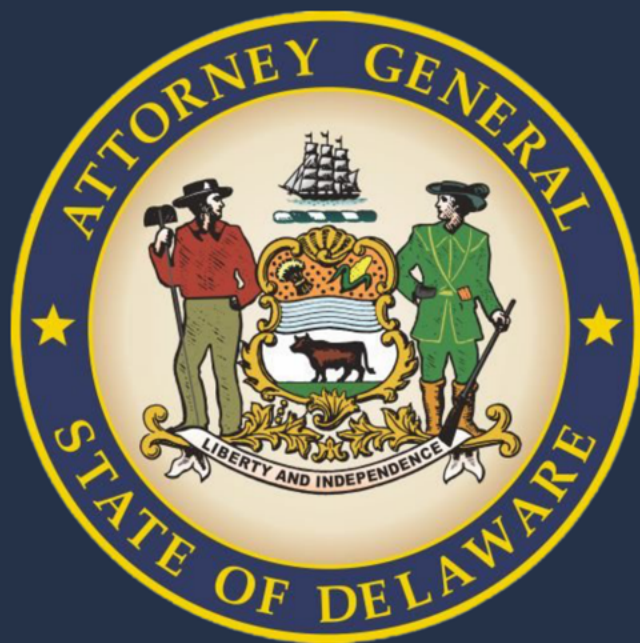


2023 Annual Report

Campus Sexual Assault in Delaware





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December 13, 2023

To: Governor John C. Carney and Members of the 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 2022 calendar year. All five schools- Delaware State University, Delaware Technical Community College, Goldey-Beacom College, the University of Delaware, 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 needed for this report.

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

Overall findings include:

- For the 2022 calendar year, schools reported providing training for between 9% and 100% of faculty members, and between 47% and 100% of staff members, depending on the school. Due to bi-annual training requirements, schools may have fulfilled their training requirement in a prior reporting period.
- Schools reported training between 8% and 100% of newly enrolled undergraduate students, depending on the school.
- At-risk student populations were identified at each institution by Title IX Coordinators and typically included student-athletes, international students, members of Greek organizations (fraternity or sorority), and at some schools, residential students. Between 12% and 100% of At-Risk students were trained.
- All institutions reported using a combination of virtual and in-person trainings to achieve compliance.
- Overall, there were 19 campus reports of rape, four campus reports of non-consensual genital contact, and 39 campus reports of non-consensual sexual or physical contact. In the 2022 report (2021 calendar year), there were 16 campus reports of rape, two campus

reports of non-consensual genital contact, and 31 campus reports of non-consensual sexual or physical contact. In the 2021 report (2020 calendar year), there were 14 campus reports of rape, nine campus reports of non-consensual genital contact, and 34 campus reports of non-consensual sexual or physical contact.

- The Statistical Analysis Center identified 18 complaints that explicitly stated the alleged victim or suspect was a student of an academic institution. Of the 18 complaints involving college students with events occurring in 2022, five resulted in no prosecution, two resulted in adult arrests, and eight remain open and pending. For the five cases closed with no prosecution, there were three in which the victim declined to proceed with pressing charges and two in which prosecutors declined to pursue charges due to lack of evidence and/or inconsistencies on the part of the victim/witnesses.
- Campus police agencies reported 24 criminal reports including 17 criminal reports of rape and seven criminal report of unlawful sexual contact.

A reader may notice a difference between the number of campus crime reports and the number of campus reports of sexual assault. The figures do not include crime reports made to non-campus police agencies. Schools generally track the number of reports they receive, regardless of whether the student proceeds with a formal school complaint or criminal complaint or seeks resources. It is also possible for actions 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 cultural shift in our community to take cases of sexual assault seriously.

All information was provided and is presented without personal identifying information (PII) regarding the complainant or respondent to protect the privacy of all individuals. Per the statute, DOJ is required to present the information as it is received from the schools, their public safety agencies, and the SAC. Thus, the information contained herein has not been, and should not be, interpreted to have been verified by DOJ.

Respectfully,



Chief of Staff
Elmer M. Setting

cc: Title IX staff of Delaware State University, Delaware Technical Community College, Goldey-Beacom College, University of Delaware, 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 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 categories the DOJ requested be used for reporting (rape or nonconsensual penetration, nonconsensual genital contact, and non-consensual physical or sexual contact, including attempts within each category). As a result, the aggregate data for schools in the report may differ from a school's own report 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 verbal harassment or non-sexual violence, did not meet the definition of sexual assault per the statute.

We have also opted to provide more descriptions of offenses (when such information was provided) than required to highlight the variety of actions encompassed by the statute and how schools responded.

Student training reporting is broken down by newly enrolled students and at-risk student populations to better track with the categories identified in the statute.

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 a process for reporting 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 the state government to ensure 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 three months of beginning work as a responsible employee. Refresher training is required for all responsible employees at a minimum of every two 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.

On 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, and 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 (DSU)

	# Trained	Total # Employed or Enrolled	Percentage Trained
Faculty	22	237	9%
Staff	271	552	49%
Newly Enrolled Students	454	1,991	23%
At-Risk Student Populations	589	2,466	24%

DSU reported that the Title IX Coordinator presented a thirty-minute virtual PowerPoint and an online training module provided by Vector Solutions, customized by DSU, to faculty. All new employees must participate in these trainings, and the University states it provides annual opportunities for training through their Professional Development Workshops. The presentation provides information on mandatory reporting, prohibited conduct, and updated Title IX regulations. In 2022, 9% of faculty were trained.

A thirty-minute Title IX PowerPoint was presented virtually by the Title IX Coordinator and an online training module provided by Vector Solutions, customized by DSU, was presented to staff. All new employees must participate in these trainings, and DSU reports that it provides annual opportunities for training through their Professional Development Workshops. The presentation provides information on mandatory reporting, prohibited conduct, and updated Title IX regulations. In 2022, 49% of staff were trained.

DSU reported that of the 1,991 new student enrollments, only 454 received 30-minutes of training (23%). Of the At-Risk Student Population, defined as Newly Enrolled Students and Student-Athletes, 24% were trained (589 of 2,466). All new students (undergraduate and graduate level) were asked to complete online training through Vector Solutions, customized by DSU. This training may include any at-risk students who are also new to DSU. Vector Solutions is a reality-driven course designed to educate students about consent, healthy relationships, bystander intervention, and the realities of sexual assault, dating violence, domestic violence, and more. This course features an assessment at the end, as well.

Delaware Technical Community College (DTCC)

	# Trained	Total # Employed or Enrolled	Percentage Trained
Faculty	426	910	47%
Staff	334	710	47%
Newly Enrolled Students	1,854	2,488	75%
At-Risk Student Populations	67	142	47%

DTCC reported training 47% of both its faculty and staff members. Faculty completed a 15 to 90 minute PowerPoint presentation and training facilitated annually during employee in-service, campus updates, adjunct in-service, and offered through the Supervisory Training program. These are delivered live either in-person or over Zoom by the Title IX Coordinator / Legal Counsel. (15 to 60 minutes). Annual online training provided through United Educators entitled "Preventing Sexual Violence Together" for all employees (45 to 60 minutes). Bi-Annual interactive training is provided as a requirement of the Delaware Discrimination In Employment Act Training Program (60 to 90 minutes).

DTCC Staff received a 15 to 90 minute PowerPoint presentation and training facilitated annually during employee in-service and campus updates and offered through the Supervisory Training program. These are delivered live either in-person or over Zoom by the Title IX Coordinator / Legal Counsel. (15 to 25 minutes). Annual online training is provided through United Educators entitled "Workplace Harassment Prevention" for all employees (45 to 60 minutes).

