WESTERN MICHIGAN UNIVERSITY
Institutional Equity

Title IX and Sexual Misconduct Administrator Overview for Human Resources

February 11, 2026

Presenter

Felicia Crawford
Director Title IX Compliance
(Title IX Coordinator)

Main Objectives:

You will feel adequately prepared to report sexual and gender-based misconduct

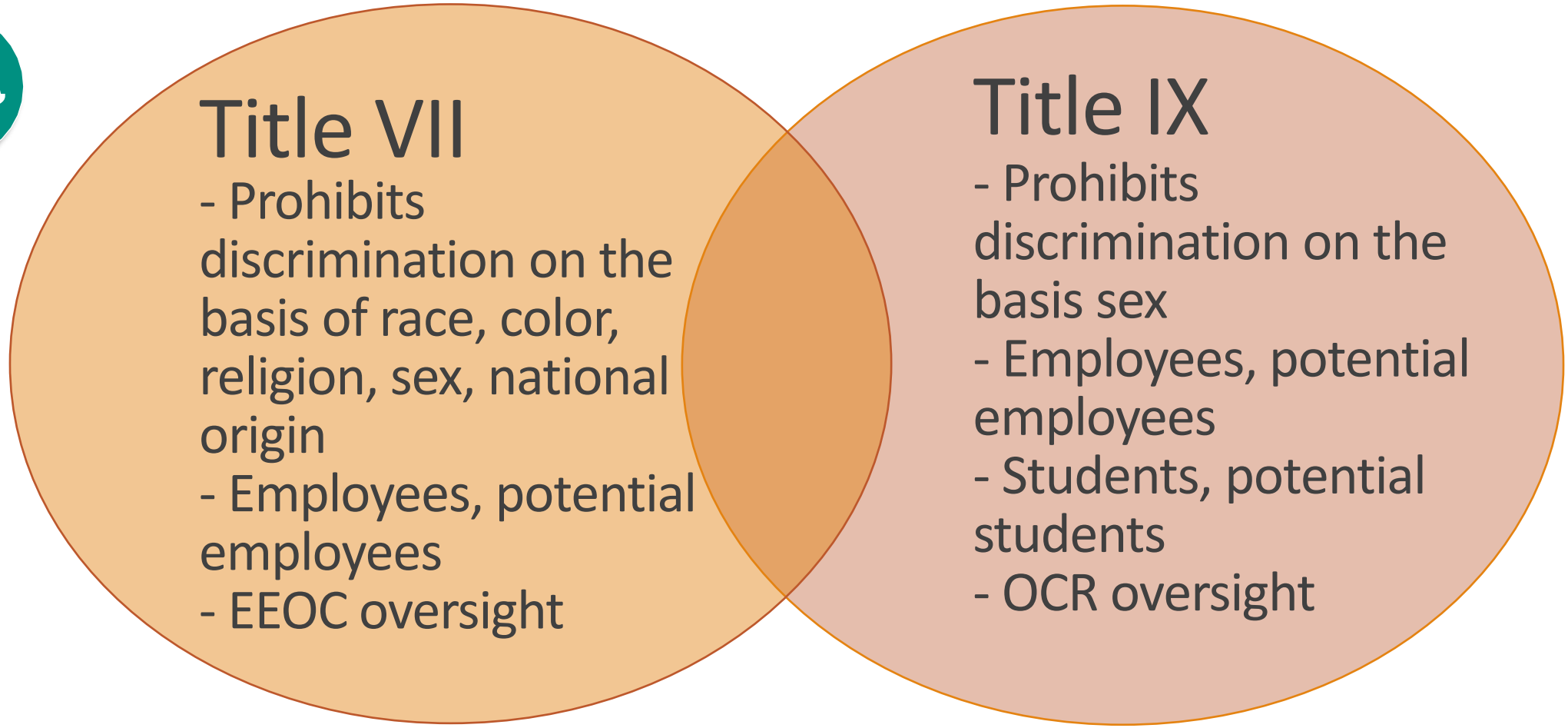
You will feel adequately prepared to carry out Title IX-related grievance functions in Human Resources

Title IX and Sexual Misconduct

U.S. Department of Education, Title IX of the Education Amendments Act, 1972:

*"No person in the United States shall, on the basis of sex [or gender], be **excluded from participation in, be denied the benefits of, or be subjected** to discrimination under any education program or activity receiving federal financial assistance."*

***Training/Grievance Requirements in* § 106.45(b)(1)(iii) and § 106.45(b)(10)(i)(D) also copied in presentation reference material**



- Title IX has robust implementing regulations with detailed procedures for how sexual misconduct must be addressed.
- Both Title IX and Title VII have very little detail on procedures for addressing sex discrimination.

