



Office for Dispute Resolution

Title IX Office

FY18 Annual Report



PURPOSE STATEMENT

The purpose of this report is to highlight the work of the Title IX Office and ODR for the period July 1, 2017 to June 30, 2018. While the functions and responsibilities of the offices are distinct, the Title IX Office and ODR work cooperatively. Annually, the Title IX Office and ODR issue a report to provide a more comprehensive overview of the University's efforts to maintain a safe and healthy educational and work environment.

The role of the Title IX Office is to support the system of 50+ local Title IX Coordinators in responding to concerns brought under the University's Sexual and Gender-Based Harassment Policy (Policy) and to oversee the University's overall compliance with Title IX. The Office is also a resource that provides direct services to members of the Harvard community, including the facilitation of informal resolutions. A second key role of the Title IX Office is to support Schools and administrative Units (Units) in University-wide prevention efforts, including development of print and online resource documents, online training modules, and in-person meetings, workshops, and trainings.

ODR implements the University's procedures for students,¹ staff, and in almost all Schools, faculty, with respect to handling requests for information or advice, requests for informal resolution, and formal complaints.² ODR, in a neutral role, works in partnership with the Title IX Office, School and Unit Title IX Coordinators, and other School and Unit leadership to address the needs of Harvard students, faculty, staff, other Harvard appointees, or third parties who believe they are directly affected by sexual and/or gender-based harassment.

¹ With the exception of Harvard Law School students, for whom a separate set of procedures applies.

² The procedures for investigating complaints against faculty members are based on the primary School affiliation of the faculty member and can be found [here](#).

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Letter from Nicole Merhill, University Title IX Officer



One year ago, I issued my first letter to the Harvard community as Title IX Officer, reflecting on progress made during FY17. I am happy to report that, in FY18, we were able to build upon those successes and then

some, exceeding our goals in expanding, improving, and leading in the areas of outreach, education, and prevention.

The following pages provide detailed information illustrating our efforts towards creating a safer, more inclusive environment for our community. We are proud of our progress, and also aspire to do more. Our nation remains in a place of uncertainty around the future of Title IX regulations but, regardless of Department of Education requirements, our work is not done until we are able to create a community that is free from discrimination and harassment.

As a basic principle, the Title IX Office recognizes that in order to best serve our community, students, staff, and faculty must be aware of the resources and options available. In furtherance of this effort, the Title IX Office, in partnership with our local School and Unit Title IX Coordinators, has increased our initiatives to expand awareness of available resources through both in-person and online programming for students, faculty, and staff. Topics covered included: Responding to Sexual and Gender-Based Harassment, Harassment Prevention and Response 2.0, Gender Diversity and LGBTQ Inclusion, and Intersections of Identity and Title IX. The latter two workshops were an outgrowth of the Guidelines for Gender Inclusivity in the Workplace, which were developed in partnership with the Office of Labor and Employee Relations (OLER) and were published in September 2017. We recognize that the customization of our initiatives is essential and we remain committed to modifying content based on feedback from the community, current trends, and areas of knowledge gaps.

As we have successfully increased outreach within our communities, we have seen steady growth in disclosures of sexual and/or gender-based harassment, which were up fifty-five percent, as well as formal complaints brought to ODR. We attribute this increase both to our outreach efforts, and to greater awareness nationally of these issues. It is important to note that while we have made progress in this area, we are keenly aware that there may be individuals in our community who, perhaps because of their field of study, program design, or employment aspirations, may not feel that their needs are adequately met by the resources currently available. In an effort to improve our outreach to students in June 2018, we developed the Student Title IX Liaison Committee. This Committee includes representatives from each of our graduate/professional Schools and the College. Our aim is to work with the Committee to understand how we can improve our outreach.

Beyond our efforts with the Student Title IX Liaison Committee, based on feedback provided particularly from our graduate/professional Schools, we have begun an initiative to develop a system for electronically filing disclosures. We are working with students, staff, and faculty across the University to design a system that meets the interests of our community and we anticipate that this system will be available prior to the end of FY19.