According to DTCC, 1,854 of the 2,488 Newly Enrolled Students received training (75%). Students received a lecture-based presentation during "New Student Orientation" delivered in-person (January) and virtually (August) by campus Chief of Public Safety. (5 minutes); Video, lecture, and case study during "First Year Seminar (SSC-100) delivered in-person or virtually by course instructor (30 to 45 minute); Seminar delivered virtually by athletics staff to new and returning student athletes (5 minutes); Seminar delivered virtually by international education and admissions staff to new and returning F-1 visa students; monthly sexual misconduct awareness and prevention campaigns at each campus.

Sixty-seven of the 142 DTCC At Risk student population received a 5 to 45 minute training consisting of lecture-based presentations during "New Student Orientation" delivered in-person (January) and virtually (August) by campus Chief of Public Safety. (5 minutes); Video, lecture, and case study during "First Year Seminar (SSC-100) delivered in-person or virtually by course instructor (30 to 45 minutes); Seminar delivered virtually by athletics staff to new and returning student athletes (5 minutes); Seminar delivered virtually by international education and admissions staff to new and returning F-1 visa students; Monthly sexual misconduct awareness and prevention campaigns at each campus.

Goldey-Beacom College

	Total # Employed or Enrolled	Number Trained	Percent Trained
Faculty*	106 (21 Full-time/85 Part-time)	77/63	73%/59%
Supervisory Faculty	9	9	100%
Staff**	123 (69 Full-time/54 Part-time)	95/75	77%/61%
Supervisory Staff	46	43	93%
Newly Enrolled Undergraduate Students	220	26	11.81%
Newly Enrolled Graduate Students	181	5	2.76%
At-Risk Population-Residential	329	34	10.33%
At-Risk Population-Student Athlete	321	20	6%
At-Risk Population-International Undergraduate Students	81	32	40%

*Seventy-seven faculty members completed the Title IX, the Clery Act, and VAWA for Faculty and Staff training modules, but only 63 faculty members completed the Harassment Prevention for Delaware Employees training module. Thus, the percentages for faculty trained are respective to the completion numbers referenced.

**Ninety-five staff members completed the Title IX, the Clery Act, and VAWA for Faculty and Staff training modules, but only 75 completed the Harassment Prevention for Delaware Employees training module. Percentages for faculty trained are respective to the completion numbers referenced in the prior footnote.

In 2022, the College employed 21 full-time faculty and 85 part-time faculty members. All 106 faculty received their annual reminder of their reporting obligations. Seventy seven faculty members completed the Title IX, the Clery Act, and VAWA for Faculty and Staff training module and 63 completed the Harassment Prevention for Delaware Employees training module. Nine faculty members were designated as supervisors and additionally completed the Harassment Prevention for Delaware Supervisors training module.

The Title IX, the Clery Act, and VAWA for Faculty and Staff training module is 20 minutes and the Harassment Prevention for Delaware Employees training module is one hour. The Harassment Prevention for Delaware Supervisors training module is two hours.

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.

On September 6, 2022, all faculty members employed at that time received the Title IX, the Clery Act, and VAWA for Faculty and Staff training module and the Harassment Prevention for Delaware Employees training module to be completed remotely. Title IX, the Clery Act, and VAWA for Faculty and Staff covers compliance with Title IX, the Clery Act and VAWA—the laws that protect employees and students from sexual violence and discrimination. Upon completion, faculty members will be able to recognize incidents of sexual violence and discrimination and respond appropriately when a student or colleague tells a faculty member about sexual violence or discrimination. The Harassment Prevention for Delaware Employees course teaches employees to recognize and avoid harassing behaviors in the workplace, as well as take action to prevent harassment—including sexual harassment and retaliation.

This course is compliant with SB 360 training requirements. Faculty members designated as supervisors also received the Harassment Prevention for Delaware Supervisors on September 6, 2022. This course teaches supervisors to recognize workplace practices or behaviors that could have a discriminatory effect, identify harassing behaviors in the workplace, and take action to prevent harassment—including sexual harassment and retaliation. This course is compliant with SB 360 training requirements.

On all NeoGov training modules, a score of 80% or higher on a quiz administered after the training content is required for the training to be considered completed. Additionally, all faculty received reminders of their obligation to report on May 16, 2022, and December 1, 2022.

In 2022, the 123 staff members received their annual reminder of their reporting obligations. 95 staff members completed the Title IX, the Clery Act, and VAWA for Faculty and Staff training module and 75 completed the Harassment Prevention for Delaware Employees training module. For the 46 staff members designated as supervisors, 43 staff members completed the Harassment Prevention for Delaware Supervisors training module.

The Title IX, the Clery Act, and VAWA for Faculty and Staff training module is 20 minutes and the Harassment Prevention for Delaware Employees training module is one hour. The Harassment Prevention for Delaware Supervisors training module is two hours. The Board of Trustees was provided their Sexual Misconduct Obligation to Report training prior to their meeting on October 6, 2022. Additionally, information regarding their obligations was shared at the meeting itself and was included in the Board meeting minutes.

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.

On September 6, 2022, all staff members employed at that time received the Title IX, the Clery Act, and VAWA for Faculty and Staff training module and the Harassment Prevention for Delaware Employees training module to be completed remotely. Title IX, the Clery Act, and VAWA for Faculty and Staff covers compliance with Title IX, the Clery Act and VAWA—the laws that protect [employees] and students from sexual violence and discrimination. Staff will be able to recognize incidences of sexual violence and discrimination and respond appropriately when a student or colleague tells a staff member about sexual violence or discrimination.

The Harassment Prevention for Delaware Employees course will teach employees to recognize and avoid harassing behaviors in the workplace, as well as take action to prevent harassment—including sexual harassment and retaliation. This course is compliant with SB 360 training requirements. Staff members designated as supervisors also received the Harassment Prevention for Delaware Supervisors on September 6th. This course teaches supervisors to recognize workplace practices or behaviors that could have a discriminatory effect, identify harassing behaviors in the workplace, and take action to prevent harassment—including sexual harassment and retaliation. This course is compliant with SB 360 training requirements.

On all NeoGov training modules, a score of 80% or higher on a quiz administered after the training content is required for the training to be considered completed. Additionally, all staff received reminders of their obligation to report on May 16, 2022, and December 1, 2022. At the October 2022 Board of Trustees meeting, the responsibilities of Trustees as responsible employees were affirmed.

In 2022, the College had 220 newly enrolled undergraduate students, and 181 newly enrolled graduate students. Twenty-six newly enrolled undergraduate students were virtually trained, which was 11.81% of all newly enrolled undergraduate students. Additionally, five newly enrolled graduate students completed virtual training, which was 2% of all graduate students.

Virtual training was sent to new students in April 2022, as well as in August. Residential students were required to complete training in order to move in to the College's residential halls. Also, New Student Orientation held for new residential and commuter undergraduate students during the summer included programming related to the resources available on-campus and how to report

instances of sexual violence or discrimination. Additionally, the College launched its inaugural First-Year Experience course sequence in Fall 2022. First-year students were required to complete a one-credit, one-week seminar course. This course contained an intensive, in-person session with the Title IX Coordinator and the Clery Compliance Officer to explain Title IX, VAWA, and Clery. This session included definitions of terminology related to sexual misconduct, including sexual assault and sexual harassment.

The College defines its at-risk populations as student athletes, residential students, and international undergraduate students. 20 of the College’s student athletes completed the online training- 6% were trained virtually in 2022. The College had 34 of its residential students complete their online training, meaning 10.33% of the College’s residential students were trained. In 2022, 32 of the College’s undergraduate international students were trained, meaning approximately 39.5% of this population completed the virtual training. New Student Orientation held for new residential and commuter undergraduate students during the summer included programming related to the resources available on-campus and how to report instances of sexual violence or discrimination.