Upon University Notice of Harassment or Violence

We must respond promptly, effectively, and equitably to:

- Assess and investigate
- Stop the behavior
- Remedy the effects
- Prevent the recurrence

Note: Civil Rights framework, not a disciplinary framework

Hypothetical Case Scenarios

1) A faculty member walks a student to their car after class, then gets in the passenger side without being asked. They insists the student drive them home. Once there, the faculty member pressures the student to come into the house. The student declined and is now uncomfortable going to class. The student works in your department and told you what happened.

2) An employee has received several threatening messages from an ex-partner. Most were about hurting the employee financially or emotionally. Human Resources received an anonymous tip that the employee is on drugs. The message sent to the employee today says the ex will come to the employees job and “make them understand”.

Sexual Misconduct

WESTERN MICHIGAN UNIVERSITY

WMU EMPLOYEE RESPONSE GUIDE

WMU encourages all employees to immediately report sexual and gender-based misconduct allegations to Title IX Coordinator Felicia Crawford in Institutional Equity. Sharing this information connects people to safety measures and enables the University to take appropriate action to address any hostile environment that may exist. Report behavior that you observe directly or are notified about verbally, in writing or through electronic communication. WMU's response is guided by the Sexual and Gender-Based Misconduct Policy and Grievance Procedures.

Listen

Believe what is being told to you. There is no need to ask investigative questions, provide counseling or make judgements about what happened. This person sought you out as a trusted source to listen. Everyone responds differently to trauma. The person may not react the way you would.

If you are a Designated Official*, convey that you have an obligation to share information about sexual misconduct with Institutional Equity and will safeguard their privacy. The goal of sharing the information is to provide safety options and assistance with a resolution.

*Designated Official: an official with authority to institute corrective measures at the University and designated to promptly report disclosures or observations of sexual misconduct to the Title IX Coordinator. This includes members of the Board of Trustees, the President, members of the President's Cabinet, Deans, Supervisors, Academic Advisors, Residence Life staff with on-call responsibilities, and administrators and staff in Intercollegiate Athletics, Human Resources, Office of Student Conduct, Public Safety and Institutional Equity.

Support

If there is concern for any person's safety, contact WMU Public Safety at (269) 387-5555. Ask how you can help. Encourage the person to seek help through appropriate resources, which may include:

- Confidential healthcare, including a medical-forensic exam, medications to prevent sexually transmitted infections and pregnancy are available at no cost through the YWCA Sexual Assault Program at (269) 385-3587 or Bronson Battle Creek Sexual Assault Services of Calhoun County (888) 383-2192. Both have a 24-hour crisis line and recommend seeking an exam and treatment within 120 hours after an assault.
- Confidential counseling and assistance through places such as Sindecuse Health Center at (269) 387-3287, HelpNet Employee Assistance Program at (269) 372-4500 or (800) 523-0591. Confidential health care through Sindecuse Health Center or through local hospitals.
- Assistance with safety measures (no contact order, change in housing/work arrangements, etc.) through Institutional Equity at (269) 387-6316.
- Confidential student peer support at FIRE Place Resource and Support Center in the Office of Health Promotion at (269) 387-2990.

Report

Share all known details of the incident (date, time, location), the names of the parties involved, and a brief description of the incident with Institutional Equity (1220 Trimpe), by telephone at (269) 387-6316, or through an online report form at **wmich.edu/sexualmisconduct**.

Individuals reporting an incident will receive confirmation that the office received their report. To protect privacy, confidentiality and due process, Institutional Equity will only update involved parties about the investigation.

If criminal behavior is involved, ask if the person would like you to call the police. If so, contact WMU Public Safety at (269) 387-5555, or the police agency where the incident occurred.

The Policy has certain provisions for amnesty regarding alcohol and drug use. Parents of WMU Students are not notified of sexual misconduct reports brought to Institutional Equity.