I am proud of our continued efforts with our partner offices – ODR, Office of Sexual Assault Prevention & Response (OSAPR), OLER, Harvard Chaplains, Harvard University Health Services (HUHS), Harvard University Disability Services Office (UDS), the Employee Assistance Program, the Harvard University Police Department (HUPD), and the Harvard College Office of BGLTQ Student Life. We continue to work together to identify areas of overlap and to improve messaging across each of our offices to ensure that our community is receiving consistent information regarding the resources and options available. As I mentioned in last year's annual report, we

have been keeping a watchful eye on the overall impact of our efforts on key benchmarks. In 2019, we will receive key data on our progress as well as areas for improvement when we re-administer the Association of American University (AAU) Sexual Climate Survey. The first administration of the AAU Survey in 2015 showed not only a concerning number of individuals who have experienced sexual assault and sexual harassment during their time at Harvard, but also inadequate knowledge of, and trust in, University resources committed to addressing these issues. In response, the University dedicated resources to the development of the Title IX Office and ODR, expanded our system of local Title IX Coordinators, and increased resources within OSAPR. The data gleaned from AAU 2019 will once again offer us an insight into the current climate on campus. We see this as a clear opportunity to measure our initial progress and explore additional opportunities to better serve our community. Rest assured, even as campuses across the country wrestle with uncertainty and change related to Title IX policy, Harvard remains committed to proactively addressing concerns of sexual and gender-based harassment within our community. I am excited about the year ahead, as we look forward to implementing new initiatives,

enhancing our existing resources, re-administering the AAU survey, and examining all available data to focus on creating effective programming and resources for our community. I am grateful to have the opportunity to serve as the University's Title IX Officer, and to share our ongoing work to this end.



ABOUT THE TITLE IX OFFICE



TITLE IX OFFICE

Nicole Merhill, Title IX Officer

Caysie Carter,
Associate Title
IX Officer

Rachel DiBella,
Title IX Education
Program Manager

Alexandria Masud,³
Associate Director
for Administrative Operations

Natasha DuMerville,
Title IX Administrator

Erika Christensen,³
Program
Administrator

Roxana Lemus,³
Administrative
Coordinator

50+ Local Title IX Coordinators

³ Erika Christensen, Roxana Lemus, and Alex Masud are cross-departmental administrative staff, contributing to both the Title IX Office and Office for Dispute Resolution.



Nicole Merhill, Title IX Officer

Nicole is the Title IX Officer at Harvard University. In her role, Nicole oversees Harvard's overall Title IX system, including direct support and consultation to the University's 50+ Title IX Coordinators, development and implementation of education programming and prevention efforts, and direct support to community members.

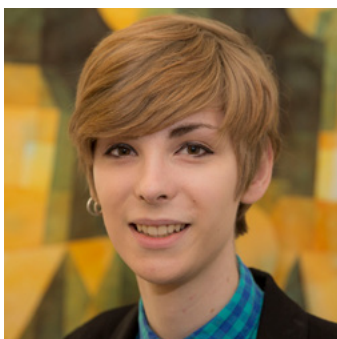
Nicole joined the Harvard Title IX Office in 2016 and has more than 15 years of civil rights experience in various protected class statuses, including sex, race, color, national origin, disability, and age. She holds a bachelor's degree in Elementary Education and English from Purdue University, and a Masters in Education Law and J.D. from University of New Hampshire School of Law.



Caysie Carter, Associate Title IX Officer

In her role as Associate Title IX Officer, Caysie supports the University's network of Title IX Coordinators in responding to disclosures. From academic advising to on-call crisis management to serving as a Title IX Coordinator at both Boston University and Harvard University, Caysie's career as a Higher Education Professional has thrived on being a thoughtful resource for faculty, staff, and students.