University of Delaware (UD)

	# Trained	Total # Employed or Enrolled	Percentage Trained
Faculty	157	232	68%
Staff	1,108	1,990	59%
Newly Enrolled Students	8,800	10,331	85%
At-Risk Student Populations	1,766	2,915	61%

One hundred fifty-seven out of 232 faculty members received online sexual misconduct training contracted through the University through Vector Solutions (vendor) and customized by the University of Delaware's Office of Equity and Inclusion (OEI). "Building Supportive Communities - Clery Act and Title IX" (new employees) and "Bridges: Taking Action" (continuing employee refresher course) are online training modules provided by Vector Solutions for University employees (Faculty and Staff).

All new hires are required to complete these modules when hired, and complete biannual training during the fall semester for all continuous faculty during the odd-numbered calendar years. The bi-annual training was not administered in 2022, but will be administered again in Fall 2023.

The University of Delaware requires organizations that operate on campus to register the number of minors on campus through the Protection of Minors Department housed in the Office of Equity and Inclusion. The Protection of Minors’ Policy requires organizations to take required and affirmative steps to lessen the risk of potential harm to minor participants. Program Organizers must agree to comply with UD’s Protection of Minors Policy, including reporting their program to the Minors Liaison, conducting regular criminal background checks and child protection registry checks on all Program Staff, providing appropriate supervision for participants, and strictly observing the training requirements and standards of conduct required by UD’s Protection of Minors’ Policy. Under UD’s Protection of Minors’ Policy, all faculty and staff working in any capacity with a minor on campus must complete the online Protecting Youth Training by Vector Solutions.

The training is a one-hour online module that is scenario-based and focuses on better management practices when working with minors. The training must be completed annually and must be completed prior to working on-campus with any minors. During the 2022 calendar year, there were 1,716 Protecting Youth training completions by UD faculty and staff for the Protection of Minors Program. UD registered 157 Programs for Minors sessions, and there were 7,814 minors served on campus in 2022.

Out of 1,990 staff members, 1,108 received online sexual misconduct training contracted by the University through Vector Solutions (vendor) and customized by OEI. "Building Supportive Communities - Clery Act and Title IX" (new employees) and "Bridges: Taking Action" (continuing employee refresher course) are online training modules provided by Vector Solutions for University employees (Faculty and Staff). All new hires are required to complete these modules when hired, and biannual training is conducted university-wide during the fall semester for all continuous staff during odd-numbered calendar years. The biannual training was not administered in 2022, but will be administered again in Fall 2023.

In 2022, the University of Delaware trained approximately 164 employees who are classified as Campus Security Authorities. The primary objective of this training was to ensure that student resident assistant employees are well-equipped to perform their CSA duties. The training focuses on several key areas, including learning Clery geography, Clery reportable crimes, Clery reporting protocols, and resources available to victims of Clery Act crimes. Other trainings for resident assistants (RAs) included the following:

- August 18, 2022 – Sexual Misconduct Training for RAs by Student Wellness and Health Promotion. Approximately 180 RAs attended.
- August 22, 2022 – Our UD Floor Meetings – Train the Trainer presented by Student Wellness and Health Promotion. Approximately 180 RAs attended.
- August 23, 2022 – Title IX Training for Resident Assistants – presented by the Office of Equity and Inclusion. Two hours in-person. Approximately 180 RAs attended Protecting Minors on Campus.

The University of Delaware requires organizations that operate on campus to register the number of minors on campus through the Protection of Minors Department, housed in the Office of Equity and Inclusion. The Protection of Minors' Policy requires organizations to take required and affirmative steps to lessen the risk of potential harm to minor participants. Program Organizers must agree to comply with UD's Protection of Minors Policy, including reporting their program to the Minors Liaison, conducting regular criminal background checks and child protection registry checks on all Program Staff, providing appropriate supervision for participants, and strictly observing the training requirements and standards of conduct required by UD's Protection of Minors' Policy.

Under UD's Protection of Minors' Policy, all faculty and staff working in any capacity with a minor on campus must complete the online Protecting Youth Training by Vector Solutions. The training is a one-hour online module that is scenario-based and focuses on better management practices when working with minors. The training must be completed annually and must be completed prior to working on-campus with any minors. During the 2022 calendar year, there were 1,716 Protecting Youth training completions by UD faculty and staff for the Protection of Minors Program. UD registered 157 Programs for Minors' sessions, and there were 7,814 minors served on-campus in 2022.

Of the 10,331 newly enrolled students, 8,800 were trained. All new undergraduate and graduate students are required to complete an online training contracted by the University with Vector Solutions entitled “Sexual Assault Prevention for Undergraduates and Graduates.” This course educates students about applicable sexual harassment and violence laws, sexual assault, consent, healthy relationships, relationship violence, bystander education, and more.

The course features student survivors, scenarios, testimonials, and advice for dealing with the topics. Sexual Assault Awareness Month on April 20, 2022, from 10:00 a.m. to 2:00 p.m., Student Wellness and Health Promotion sponsored a Denim Day event where 20 students participated in decorating denim for Sexual Assault Awareness Month in April. This program was open to all students.

On April 27, 2022, InterVarsity sponsored a program called “Institutions, Abuse, and Accountability: Addressing Sexual Assault in Universities and the Church,” with speaker Rachael Denhollander. This program was open to all students. The program was in-person and lasted 90 minutes, and approximately 80 students attended.

On April 28, 2022, UD’s Center for the Student and Prevention of Gender-Based Violence and Global Rights for Women co-sponsored “Valiant Voices: Strategies for Seeking Justice for Survivors of Campus Sexual Violence through Policy, Social Media, and Activism.” This program was a webinar, and 50 students attended.

In May 2022, Student Wellness and Health Promotion (SWHP) facilitated multiple sessions of an in-person Hens CARE program for undergraduate students that focused on bystander intervention. The sessions took place between March 22, 2022 and May 2, 2022. In preparation for these bystander intervention workshops, SWHP trained Bystander Intervention Peer Educators in-person on March 19, 2022. These programs were open to all undergraduate students, and approximately 431 undergraduate students attended these bystander intervention workshops, and at least 75 of the students attending these workshops were student-athletes.

Student Wellness and Health Promotion also facilitate educational programs on sexual misconduct, including sexual assault, for new first-year students. From September through November 2022, 4,000 first-year students received two 50-minute SWHP programs in their First Year Seminar class: One on Sexual Misconduct Prevention and one on Bystander Intervention. This course focuses on enhancing the development of identity, community, leadership, and achievement. Several units emphasize sexual misconduct, alcohol, and drug usage in this program.

In advance of and to prepare for these programs, SWHP trained 160 First Year Seminar Peer Mentors in-person for 90 minutes on April 26, 2022 and May 3, 2022. On April 27, 2022 and May 4, 2022, SWHP trained 80 Peer Mentors on bystander intervention for 90 minutes. On August 29, 2022, SWHP conducted a program called “Our UD” for 2,750 first year on-campus residents. The Resident Assistants for each housing area assisted with the facilitation of the program, and topics included sexual misconduct and sexual assault. At-Risk Group Trainings The University of Delaware has identified and trained at-risk groups, including newly enrolled Fraternity and Sorority Life members, new and current student-athletes, and in-country International Students.

The UD Office of Student Wellness and Health Promotion has a mission of providing comprehensive well-being services to empower students, particularly at-risk populations, to gain knowledge, access resources, and make healthy choices to pursue optimal health and quality of life. These programs include the Hen Care Bystander Training, One Love Training, Prevention Education for International Students, and other programs discussed more fully below.