What happens after the report?

Institutional Equity will contact the person through email and ask to meet. If the person doesn't want to meet, the case will be evaluated to determine if action is needed by the University, and if not, it will be closed.

If the person decides to meet, they may bring a support person and/or an advisor. The Title IX Coordinator will review safety measures and available resources and discuss which option is best for the situation, such as an informal resolution or a formal resolution with an investigation.

During an investigation, Institutional Equity will collect and review evidence and conduct individual meetings with each person associated with the incident. If a student is found responsible for violating the Policy, sanctions may be administered through Student Conduct. If a faculty or staff member is found responsible for violating the Policy, disciplinary action may be administered through Human Resources or the Office of the Provost. If a crime is involved, Institutional Equity will recommend filing a police report and will discuss options for pursuing a separate criminal case.

Prohibited Behaviors

- Sexual harassment
- Gender-based harassment
- Non-consensual sexual intercourse
- Non-consensual sexual contact
- Sexual exploitation
- Harm to others
- Stalking
- Intimate partner violence
- Retaliation

Complete definitions at the end of the presentation for reference and in the WMU policy at **wmich.edu/sexualmisconduct**

Disclosure from a Student or Colleague

Listen - Support - Report

- Let the person know that you will respect their privacy and may need to share information with someone that can help them. Avoid using the term “reporting”, it may infer that they did something wrong.
- Consider that they may have been through a traumatic experience; be sensitive and non-judgemental. People respond differently to trauma. They may not be acting the way you think they should, such as smiling instead of crying. Believe what they are telling you.
- They may not be ready or able to talk about the details; their thoughts may be scattered. Just listen. Resist the desire to gather all of the facts and information, to investigate, to intervene or to question decisions the person made “Why would you…”