Most recently, Caysie comes to us from the Harvard Graduate School of Arts and Sciences where she served as the inaugural Assistant Director of Student Affairs and Title IX Coordinator for Students. She earned a master of education in curriculum and instruction from Boston College and a master of education in language and literacy from the Harvard Graduate School of Education. She is currently pursuing her doctorate at Boston University.



Erika Christensen, Program Administrator

Erika contributes to the broader programmatic initiatives of the Title IX Office, develops informational content in digital and video formats, and manages data systems. She also provides support to the Office for Dispute Resolution and assists with casework as needed. Erika has a B.A. in the Studies of Women, Gender, & Sexuality from Harvard College. Prior to joining the Title IX Office and ODR, she worked to support at-risk communities by developing suicide mitigation strategies.

Erika also worked as a national campaign recruiter during the 2016 presidential primaries.



Rachel DiBella, Title IX Education Program Manager

In her role as Education Program Manager, Rachel supports the vision of the Title IX Office in bringing informative and engaging educational opportunities to the Harvard community around the University's Sexual & Gender-Based Harassment Policy, in addition to developing prevention education programming and community partnerships. Rachel is an independently licensed social worker and part-time faculty in the Boston College School of Social Work. Prior to coming to Harvard, Rachel oversaw gender-based violence prevention and response efforts at Boston College and has previously served in consultative roles in these areas for institutions ranging from faith-based organizations to teaching hospitals.



Natasha DuMerville, Title IX Administrator

As Title IX Administrator, Natasha contributes to overall University initiatives in the area of Title IX, fosters greater coordination and collaboration with groups across the University, and assists in data gathering and reporting on various Title IX initiatives. Natasha has over 10 years of experience across nonprofit and higher education sectors. She earned her Bachelor of Arts in Philosophy and Religion and Political Science and Master of Public Administration degrees from James Madison University (JMU), and is currently a doctoral candidate at JMU, completing her Ph.D. in Strategic Leadership Studies. She is also an alum of the [Harvard University Administrative Fellowship Program](#).



Roxana Lemus, Administrative Coordinator

Roxana provides administrative support to the Title IX Office and the Office for Dispute Resolution and contributes to the improvement of departmental processes and procedures. Prior to joining Harvard, she worked for four years as a paralegal and Spanish/English interpreter for a law firm specializing in immigration law. She has her certifications in community, medical, and legal interpreting from the BU Center for Professional Education and is completing her Associate's Degree in liberal arts at Bunker Hill Community College. Roxana is also a community organizer and volunteer doula.



Alexandria Masud, Associate Director for Administrative Operations

Alex joined the office in 2014 and now oversees the operations of the Title IX Office and the Office for Dispute Resolution, evaluates ongoing projects for adherence to long-term strategic and multi-year financial plans, and assesses and mitigates areas of risk. She received her B.A. in Philosophy of Law from Albion College. Prior to joining Harvard, Alex worked over a decade in institutional asset management managing hundreds of investment portfolios for endowments and foundations.