Fraternity and Sorority Life members and student-athletes in the Department of Athletics, Community, and Campus Recreation are trained through the Building Leaders Utilizing Education (BLUE) Leadership program. BLUE is a four-year educational leadership program focusing on health wellness, personal success, community engagement, diversity and inclusion, and career preparation. Students engaged in several programs, workshops, and activities to build personal, group, and community leadership skills from their first year as a Blue Hen through graduation. The program is mandatory for all student-athletes and Club Sports leaders. Each academic class is assigned to a specific set of workshops in which they participate yearly.

On March 20 - 21, 2022, Student Wellness and Health Promotion presented a one-hour Supporting a Survivor program to Fraternity and Sorority Life Leaders, and 45 students attended. On October 17-18, 2022, Student Wellness and Health Promotion facilitated a One Love workshop entitled “Behind the Post” for 74 third-year student-athletes. One Love workshops empower student-athletes to recognize the warning signs of abuse and teach them to create healthier relationships.

Between September 19, 2022, and December 13, 2022, 1,057 new fraternity and sorority life members attended sessions presented by Student Wellness and Health Promotion on the Blue Hens CARE Bystander Workshop. This workshop is a two-hour in-person program where students learn about bystander intervention in the context of UD and their teams, fraternity, and/or sorority. On October 17-18, 2022, Student Wellness and Health Promotion facilitated a One Love workshop entitled “Behind the Post” for 56 third-year student-athletes.

In Spring 2022, 220 Greek-life members were required to participate in the Escalation workshop. In-Country International Students The University of Delaware has instituted Sexual Misconduct Prevention Programs for students within the English Language Institute (ELI). The learning outcomes of this program are to (a) decrease ELI students who experience and perpetrate acts of Sexual Misconduct and (b) increase the number of ELI students who seek help and utilize support services if victimized. On November 6, 2022, Student Wellness and Health Promotion facilitated a one-hour program called “Supporting a Survivor” for 100 members of sorority Phi Sigma Sigma. The University of Delaware presented a 2-hour Escalation workshop and mandatory training for student leaders of fraternity and sorority life.

In January, June, July, August, September, and November 2022, UD conducted an orientation for approximately 89 ELI student attendees, in part to help them understand sexual misconduct, how to ask for consent in sexual situations and understand bystander intervention. In August 2022, new International Students at UD received a 30- minute orientation program on Understanding Sexual Misconduct, and 50 students attended. Other Trainings Student Wellness and Health Promotion conducted multiple additional educational programs about sexual assault in 2022, including the following:

- September 21, 2022 – SOS: Get up! Stand up! (15 students attended).
- October 3, 2022 – Presentation to BHAN Class on Understanding Health Relationships (50 minutes) – 66 students attended.
- October 6, 2023 – Presentation to WOMS Class on Sexual Media Literacy (12 students attended).

Wilmington University (WU)

	# Trained	Total # Employed or Enrolled	Percentage Trained
Faculty	1,307	1,307	100%
Staff	547	547	100%
Newly Enrolled Students	2,284	2,284	100%
At-Risk Student Populations	2,106	2,106	100%

Wilmington University reported that of the 1,307 faculty members, all were provided training in 2022. However, the length of the training was not specified. Wilmington University achieved the Campus Prevention Network Seal of Prevention for their exemplary efforts in fostering student and employee safety, well-being, and inclusion through online prevention programs.

An online and interactive training is provided to all new and current faculty at time of hire and then on a biennial basis. The training program covers Harassment and Discrimination Prevention, Title IX and the Clery Act, encompassing reporting guidelines, federal and state law definitions of consent, sexual assault, stalking, domestic and dating violence, and victim protections.

Additionally, the training delves into the legal definition of sexual harassment and the Title VII law. It also discusses how unaddressed behaviors, attitudes or actions can escalate into potential workplace violence. The course also addresses the guidance and reporting requirements for employees designated as “Responsible Employees” and “Campus Security Authorities”. The program raises employee awareness about harassment and discrimination, providing guidance on how to appropriately respond to and report misconduct while emphasizing the University’s policy of “no retaliation” for those who file a report. Furthermore, the training offers tips on maintaining a safe and inclusive work environment, including strategies for bystander intervention.

New faculty members are required to complete this course upon hiring and all current faculty are required to complete on a biennial basis. Managers receive additional training on what constitutes harassment, why employees have a difficult time reporting it, and mistakes managers frequently make when addressing issues of harassment and discrimination. The Title IX Coordinator presented a Zoom presentation to various College faculty groups regarding Title IX, the University’s policies and procedures (including Wilmington University’s Sexual Misconduct Policy Governing Students and Employees), and House Bill 1. Topics included state and federal definitions, the prevalence of sexual assault, sexual harassment in online environments, and reporting requirements for employees.

Throughout the year, awareness campaigns were conducted for students, faculty, and staff, encompassing various themes. These campaigns featured Domestic Violence Awareness Month, Alcohol Awareness Month, Sexual Assault Awareness Month, Bystander Awareness Month and Stalking Awareness Month.

Faculty members were informed about virtual participation opportunities for each campaign. Educational resources and materials for these awareness efforts were accessible through Human Resources and Student Life. In September, the University collaborated with other colleges in Delaware to observe Delaware Sexual Assault Awareness Day. Faculty members received educational information and resources related to sexual assault, and were encouraged to wear teal as a sign of support. Teal bracelets were distributed at various locations on campus for faculty members. Comprehensive information about Title IX was also made available to all faculty through the WilmU intranet, featuring a link to the "Nine Things to Know about Title IX" video and a link to the Title IX webpage.

Wilmington University further reported that all 547 staff members were provided with a 60 to 75-minute training in 2022. Wilmington University achieved the Campus Prevention Network Seal of Prevention for their exemplary efforts in fostering student and employee safety, well-being, and inclusion through online prevention programs. All first-time/ full-time students received training regarding Title IX, including definitions of sexual assault and sexual harassment, the prevalence of sexual assault, the definition of consent, dating violence and stalking what to do if sexually assaulted, resources on-campus, bystander intervention, and alcohol safety. At the conclusion of the training, an assessment was provided to test their knowledge. All new students were also provided access to additional interactive online training.

The online course examines the interconnected issues of “hooking up,” substance abuse, sexual violence, and healthy relationships, gender and stereotypes, trauma, responding to survivors, and state laws (including consent, sexual assault, and victim protections) through a variety of interactive, realistic scenarios and guided self-reflection. The course promotes a healthier and safer campus environment for everyone.

Each student was provided information about Title IX in the WilmU intranet. Information included a link to the “Nine Things to Know about Title IX” video and a link to the Title IX webpage. International student orientations were held for all New F-1 visa students. Students received a Power Point presentation on Title IX, the Clery Act, University Safety, sexual assault, consent, dating and domestic violence, stalking, healthy relationships, preserving evidence, resources for victims of sexual harassment, bystander awareness, and alcohol safety. All student-athletes received a presentation about Title IX, the Clery Act, sexual assault, consent, dating and domestic violence, stalking, healthy relationships, preserving evidence, resources for victims of sexual harassment, bystander awareness, and alcohol safety.

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 policy governing students, the “9 Thing to Know about Title IX” video, the Delaware Victims’ Bill of Rights, and the Wilmington University Sexual Harassment Flyer. International students were provided additional information and resources from the Title IX Coordinator. This included helpful links to campus resources including the Title IX webpage, the Wilmington University Sexual Misconduct policy governing students, the “9 Thing to Know about Title IX” video, the Delaware Victims’ Bill of Rights, the Wilmington University Sexual Harassment Flyer, and the Annual Security Report.