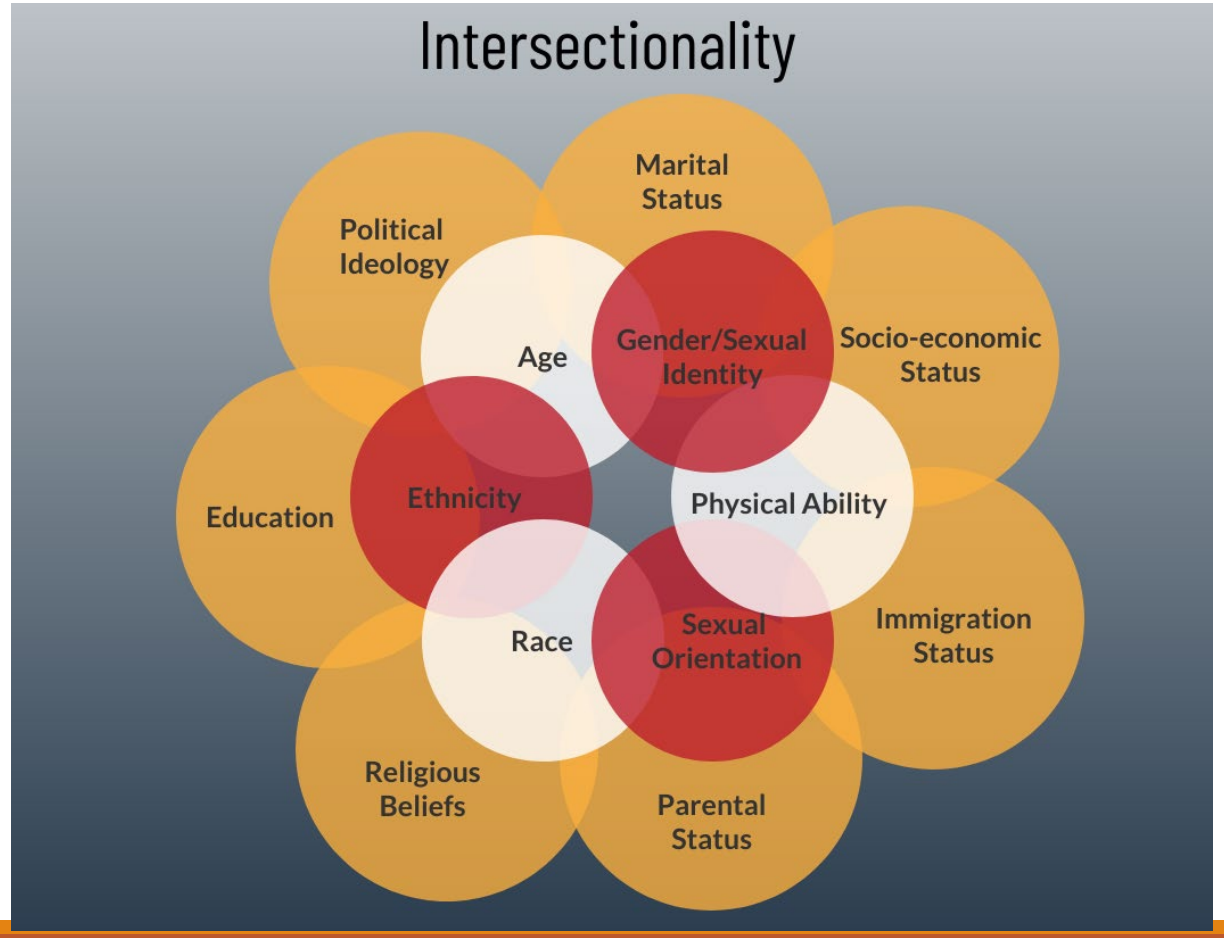
Disclosure from a Student or Colleague

Listen - Support - Report

They choose their next step; we shouldn't force anyone to talk to the police, supervisors, parents, counselors or IE.

Remember, they **chose** to tell someone and we want to respect that decision.

A persons' decision is impacted by their own identities and cultural perspectives and their choice may be different than what you want.



https://www.sallyspencerthomas.com/hope-illuminated-podcast/78

Disclosure from a Student or Colleague

Listen - Support - Report

If at any point there is a concern for **safety**, call WMU Public Safety at 911

Confidential Resources (not required to report)

- HelpNet Employee Assistance Program: (800) 852-0591, wmich.edu/hr/resources/eap (counseling and crisis support for employees at no charge)
- Counseling Services, Sindecuse Health Center (269) 387-3287. No charge for students.
- YWCA Sexual Assault Program (269) 385-3587 (24-hr. crisis line, treatment and trained Sexual Assault Nurse Examiner for medical services and forensic evidence collection). Services available for all genders. No charge.
- FIRE Place Resource and Support Center in Sindecuse, (269) 387-2990. No charge for students.

Disclosure from a Student or Colleague

Listen - Support - Report

Contact Institutional Equity:

- Call (269) 387-6316 or
- Complete an online report form at wmich.edu/sexualmisconduct
- If Clery reportable, the Title IX Coordinator will send in a Clery Security Authority Form to Public Safety, include your name and copy you (to eliminate redundant reporting)

Take care of yourself, too!

What do you need to do to process what happened?

Disclosure from a Student or Colleague

Listen - Support - Report

University Sexual Misconduct Policy

- HOME
- ABOUT
- PREVENTION, EDUCATION AND TRAINING
- PRIVACY AND CONFIDENTIALITY
- SEXUAL MISCONDUCT DATA
- REPORT AN INCIDENT
- RESOURCES
- SCOPE
- CONTACT

University Sexual Misconduct Policy
Western Michigan University
Kalamazoo MI 49008-5405 USA
(269) 387-6316

Due to COVID-19 and this period of physical distancing, Institutional Equity is available for meetings by virtual appointment only, Monday - Friday, 8 am - 5 pm.

We are committed to the safety and wellness of the members of our community. If you need emergency assistance, please contact your local police or hospital.

REPORT AN INCIDENT USING THE ONLINE FORM

INCIDENT REPORTING FORM

SEXUAL MISCONDUCT POLICY AND GRIEVANCE PROCEDURES

Western Michigan University encourages all members of our community to participate in the process of creating a safe, welcoming and respectful environment on campus. With the Sexual and Gender-Based Misconduct Policy, we affirm the commitment of the university and our community to the values of transparency and timely communication, and accountable and responsible behavior within an ethical, compassionate, diverse and respectful environment.

If you are in danger or in need of immediate assistance, call 911.

Read the **full policy** in its entirety.