TITLE IX PROGRAMMING AND STATISTICS

EDUCATIONAL INITIATIVES

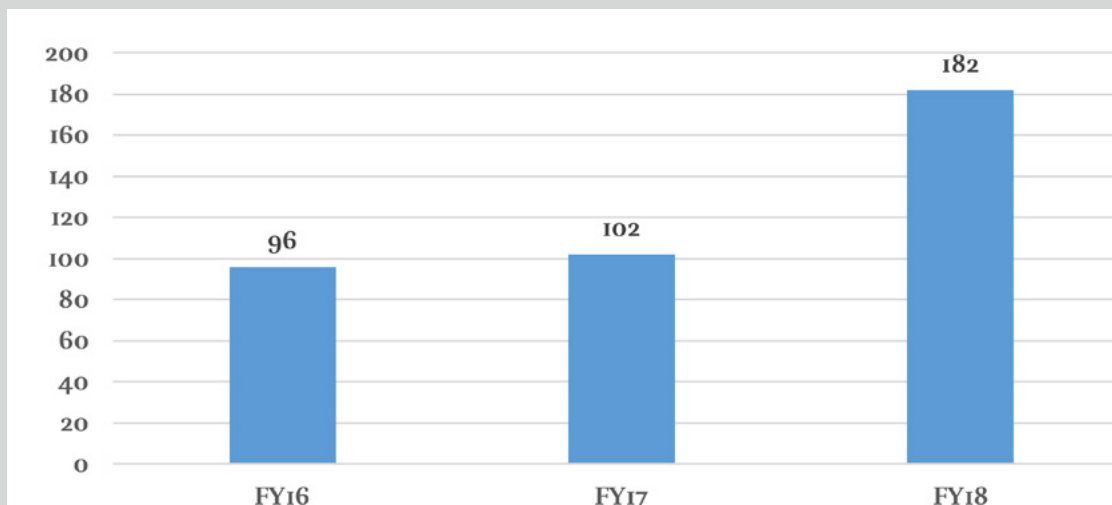
FY18 Trainings and Presentations

The Title IX Office and/or ODR delivered 182 audience-tailored trainings and presentations to the following stakeholders in FY18:

- Local Title IX Coordinators
- Conduct boards, investigative designees, and appellate panelists
- Incoming students at orientation sessions (delivered in partnership with local Title IX Coordinators and OSAPR staff)
- Staff managers, faculty, administrators, and other responsible employees
- Campus resources (including confidential resources)
- Undergraduate and graduate students and student groups

Compared to FY17, this represents a 78% increase in the number of trainings and presentations delivered.

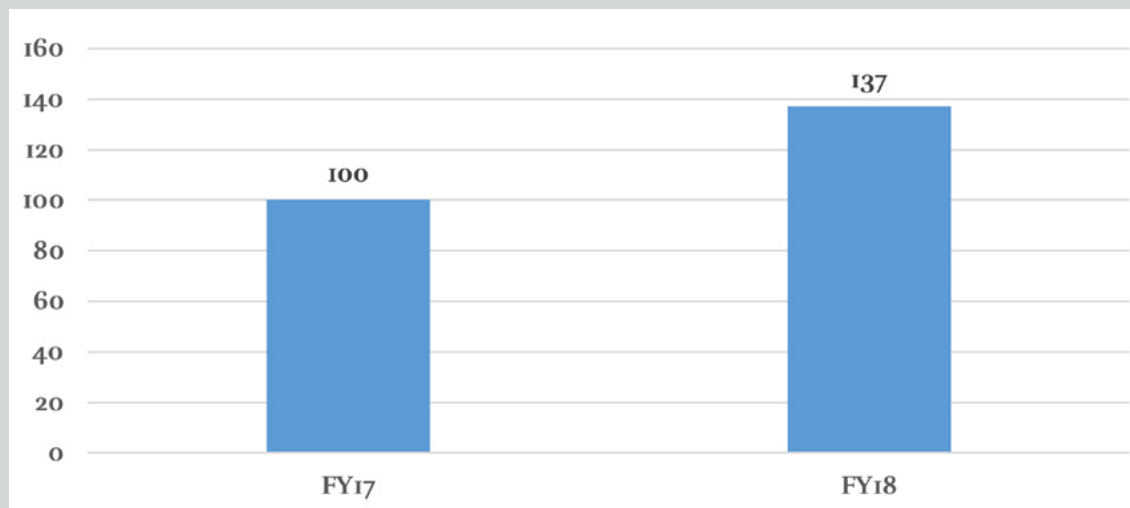
Figure 1. Total In-Person Trainings Delivered by the Title IX Office ⁴



⁴ More than 6,400 students, staff, and faculty participated in the trainings and presentations referenced in this chart.