Additionally, a Power Point presentation covering Title IX, the Clery Act, University Safety, sexual assault, consent, dating and domestic violence, stalking, healthy relationships, preserving evidence, resources for victims of sexual harassment, bystander awareness, and alcohol safety. Awareness campaigns were held throughout the year for students, faculty, and staff. Awareness campaigns included Domestic Violence Awareness Month, Bystander Awareness Month, Alcohol Awareness Month, Sexual Assault Awareness Month, Stalking Awareness Month, and Dating Violence Awareness Month. For each campaign students were notified of opportunities to participate virtually.

The Title IX Coordinator collaborated with Student Life to have information about sexual assault, dating violence, domestic violence, stalking, and bystander information placed in the student newsletter monthly. Educational resources and materials were available through Human Resources and Student Life for the various awareness campaigns. In September, the University collaborated with other colleges in Delaware to observe Delaware Sexual Assault Awareness Day. Students received educational information and resources related to sexual assault, and were encouraged to wear teal as a sign of support. Teal bracelets were distributed at various locations on campus for students.

Campus Reports of Sexual Assault

Delaware State University (DSU)

There were eight reports of rape:

DSU's Non-Discrimination, Sexual and Gender-Based Misconduct, and Title IX Policy ("DSUTIX") uses categories that align with the Title IX final rule (effective August 20, 2020) as follows: Title IX Sexual Harassment; Sexual Assault (1) penetration of vagina or anus with an object or body part; (2) oral or anal intercourse without affirmative consent; (3) object penetration of a genital or anal opening without consent; and (4) touching intimate body parts for purposes of sexual gratification, without consent.

Please note, for these purposes, a report is the subjective reporting of an incident of alleged misconduct that violates DSU's Policy without investigation or finding to determine what, if anything, occurred. Additionally, due to the responsibility to report across all campus employees, including Delaware State University's Police Department (DSUPD). There may be repeat reports that do not have enough identifying information to avoid duplication.

The reports included non-consensual penetration or attempted penetration of a complainant's vagina without their consent. Three of the eight cases involved students as one of the parties in the matter, and were completed through the DSU formal hearing process, as outlined in the DSUTIX policy.

The Office of Title IX conducts all investigations in compliance with federal regulations, the Department of Education's Title IX Final Rule Regulations in May 2020, effective August 14, 2020. Additionally, case law has continued to inform the DSUTIX; for example, the *Doe v. The University of The Sciences* decision, and also, in accordance with the July 2021 *Victims Rights Law Center v. Cardona* decision, allowing for reliance on investigation report materials, not examined "live" at the hearing.

One respondent was found responsible and sanctioned with a two-year suspension, a no-contact order with the complainant, and no trespassing on DSU campus or at DSU-sponsored events. The other two respondents were found not responsible through the formal hearing process, and no sanctions or penalties were imposed.

There was one report of non-consensual genital contact:

The incident involved touching the complainant's vagina without their consent, as defined by DSUTIX.

There were three reported incidents of non-consensual sexual or physical contact:

The incidents involved touching of the buttocks and kissing without the other party's consent, as defined by DSUTIX.

This report can be found in Appendix A.

Delaware Technical Community College

There were four reports of sexual assault (rape):

1. On March 3rd, 2022, a female student from the Dover campus reported that she was the victim of an off-campus sexual assault that occurred in August 2020. The complainant filed for a hardship withdrawal from her classes at DTCC because she reported that she was sexually assaulted at her

home in front of her child by a family member. The complainant did not provide additional details. The Title IX Coordinator emailed the complainant, who responded, but declined protective measures and did not wish to move forward with an investigation. Based on the wishes of the complainant, no formal investigation was conducted. The respondent was not affiliated with DTCC. The report was resolved as No formal complaint / No investigation / No finding.

2. On November 10th, 2022, a female student from the Stanton campus reported an off-campus sexual assault to the Stanton Public Safety department. The complainant did not provide additional details of the sexual assault but confirmed that the respondent was not affiliated with DTCC. The Title IX Coordinator reached out to the complainant in regard to her allegation of sexual assault. The complainant did not respond to the Title IX Coordinator's email. No formal complaint was filed. The report was resolved as No formal complaint / No investigation / No finding.
3. On November 14th, 2022, a female student from the Newark campus reported to her instructor that she was a victim of an off-campus sexual assault which occurred at the end of October - beginning of November 2022. The complainant did not provide additional details of the sexual assault. On November 21st, 2022, the complainant responded to the Title IX Coordinator's November 16th, 2022, email stating that she could meet by telephone and provided dates and times for the meeting. Several attempts were made to finalize a time to meet with the complainant but there was no further communication on the part of the complainant. As a result of the complainant's lack of communication, no formal complaint was filed and no investigation was conducted. The report was resolved as No formal complaint / No investigation / No finding.
4. On December 1st, 2022, a female student at the Dover campus reported that she had been a victim of an off-campus sexual assault in a petition for hardship withdrawal. The complainant reported that she was drugged and sexually assaulted, and later had to be relocated by Delaware Victim Services. No additional details were provided by the complainant. The Title IX Coordinator emailed the complainant on December 1st, 2022, however there was no response from the complainant. No formal complaint was filed. No formal investigation was completed. The case was resolved as No investigation / No finding.

There was one report of non-consensual genital contact.

1. On October 27th, 2022, a female DTCC student from the Owens campus reported nonconsensual sexual contact on two occasions by a male University of Delaware student who was attending classes at DTCC. The complainant initially made a report to the Public Safety Department (Owens). The first nonconsensual contact occurred when the complainant accepted a ride from the UD student who drove to a location away from the College and attempted to have sex with her by kissing her and grabbing her crotch. The complainant stated that she had to push the respondent away several times before he stopped.

However, because they were in a location not close to the College and she was afraid he was going to leave her there, she did not get out of the car. The second nonconsensual sexual contact occurred in the library of the Owens campus while she was sitting in a chair studying. The respondent climbed on top of her and began grabbing her crotch. She stated she had to grab his hair and pull it until he finally got off of her and stopped. She stated that the respondent would not stop despite her objections and she had to forcibly pull him off of her.

In response to the DTCC Title IX Coordinator's October 28th, 2022, email, the complainant stated that she filed a Title IX complaint against the respondent with the Title IX office at UD, but had not heard from them. The complainant informed the DTCC Title IX Coordinator that she did not wish to file a formal complaint at DTCC. At the complainant's request, the DTCC Title IX Coordinator issued a no contact order between the complainant and respondent. The case was resolved as No formal complaint filed / No investigation / No finding.

There were two reports of non-consensual sexual or physical contact.

1. On March 4th, 2022, a female employee (complainant) from the Wilmington campus alleged that she received unwelcomed sexual contact from a male employee. The complainant alleged the male employee put his arm around her while talking to her and then placed his hand on her buttock without her consent. The student was driven to a location away from the College by the suspect and attempted to have sex with her by kissing her and grabbing her crotch. The complainant stated that she had to push the respondent away several times before he stopped. In response to the Title IX Coordinator's email, the complainant filed a formal complaint alleging that the male employee had committed nonconsensual sexual contact with her. The Title IX Coordinator issued supportive measures in the form of a no contact order that was applicable to both parties. A mediation was conducted with the parties participating from separate rooms, which resulted in a written agreement signed by both parties. The case was resolved as No investigation due to agreement reached at mediation / No finding due to agreement reached at mediation.
2. On December 7, 2022, a male employee from the Dover campus reported a nonconsensual sexual contact that occurred on December 3, 2022, at a holiday party which occurred at the Dover campus Del-One Conference Center. The complainant made an initial report to the Public Safety Department at the Dover campus (Terry). The complainant reported that he was assigned to custodial services at the event and while he was collecting trash at the party, a white female who was attending the party approached him from behind and grabbed his left buttock. The complainant was unable to identify the respondent. After meeting with the Title IX Coordinator, the complainant advised that he filed a report with the Public Safety Department at the Dover campus. However, he did not want to file a formal Title IX complaint. As a result, no investigation was conducted. The case was resolved as No formal complaint filed / No investigation / No finding.