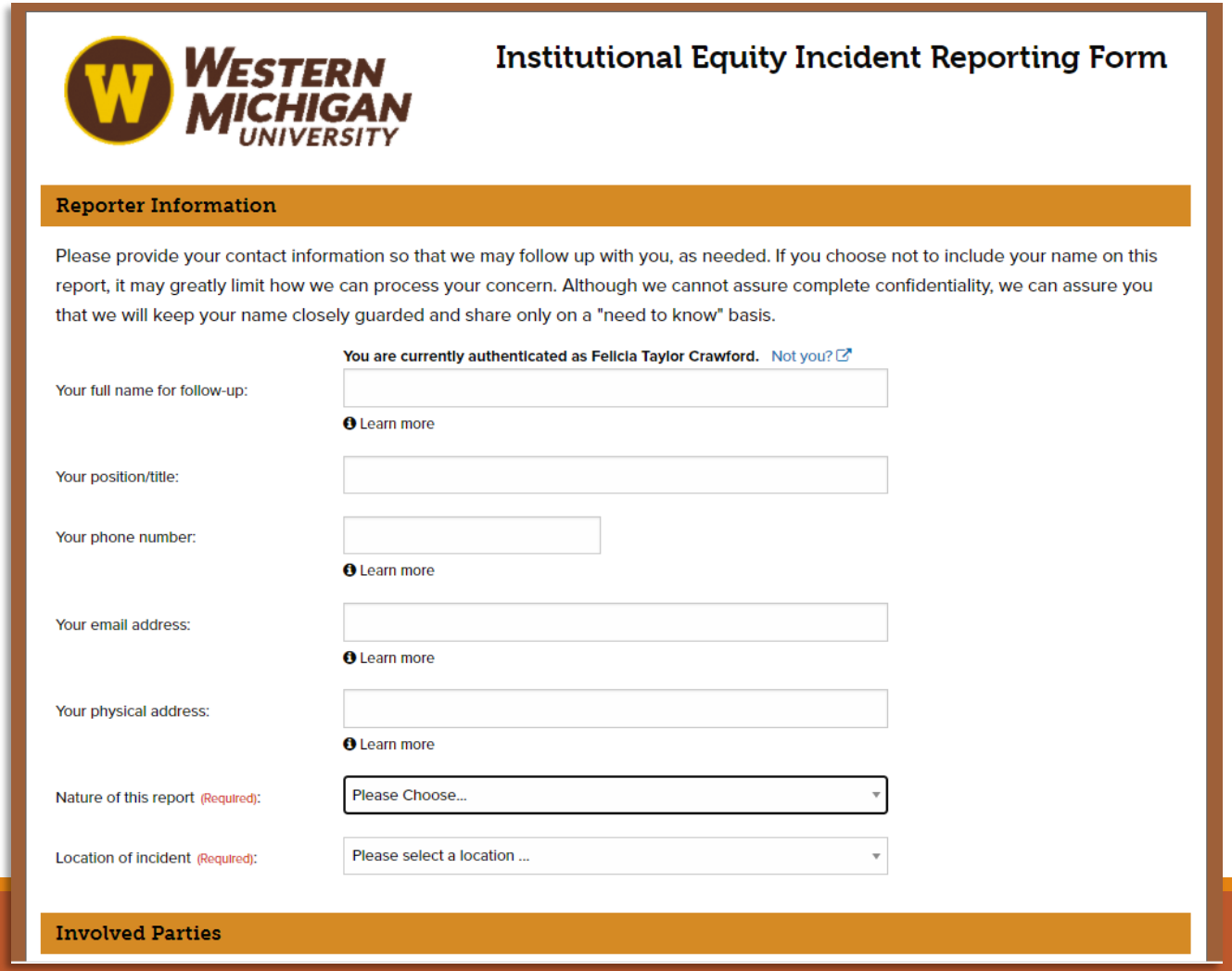
Grievance Procedures: Process for filing a complaint and connecting with resources for support.

Sexual Misconduct and Safety - **Campus Resource Guide.**

Disclosure from a Student or Colleague

Listen - Support - Report

Include all available information; the date, time, location, nature of the incident, individuals involved



WESTERN MICHIGAN UNIVERSITY

Institutional Equity Incident Reporting Form

Reporter Information

Please provide your contact information so that we may follow up with you, as needed. If you choose not to include your name on this report, it may greatly limit how we can process your concern. Although we cannot assure complete confidentiality, we can assure you that we will keep your name closely guarded and share only on a "need to know" basis.