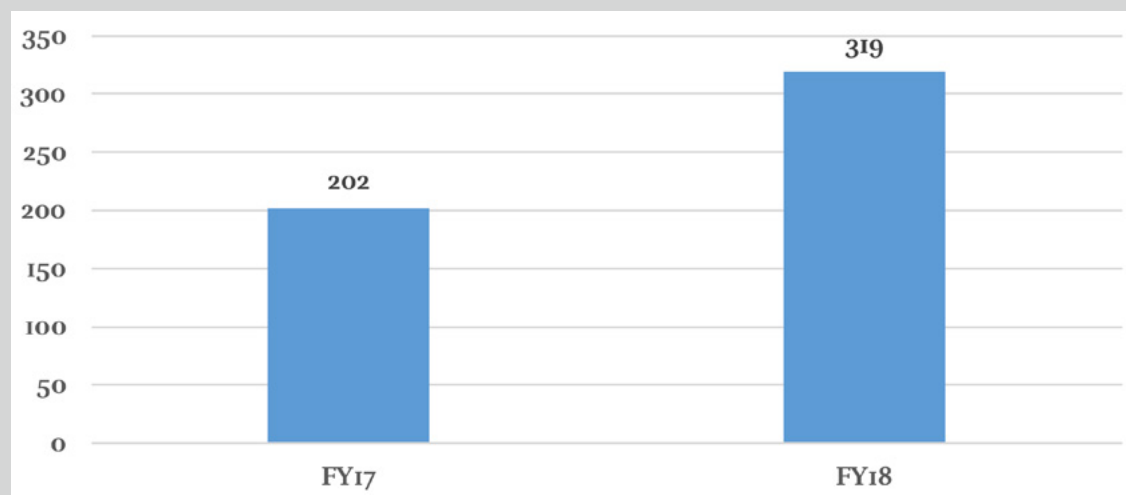
Local Title IX Coordinators delivered 137 School/Unit-specific educational programs to community members. This represents a 37% increase in the number of trainings and presentations delivered by School/Unit Title IX Coordinators from FY17 to FY18.

Figure 2. Total Trainings and Presentations Delivered by Local Title IX Coordinators



As a whole, the Title IX Office, ODR, and local Title IX Coordinators delivered 319 trainings and presentations, representing a 58% increase in our collective efforts from FY17 to FY18

Figure 3. Total In-Person Trainings and Presentations Delivered by the Title IX Office and local Title IX Coordinators



RESOURCES DEVELOPED IN FY18 BY TITLE IX COORDINATORS AND/OR THE TITLE IX OFFICE IN PARTNERSHIP WITH THE HARVARD COMMUNITY

Department of Athletics Training Initiative

Continuing to strengthen partnerships across the University, Ramsey Champagne (OSAPR Community Advocate) and Emily Miller (Harvard College Title IX Coordinator) trained all full-time employees in the Department of Athletics. These conversations were scaffolded using the Adverse Childhood Experiences Study. Employees learned more about their roles as responsible employees, and Ramsey and Emily invited participants to share best practices and strategies for working with student-athletes facing challenging concerns in the unique environment of collegiate athletics. The training focused on building off of existing strengths and increasing knowledge of where to turn for support and information, and complemented the dual training model that Ramsey and Emily rolled out to student-athletes – all of whom were asked to complete both in-person trainings with Ramsey and the online training launched by the College.



Harvard Longwood Campus Title IX Trainings



Harvard Longwood Campus

Longwood Campus Title IX Coordinators were collaborative and resourceful in their efforts to present Title IX workshops to their staff throughout the year. The Harvard T. H. Chan School of Public Health and Harvard Medical School used the Harvard Training Portal to ensure seamless registration processes for the four Gender Diversity and Inclusion workshops presented to Longwood academic appointees, managers, and staff from November 2017 through April 2018. Harvard School of Dental Medicine Title IX Coordinators worked with their Director of Diversity and Inclusion and the Title IX Office to develop and present eight workshops on *Maintaining a Safe and Inclusive Work Environment* to HSDM staff members. These spring workshops focused on sexual and gender-based harassment, unconscious bias, and matters at the intersection of these constructs.