This report can be found in Appendix B.

Goldey-Beacom College

There was one report of rape or nonconsensual genital contact.

The College defines rape, a component of sexual assault, in its Sexual Misconduct Policy 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." The full definition of sexual assault is not included here as they are not relevant to the one report included here.

However, their definition can be found in the College's Sexual Misconduct Policy (<https://www.gbc.edu/docs/202223SexualMisconductPolicy.pdf>). Specific information regarding the incidents noted above are available upon request.

An athletic (sic) reported to the Assistant Athletic Director that a student athlete relayed that they had been raped by another athlete. The Assistant Athletic Director informed the Title IX Coordinator, who reached out to the complainant. However, the student was not interested in speaking with the Title IX Coordinator or anyone at the College about the incident.

The College defines one component of sexual harassment in its Sexual Misconduct Policy as “Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity.” The full definition of sexual harassment is not included here as they are not relevant to the one report included here. However, their definition can be found in the College’s Sexual Misconduct Policy (<https://www.gbc.edu/docs/202223SexualMisconductPolicy.pdf>).

Specific information regarding the incidents noted above is available upon request. Reported instances of nonconsensual contact while the respondent was intoxicated were received. Many complainants spoke with the College’s Title IX Coordinator, but none were willing to move forward with signing a formal complaint. Due to the number of complaints received about the same respondent, the College served as the complainant and the Title IX Coordinator signed a formal complaint.

An investigation was initiated per receipt of a signed formal complaint. The complainant was entirely unresponsive to outreach from the College’s investigative team (D. Stafford and Associates), and the complaint was eventually dismissed, as no one could get in contact with the complainant.

There were no reports of non-consensual genital contact.

There were two reports of nonconsensual sexual or physical contact.

1. The College defines rape, a component of sexual assault, in its Sexual Misconduct Policy 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.” The full definition of sexual assault is not included here, as they are not relevant to the one report included here. However, their definition can be found in the College’s Sexual Misconduct Policy (<https://www.gbc.edu/docs/202223SexualMisconductPolicy.pdf>). Specific information regarding the incident noted above is available upon request.

Reported instances of nonconsensual contact while the respondent was intoxicated were received. Many complainants spoke with the College’s Title IX Coordinator, but none were willing to move forward with signing a formal complaint. Due to the number of complaints received about the same respondent, the College served as the complainant and the Title IX Coordinator signed a formal complaint.

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.

Were there any uncertainty, the Deputy Coordinator may have been consulted for input and the investigators may 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/202223SexualMisconductPolicy.pdf>.

A student of the College was in need of medical accommodations because of injuries from a violent altercation with their intimate partner. Upon receipt of report, a Title IX Coordinator reached out and connected with the complainant. The complainant stated that they were pursuing other avenues for recourse and did not wish for the College to do anything. They did need some assistance with classroom accommodations, with which the Title IX Coordinator assisted. No findings, as no investigation was conducted.

2. An athletic coach reported that an athlete disclosed that they experienced unwelcome sexual advances. A Title IX Coordinator met with the complainant who did not even disclose who the alleged respondent was and did not wish to pursue anything further. Resources were shared and the complainant was assured that they could open a case in the future if they so wished. No findings, as no investigation was conducted.

Multiple reported instances of nonconsensual contact while the respondent was intoxicated were received. Many complainants spoke with the College's Title IX Coordinator, but none were willing to move forward with signing a formal complaint. Due to the number of complaints received about the same respondent, the College served as the complainant and the Title IX Coordinator signed a formal complaint.

The College defines one component of sexual harassment in its Sexual Misconduct Policy as "Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity."

This report moved forward as an institutional investigation with a Title IX Coordinator signing a formal complaint. A Title IX Coordinator contacted the third-party investigative services utilized by the College (D. Stafford and Associates) who then met with the complainant, any witnesses, as well as the respondent. Interviews were conducted via Zoom and a report was completed by the third-party investigators. After a review of the third-party report, the College's official complaint was withdrawn as the fact-finding report demonstrated that the behaviors of the respondent did not meet the threshold of sexual harassment.

The formal complaint was withdrawn, the case was dismissed, and the respondent was not found to be in violation of the College's Sexual Misconduct policies.

The full definition of sexual harassment is not included here as it is not relevant to the one report included here. However, the definition can be found in the College's Sexual Misconduct Policy(<https://www.gbc.edu/docs/202223SexualMisconductPolicy.pdf>). Specific information regarding the incidents noted above is available upon request.

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.

This report can be found in Appendix C.

University of Delaware

The University of Delaware uses categories aligned with the Title IX final rule (effective August 20, 2020) as follows: Title IX Sexual Harassment; Sexual Assault (1) penetration of vagina or anus with an object or body part; (2) oral or anal intercourse without affirmative consent; (3) object penetration of a genital or anal opening without consent; and (4) touching intimate body parts for purposes of sexual gratification, without consent) to capture the Department of Justice Categories.

Please note, a report is the subjectively reported incident of alleged misconduct that violates UD's Policy, without investigation or finding to determine what, if anything occurred. Additionally, due to the responsibility to report across all campus employees, including the University of Delaware Police Department (UDPD), there may be redundant reports that do not have enough identifying information to avoid duplication.

Response, investigation and hearing adjudication methods to all reports and cases before OEI (sic) are handled in line with the effective UD policy, as follows: previous - August 14, 2020- University of Delaware Non-Discrimination, Sexual Misconduct, and Title IX Policy (UDNDSMTIXP) The UD policy in their entirety are available online: <https://cpb-us-w2.wpmucdn.com/sites.udel.edu/dist/3/3423/files/2020/09/20200902-NDSM-Policy-final.pdf>.

There were eight reports of rape.

The DOJ nonconsensual penetration (or rape) category was reported at eight incidents, resulting in a 33% increase from CY 2021. These reports include nonconsensual penetration of a complainant's vagina without their consent.

1. On April 4, 2022, a fraternity leader reported that a female student was sexually assaulted on December 31, 2021, at an off-campus townhouse by a male student in the fraternity. It was reported that both parties had been drinking. They began to "hook-up" but shortly after, the complainant expressed verbally that she did not wish to continue and withdrew consent. The respondent refused to stop and continued to have unprotected sex with the complainant for two more hours until he finished, and the complainant asked him to leave. The complainant told the reporter that she wished to be anonymous. The reported (sic) told the complainant that the Title IX office would follow-up with her.

The Title IX Coordinator emailed the Complainant a letter on May 6, 2022, and the complainant retrieved the letter on May 7, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware's Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without investigation.

2. On April 10, 2022, a female student complainant reported to her Resident Assistant (RA) that she was raped in her residence hall room on April 6, 2022 at approximately 9:30 pm. The complainant met the respondent on Tinder and he is unaffiliated with UD. The RA informed the complainant of her rights, including to report to law enforcement. The complainant then called UDPD from her own phone. The complainant was transported to the hospital for a forensic exam, and was accompanied by the UD RA. The following day, the RA provided the complainant with written information about confidential and non-confidential resources, which he had discussed with her the night before. The RA also checked in with the complainant to ensure she was doing okay.