You are currently authenticated as Felicia Taylor Crawford. Not you?

Your full name for follow-up:

Learn more

Your position/title:

Your phone number:

Learn more

Your email address:

Learn more

Your physical address:

Learn more

Nature of this report (Required): Please Choose...

Location of incident (Required): Please select a location ...

Involved Parties

Why Report? Supportive Measures

Under Title IX, **anyone subjected to, or accused of, sexual misconduct is entitled to supportive measures**, which may include:

- referral to counseling, medical, and/or other healthcare services;
- safety planning;
- transportation and escort on campus;
- changing class schedule, including the ability to take an "incomplete," drop a course without penalty, or transfer sections (with the agreement of the appropriate faculty);
- changing residence building, work schedule or job assignment;
- referral for academic accommodations and support services, such as tutoring;
- instituting a no contact order;
- or any other remedy that can be tailored to the individuals involved in order to achieve the goals of the Policy

The acceptance or rejection of supportive measures must be documented by the Title IX Coordinator and kept in the case file.

Hypothetical Case Scenarios

What are the main concerns?

What are your next steps?

Hypothetical Case Scenarios

1) A faculty member walks a student to their car after class, then gets in the passenger side without being asked. They insists the student drive them home. Once there, the faculty member pressures the student to come into the house. The student declined and is now uncomfortable going to class. The student works in your department and told you what happened.

2) An employee has received several threatening messages from an ex-partner. Most were about hurting the employee financially or emotionally. Human Resources received an anonymous tip that the employee is on drugs. The message sent to the employee today says the ex will come to the employees job and “make them understand”.

Grievance Procedures

https://wmich.edu/sexualmisconduct

This Photo by Unknown Author is licensed under CC BY-SA

Grievance Procedure Major Steps

1. Incident reported to a Designated Official or is otherwise reported to Institutional Equity (self-reports are rare).
2. A signed formal complaint initiates the grievance process. Complainant may request an informal or formal resolution (investigation and hearing).
3. For an informal resolution, Title IX Coordinator meets with parties separately until a signed agreement is reached.
4. Investigation: parties are interviewed, evidence report is created and made available for review by all parties for 10 days, investigative report is created and made available for review by all parties for 10 days then given to the hearing officer.
5. Hearing: The hearing officer and advisor for each party is given time to ask questions of complainant, respondent and witnesses. The hearing officer makes a decision on responsibility using the preponderance of the evidence standard. The Disciplinary Authority makes a decision on disciplinary action.

Grievance Procedure Additional Details

1. Title IX Coordinator responds, IE conducts an assessment using the Coordinated Response Team as needed. Report evaluated for dismissal under Title IX. The dismissal may be appealed. Emergency removal requests must be evaluated by an individualized safety and risk analysis. Respondent can appeal the removal decision to the Appeal Committee. Supportive measures* provided, as needed.
5. The University must provide an Advisor to each party. The finding may be appealed by either party to the Appeal Committee. The sanction may be appealed through the Vice President for Student Affairs (students) or the relevant Human Resources/Collective Bargaining process (employees).

HR Roles in the Grievance Procedures

This Photo by Unknown Author is licensed under CC BY-SA

1. **Designated Official**: an official designated by Policy to promptly report disclosures or observations of sexual misconduct to the Title IX Coordinator; members of the Board of Trustees, the President, members of the President's Cabinet, Deans, Supervisors, Academic Advisors, Residence Life staff with on-call responsibilities, and administrators and staff in Intercollegiate Athletics, Human Resources, Office of Student Conduct (OSC), Public Safety and Institutional Equity (IE).
2. **Title IX Coordinator:** oversee grievance procedures, conduct intake meetings, coordinates informal resolutions and supportive measures, communicates to all parties, coordinates training.
3. **Investigator:** Assess cases for investigation, conduct investigations, prepare reports, answer questions during a hearing
4. **Coordinated Response Team:** As needed, the team will evaluate 1) non-routine requests for protective measures, 2) when to refer a person for an individualized safety and risk analysis 3) when to proceed without complainant participation 4) when to notify law enforcement for a timely warning assessment and 5) other unique case circumstances. Representative from any of the following areas; Public Safety, Student Affairs, Academic Affairs, HR and IE. Subject matter experts may be consulted as needed.

