone: (302) 739-4626
Fax: (302) 739-4630
SLC: D380B
Web: sac.delaware.gov/

September 19, 2019

MEMORANDUM

To: Attorney General Jennings; Department of Justice
From: Spencer Price, Director; Statistical Analysis Center
Subject: House Substitute 1 to House Bill 1 of the 148th General Assembly

House Substitute 1 for House Bill 1 of the 148th General Assembly established the Sexual Assault Policy for Institutions of Higher Education. As a requirement under Title 14 §9006A(b), the Statistical Analysis Center (the Center) is responsible for submitting a report on the outcome or status of complaints involving violations of Title 11 §767-773 where the alleged victim(s) and/or perpetrator(s) are students of an academic institution, as defined in Title 14 §9001A(1), and whether the alleged offense occurred on or off campus property. The data contained in this report refers to the number of complaints where the victim(s) and/or suspect(s) are a student as defined in the above statute. It is important to note that a single complaint may have multiple victims and/or suspects. This memo serves as the Center's report to the Department of Justice pursuant to this legislation.

As the basis for this analysis, the Center extracted complaint data from the Delaware Criminal Justice Information System to identify possible Title 11 §767-773 offenses reported in calendar year 2018. Due to the large number of complaints for these types of offenses, it was necessary for the Center to restrict its manual search for student victims or suspects to those in the range of 17 to 30 years of age. This range was selected to narrow the focus to complaints that would most likely include college age subjects.

The data collection resulted in 385 complaints that the Center manually reviewed for alleged victim and suspect information. This manual review resulted in 25 complaints that had an explicit reference to the alleged victim(s) or suspect(s) being a student of an academic institution that occurred in 2018. The table below provides a breakout of these 25 complaints and their status.

Complaint Status Student Status	On Campus			Off Campus		
	Adult Arrest	Pending	No Prosecution	Adult Arrest	Pending	No Prosecution
Student Victim/Student Suspect	2	3	1	1	1	1
Student Victim/Non-Student Suspect	0	2	0	2	2	5
Non-Student Victim/ Student Suspect	0	0	0	4	0	1