The Title IX Coordinator emailed the Complainant a letter on May 5, 2022, and the complainant retrieved the letter on May 6, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including to the Delaware's Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without Title IX investigation. The disposition of the police investigation is unknown.

3. On May 6, 2022, a female student complainant reported to her Resident Assistant that she was sexually assaulted in November of 2021, in her residence hall room by a male student. Both parties were drinking at a get-together in the residence hall. The complainant went home when the others left to go to another party. Later, the complainant received a text from the respondent asking if he could come to her room. The complainant said yes. In the room, they talked. The respondent then forced the complainant to the floor, got on top of her and raped her. The complainant continually asked the respondent to stop and told him she was drunk but he continued until the complainant's roommate came home. At that point, the respondent stopped and left the room. The complainant did not report the incident at the time because she felt like she had made a mistake in allowing the respondent to come to her room. The Resident Assistant provided information on confidential and non-confidential resources. The complainant was informed by the RA of their right to notify law enforcement, which the complainant declined.

The Title IX Coordinator emailed the Complainant a letter on May 20, 2022, and the complainant retrieved the letter on May 20, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including to the Delaware's Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without Title IX investigation.

4. On September 28, 2022, the complainant submitted a self-report to the Title IX office. She reported that, on October 9, 2021, a UD-unaffiliated respondent that the complainant went to high school with, but did not really know, offered to walk her to her residence on-campus to “keep her safe.” Once at the building, the respondent followed her into her room. The complainant had been drinking, but the respondent had not. Once in her room, the respondent helped her to bed and joined her in bed without her permission. The complainant told the respondent explicitly that she did not want to have sexual activity, but the respondent ignored her. The respondent climbed on top of her and raped her while she was blacked out. The complainant awoke to the respondent wiping something off her bed and asking “first time, huh” before he left. The complainant did not report this to anyone at the University at the time. The complainant said she had also not reported the incident to law enforcement.

The Title IX Coordinator emailed the Complainant a letter on October 27, 2022, and the complainant retrieved the letter on October 27, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims’ Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without Title IX investigation.

5. On October 30, 2022, at approximately 10:53 am, UDPD officers spoke with the complainant who advised that during the early morning hours of October 29, 2022, he felt he was a victim of sexual assault in his dorm room. He identified the respondent and advised that he had just met her and did not have a long-term relationship with her. The complainant alleged that the respondent coerced him into performing oral sex and digital penetration to her against his will. A UDPD detective was called to the scene and opened an investigation, including collecting evidence from the scene. The complainant was transported to the hospital for a forensic exam and the on-call Special Victim Unit was contacted. The police investigation remained on-going with the Attorney General’s office. The complainant was provided with confidential and non-confidential resources.

The Title IX Coordinator emailed the complainant a letter on November 1, 2022, and the complainant retrieved the letter on November 1, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims’ Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without Title IX investigation. The disposition of the police investigation is unknown.

6. On November 11, 2022, a female student complainant self-reported to the Title IX office that she had been raped by a male student respondent on November 3, 2022, in her residence hall room. The complainant went to the hospital immediately after the assault and had a forensic medical exam, but declined notification of law enforcement.

The Title IX Coordinator emailed the complainant a letter on November 17, 2022, and the complainant retrieved the letter on November 29, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims’ Bill of Rights, and a request to meet with

the Title IX Coordinator to further discuss the incident. The complainant met with the Title IX Coordinator and was provided verbal information about resources and support, the option to report to law enforcement, and the option to make a formal Title IX complaint. The complainant was specifically referred to counseling and SOS. The complainant made a formal complaint on April 25, 2023, and a mutual ban from contact between the parties was implemented on May 17, 2023. The investigation into this matter has been completed and the parties are awaiting a hearing, which will take place in the Fall of 2023.

7. On December 5, 2022 a Resident Assistant reported that her resident, a female student complainant, disclosed that she was sexually assaulted at an off campus party at an out-of-state University by a male student from that University, that she knew. The complainant was drinking and went to respondent's room. The complainant told the respondent she did not feel comfortable having sex with him. The respondent ignored and disregarded the complainant's verbal attempts to communicate non-consent and continued to rape her. After the male fell asleep, the complainant left. The complainant immediately sought medical attention at a local hospital and reported the incident to the police in New Jersey, and she was assigned to a counselor. Professional staff offered resources and filed a university incident report. The Resident Assistant provided information on confidential and non-confidential resources. The Title IX Coordinator emailed the complainant a letter on December 5, 2022, and the complainant retrieved the letter on December 5, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including to the Delaware's Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without Title IX investigation. The disposition of the police investigation is unknown.
8. On December 14, 2022, a female student complainant reported to UDPD a prior incident (date unknown) where she was in a residence hall room on-campus. A male student respondent, who was an acquaintance, entered the room while the complainant was sleeping and had non-consensual sex with her while she was drunk and sleeping. The complainant indicated that she did not wish to make a police report. UDPD informed the student they would make a report to the Title IX office and provided her with confidential and non-confidential resources.

The Title IX Coordinator emailed the Complainant a letter on December 19, 2022, and the complainant retrieved the letter on December 19, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without investigation.

There were three reports of nonconsensual genital contact.

The DOJ nonconsensual genital contact category reported three incidents for the calendar year of 2022, a 50% increase from CY 2021. These reports included nonconsensual contact with a Complainant's genitals.

1. On July 13, 2022, the student complainant self-reported that she had been sexually assaulted on July 7, 2022, by a student respondent in respondent's on-campus apartment. The respondent kissed, laid on top of the complainant, touched her butt and attempted to grope her breast after she said no to this activity and was trying to push the respondent off her. Eventually, the complainant left the apartment and the respondent followed her. He grabbed her arm and wrist during the walk back to the complainant's room, but the complainant got home safely, with no further issues from the respondent. The complainant reported being sore in her arms, back, neck, and side.

The Title IX Coordinator emailed the Complainant a letter on July 29, 2022, and Complainant retrieved the letter on August 3, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without investigation.

2. On October 10, 2022, the complainant reported to the University of Delaware Police Department (UDPD) that she was sexually assaulted on October 8, 2022 at approximately 3:15 am. The complainant was walking on-campus towards her residence hall when she noticed an unknown male respondent (student) walking behind her. The respondent approached the complainant and put his hand on her back, then touched her buttocks with an open hand. UDPD was able to view the incident on video footage, which showed the respondent touching the complainant's buttocks. UDPD contacted the Delaware Deputy Attorney General and presented the information, and the Deputy Attorney General declined filing charges at that time pending further information. Because the complainant was 17 years old at the time, UDPD contacted the complainant's mother and advised her of the incident. UDPD officers provided resources to the complainant at the scene. UDPD also put a no contact order in place between the complainant and the respondent.

The Title IX Coordinator emailed the Complainant a letter on October 27, 2022, and the complainant retrieved the letter on October 28, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without Title IX investigation. The disposition of the criminal matter is unknown.

3. On November 6, 2022, the complainant reported to her resident assistant and residence hall coordinator that she had been sexually assaulted last year by another student in a residential room on-campus. Although the complainant consented to kissing the respondent, the respondent then attempted to force oral sex by pushing the complainant's head towards his groin and attempted to force the complainant to fondle his genitals. The complainant said no to this activity and pulled her head and hand away from the respondent. The complainant was provided with information about confidential and non-confidential resources, including the SOS help line, and talked about her right to file a police report. The complainant declined to notify police.

The Title IX Coordinator emailed the Complainant a letter on November 17, 2022, but the Complainant never retrieved the letter. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without investigation.

There were eight reports of nonconsensual sexual or physical contact.