5. **Appeal Committee:** Members may hear appeals for Title IX dismissals, emergency removals, finding (case decision), and sanction/disciplinary action
6. **Advisor:** In cases that proceed to a hearing, the advisor is responsible for asking questions on behalf of the Party. An advisor is required; if a Party does not have an advisor, the University will provide one at no charge. A party may choose to use their own lawyer as an advisor.
7. **Hearing Officer/Decision Maker:** An external consultant or lawyer that conducts the hearing and issues a decision on the finding.
8. **Hearing Facilitator:** Person who facilitates the technical aspects of the hearing; admitting parties and witnesses into virtual rooms at appropriate times.
9. **Disciplinary Authority:** Makes a decision on level of discipline based on hearing outcome, investigative report and past conduct record. Director of Student Conduct for students, Human Resources or Administration for employees.

Individuals serving in certain roles on a case may not serve in an additional role on that case.

Coordinated Response Team Case Review Process

- Review report of prohibited behavior presented by a team member.
- Share any background information you have that is relevant to the matter and could assist with the assessment.
- Based on your professional training, experience and institutional knowledge, highlight risks or concerns for safety.
- Make recommendations for next steps.

Case Review Factors (per Policy Section 10)

The Title IX Coordinator (in consultation with the Coordinated Response Team, as needed) will consider the following in evaluating a Complainant's requests for confidentiality, that no investigation occur, or that no formal action be taken:

10.2.1. the nature and scope of the alleged conduct, including whether the reported Covered Behavior involves the use of a weapon;
10.2.2. the Complainant's wish to pursue disciplinary action;
10.2.3. the respective ages and roles of the Complainant and Respondent;
10.2.4. the risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;

Case Review Factors (per Policy Section 10)

10.2.5. whether there have been other reports of misconduct by the Respondent;
10.2.6. whether the Respondent threatened further sexual violence or other violence against the Complainant or others;
10.2.7. whether the report reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group such that there is an increased risk of future acts of sexual violence under similar circumstances;
10.2.8. whether the University possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence);
10.2.9. considerations of fundamental fairness and due process with respect to the Respondent should the course of action include disciplinary action against the Respondent; and
10.2.10. the University's obligation to provide a safe and non-discriminatory environment.

Important Considerations

- Maintain privacy and confidentiality: Only share information outside of case review to follow-up on agreed upon actions. Shred items not needed after case review.
- Objectivity: Evaluate each report on the facts, not on assumptions or bias for or against individuals based on their identity or group membership
- Conflicts of interest: Disclose if you have a personal connection to a party, you plan to serve in another role on this case or you have a real or perceived personal conviction that may prevent you from participating objectively or that would bring your objectivity into question

Want to learn more?

Preventing Harassment and Discrimination
(Vector online training)

WESTERN MICHIGAN UNIVERSITY
Institutional Equity

Questions?

Contact information

Felicia Crawford
Director Title IX Compliance (Title IX Coordinator)
felicia.crawford@wmich.edu, 387-6316, 1220 Trimpe

Reference Material

Training Requirements and Prohibited Behavior Definitions

https://www.istockphoto.com/photo/caution-road-sign-3d-rendering-gm1142215599-306326558

Title IX § 106.45(b)(1)(iii)

Require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A recipient must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in § 106.30, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

A recipient must ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in paragraph (b)(6) of this section. A recipient also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of this section. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment

Title IX § § 106.45(b)(10)(i)(D)

(10) *Recordkeeping.* (i) A recipient must maintain for a period of seven years records of – (D) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A recipient must make these training materials publicly available on its website, or if the recipient does not maintain a website the recipient must make these materials available upon request for inspection by members of the public.