A majority of reports captured above were for DOJ non-consensual sexual or physical contact, a 76% decrease from CY 2021. The incidents involved touching of breasts or buttocks without the other party's consent, as defined by UDNDSMPTIXP.

1. On February 12, 2022, a female student complainant reported to her Resident Assistant that a male student respondent recently touched the complainant inappropriately while in her room. The complainant did not elaborate on any additional details about the touching except that the complainant said she expressed to the respondent that she was not consenting to being touched but the respondent "would not take no for an answer." The Resident Assistant provided resources to the complainant, including information about the SOS line. The complainant was not interested in reporting to police.

The Title IX Coordinator emailed the complainant a letter on March 10, 2022, but the complainant never retrieved the letter. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported she was "touched inappropriately" but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

2. On February 28, 2022, UDPD officers were dispatched to a residence hall at 10:36 pm for a possible suicide. While in the room, a male student complainant told UDPD that he was the victim of a "sexual assault" last year in the same room he is currently residing in. The complainant refused to give any additional details about the sexual assault. Officers on the scene informed the complainant that he would hear from the Title IX office. UDPD also provided the complainant with confidential and non-confidential resources.

The Title IX Coordinator emailed the Complainant a letter on March 10, 2022, but the Complainant never retrieved the letter. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported a "sexual assault" but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

3. On April 14, 2022, a female student complainant reported to a staff member in the Dean of Students' office that she was sexually assaulted off-campus by a stranger Respondent and reported it to the Newark Police Department. The complainant indicated that NPD apprehended the Respondent. The complainant indicated that she is working with the Victim Advocate at NPD and was provided resources by NPD. The Dean of Students' office assisted the complainant with getting excused absences for classes she had missed due to the reported sexual assault.

The Title IX Coordinator emailed the complainant a letter on May 6, 2022, and the complainant retrieved the letter on May 6, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported she was sexually assaulted but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

4. On May 4, 2022, the Office of Student Conduct (OSC) received a report from a female student complainant that she had been sexually assaulted at an off-campus party on April 30, 2022. The complainant did not provide any additional details about the incident. The OSC provided the complainant with information about confidential and non-confidential resources, including the SOS line. OSC also ensured that the complainant felt safe on campus, and the complainant indicated she did. The complainant indicated she had reported it to law enforcement, but no additional information is known about this report.

The Title IX Coordinator emailed the complainant a letter on May 5, 2022, but the complainant never retrieved the letter. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware's Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without Title IX investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported she was sexually assaulted but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

5. On April 14, 2022, a female student complainant reported to a staff member in the Dean of Orientation and Transition Programs that another student member of the orientation team did "the worst thing" to her. Although the complainant never said she was sexually assaulted, that was implied based on all of the information by the staff and the staff spoke to the complainant about Title IX and provided Title IX resources. The student was not interested in reporting to law enforcement and was told that she would be contacted by Title IX. The Staff provided the complainant with information about resources.

The Title IX Coordinator emailed the complainant a letter on June 29, 2022, and the complainant retrieved the letter on June 29, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to

further discuss the incident. Complainant did not respond to the written outreach and the matter was closed without Title IX investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported that Respondent “did the worst thing” in an implied context of sexual assault but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

6. On September 25, 2022, a female student reported to the Office of Student Conduct that her friend, another UD student was sexually assaulted at an off-campus party by a white guy with blond hair and a height of 5’8”-5’9” but didn’t provide additional details about the sexual assault. The Reporter indicated that her friend had reported to Newark Police and possibly UDPD.

The Title IX Coordinator emailed the complainant a letter on October 28, 2022, and the complainant retrieved the letter on October 28, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims’ Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The reporter did not respond to the written outreach and the matter was closed without Title IX investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported that a “sexual assault” took place but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

7. On September 25, 2022, a male student complainant reported to a Resident Assistant that he was touched inappropriately in a residence hall room by a female student respondent on September 25, 2022. The complainant was not drinking but said that the respondent was visibly drunk. The complainant requested that the respondent stop multiple times, but she did not. The complainant’s friends intervened and removed the respondent from the room. The Resident Assistant shared information about confidential and non-confidential resources, and that the complainant could report to the police.

The Title IX Coordinator emailed the complainant a letter on October 27, 2022, but the complainant never retrieved the letter. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims’ Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The complainant did not respond to the written outreach and the matter was closed without investigation. *For this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported she was “touched inappropriately” but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

8. On November 14, 2022, a female student complainant shared with a staff member in the Dean of Students’ office that she was sexually assaulted in August in Maryland by a former supervisor. The complainant declined to share any additional information about the incident, except that she had told others about what happened but did not elaborate on who she had told. The staff member shared information about resources and that she would receive additional information from Title IX.

The Title IX Coordinator emailed the complainant a letter on November 28, 2022, and the complainant retrieved the letter on November 28, 2022. The letter included information about resources and support, the option to report to law enforcement, a link to UD policy and other applicable laws, including the Delaware Victims' Bill of Rights, and a request to meet with the Title IX Coordinator to further discuss the incident. The Reporter did not respond to the written outreach and the matter was closed without Title IX investigation. *For the purpose of this report, UD has counted this matter as one report of Nonconsensual Sexual or Physical Contact where the student reported that a sexual assault took place but did not provide any additional details about the incident. The case was closed as No Investigation/No Finding.

This report can be found in Appendix D.

Wilmington University

There were no reports of rape or attempts of rape.

There were no reports of nonconsensual genital contact, including attempts.

There were no reports of nonconsensual sexual or physical contact, including attempts.

This report can be found in Appendix E.

Statistical Analysis Center Report of Criminal Offenses

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) is a student(s) 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 2022. 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 272 complaints that the Center manually reviewed for alleged victim and suspect information. The manual review resulted in 18 complaints that had an explicit reference to the alleged victim(s) or suspect(s) being a student of an academic institution that occurred in calendar year 2022. Three of these complaints were submitted using silent witness forms indicating student victims, sometimes multiple victims on one form, but no suspect information. These three complaints are not displayed in the table below as perpetrator information is unknown. The table below provides a breakout of these 15 complaints and their status where a victim and a suspect were identified.

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

Of the 15 complaints involving college students with events occurring in 2022, 5 resulted in no prosecution, adult arrests were made in 2, while 8 remain open and pending (3 Pending Active, 5 Pending Inactive). Of the 5 complaints closed with no prosecution, 3 complaints involved a victim who declined to press charges, and 2 complaints prosecutors declined to pursue charges due to lack of evidence and/or inconsistencies on the part of the victim or witness.

This report can be found in Appendix F.

Campus Law Enforcement Reports

Delaware State University reported 12 cases. However, their campus police/public safety reporting reflects 14 cases, with one duplicate charge. No information regarding criminal charges was provided.

- Seven or eight cases of alleged rape/nonconsensual penetration
- Four cases of alleged unlawful sexual contact
- One case of nonconsensual sexual or physical contact

This information can be found in Appendix A.

Delaware Technical Community College seven reported cases with no offenses associated with criminal charges.

- Four cases of alleged rape
- Three cases of alleged unlawful sexual contact

This information can be found in Appendix B.

The University of Delaware reported 19 cases, with eight cases in which a police report was filed. However, it is unknown whether criminal charges resulted from these investigations, as the respondents reported their alleged assaults to law enforcement prior to reporting it to the school.

- Four cases of alleged rape/nonconsensual penetration
- Four cases of nonconsensual genital contact

This report can be found in Appendix D.

Delaware Technical Community College, Goldey-Beacom 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 involving Title IX or VAWA offenses in 2022 that were not reported to the College's Title IX Coordinator.

The report from Goldey-Beacom can be found in Appendix C.