Report vs. Formal Complaint

- Can be submitted online by anyone and may be completed anonymously
- The parties involved may be unaware that a report was submitted
- Requires careful review and assessment to determine next steps
- For transparency, all reports are de-identified and the aggregate data are shared here: https://wmich.edu/sexualmisconduct/data

- Can be submitted by the Complainant or their parent/guardian
- In cases where the Complaint in is unwilling or unable to proceed with a resolution, the Title IX Coordinator may file a Formal Complaint
- Requires a prescribed Title IX response in alignment with the Grievance Procedures

Title IX Discrimination vs. WMU Sexual Misconduct Policy

- Jurisdiction: Occurred in the United States, in a building owned or controlled by the University with a complainant that was participating or attempting to participate in a University activity (current employee or student), where the University has control over the Respondent.
- Definition of Sexual Harassment is narrow: "so severe, and pervasive and objectively offensive that it effectively denies a person equal access to the Recipient's education program or activity"

- Jurisdiction: Anything involving a current or former member of the WMU community, regardless of location, requires and assessment and possible response.
- Definition of Sexual Harassment is broad: "sufficiently serious, pervasive **or** persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both a subjective and an objective standard"

Sexual Harassment

Any unwelcome sexual advance, request for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when:

- submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a University program or activity (e.g., quid pro quo);
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual (e.g., quid pro quo); or

Sexual Harassment

…when:

such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance; i.e. it is sufficiently serious, pervasive or persistent as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment under both a subjective and an objective standard.

NOTE: A single isolated incident of Sexual Harassment may jeopardize equal access to a program or activity if it is sufficiently severe.

Gender-Based Harassment

Acts of verbal, nonverbal, or physical aggression or contact, intimidation, threats, abuse or hostility based on sex or sex stereotyping, even if those acts do not involve conduct of a sexual nature; sexual harassment based on gender, gender identity, gender expression or sexual orientation.

Non-Consensual Sexual Intercourse

Having or attempting to have sexual intercourse with another individual

- by force or threat of force;
- without consent; or
- when that individual is incapacitated

Sexual assault

Sexual intercourse includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand) or object, or oral penetration involving mouth to genital contact

Non-Consensual Sexual Contact

Sexual contact with another individual

- by force or threat of force
- without consent; or
- when that individual is incapacitated

Sexual contact includes intentional contact with the intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth or any other part of the body that is touched in a sexual manner.

Sexual Exploitation

Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.

Sexual Exploitation-Examples

- surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and Consent of all parties involved;
- non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, distributing such without the knowledge and Consent of all parties involved;
- exposing one's genitals or inducing another to expose their own genitals in non-consensual circumstances;
- knowingly exposing another individual to a sexually transmitted disease or virus without their knowledge.
  sex-based bullying; or
- inducing Incapacitation for the purpose of making another person vulnerable to non-consensual activity.

Harm to Others

Behaviors that threaten or endanger the health or safety of any person, which include physical abuse, verbal abuse, threats, intimidation and/or harassment. Non-sexual or non-gender-based Harm to Others will be treated as a violation of the WMU Student Code and will be referred accordingly.

Stalking

A course of physical or verbal conduct directed at another individual on the basis of sex or gender identity, in a manner that could be reasonably regarded as likely to alarm, harass, or cause fear of harm or injury to that person or to a third party. A course of conduct consists of ***at least two acts***. The feared harm or injury may be physical, emotional, or psychological, or related to the personal safety, property, education, or employment of that individual.

Stalking may include cyber stalking, in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used.

Intimate Partner Violence

Often referred to as dating violence, domestic violence, or relationship violence; one act or ongoing behavior that includes but is not limited to:

any actual or threatened act of physical, sexual, emotional violence or economic abuse against an intimate partner (person who is, or has been involved in, a sexual, dating, domestic or other intimate relationship with the initiating individual)

Intimate Partner Violence

- threats, assault, property damage, violence or threat of violence to oneself, an intimate partner, or to the family members or friends of that partner; or
- Sexual Harassment, Non-Consensual Sexual Intercourse, Sexual Exploitation, Harm to Others, Stalking or Retaliation of an intimate partner.

Retaliation

Acts, words, or attempts to take adverse action against the Complainant, Respondent, or any individual or group of individuals because of their good faith Complaint or participation in an investigation and/or resolution of a Complaint. Retaliation may be committed by any individual or group of individuals.

Retaliation may take many forms, including threats, intimidation, pressuring, continued abuse, violence, other forms of harm to others.

Retaliation

Retaliation may also occur by moving someone to a less desirable workspace, altering work hours, removing or limiting privileges. All forms of Retaliation are prohibited under this Policy as well as under state and federal law.