Title IX Awareness and Engagement Platform



The Title IX Awareness and Engagement Platform was one of eight projects to receive funding from the [IT Capital Review Board](#) for FY18. As a part of this multiphase project, the Title IX Office's website was redesigned based on feedback from the community; feedback from focus groups composed of students, faculty, and staff; and on the recommendations of the [Harvard Task Force on the Prevention of Sexual Assault Final Report](#).

The redesign of the [Title IX](#) website focused on increasing awareness and understanding of the University Sexual and Gender-Based Harassment Policy and accompanying procedures by enabling greater access to resources and information; offering a suite of informational videos and resource materials; providing opportunities to participate in ongoing program development and projects; and presenting multiple pathways to identify supports.

Responding to Disclosures

With the assistance of a working group composed of faculty and staff, the Title IX Office developed [Sexual & Gender-Based Harassment: Responding to Disclosures](#) – a resource folder that includes information on how to respond to a disclosure of sexual and/or gender-based harassment as well as contact information for on-campus and local community resources. Designed to support faculty and staff in their role as responsible employees, this guide was made available in April 2018. The Title IX Office also worked with several Schools/Units to enhance the resource, creating School/Unit-specific inserts with contact information for their Title IX Coordinators.



Gender Inclusive Guidelines

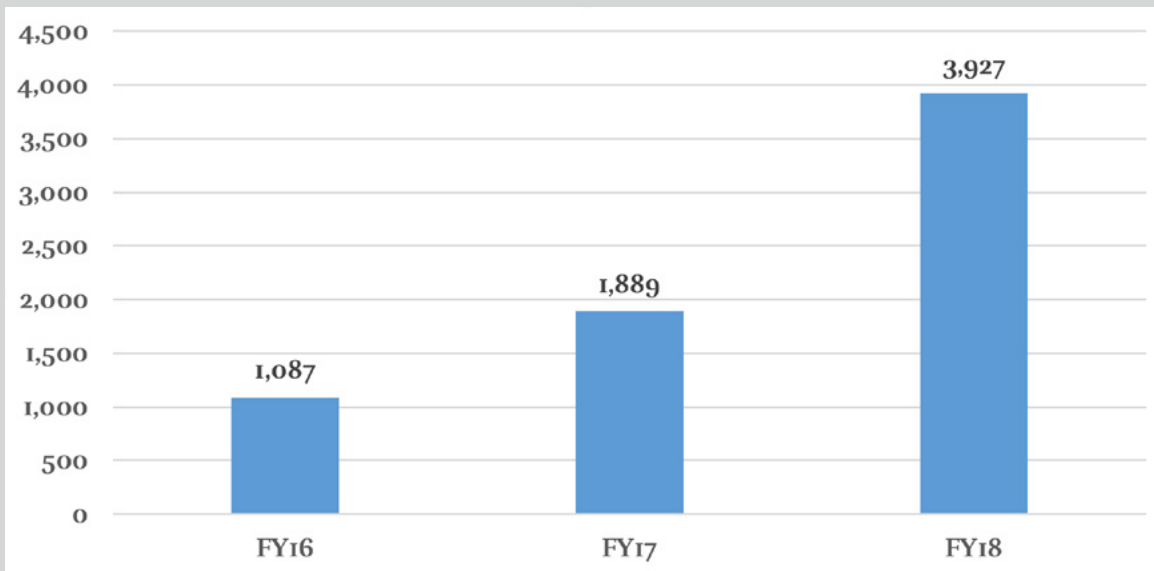
In October 2017, the University Guidelines for Gender Inclusivity in the Workplace ("Guidelines") were made available to the Harvard community, published on both the [HARVie](#) and [Title IX Office websites](#). The Guidelines were developed over a 14-month collaborative effort of the Office of Labor and Employee Relations ("OLER"), the Title IX Office, and an internal working group composed of University stakeholders. Throughout FY18, OLER and the Title IX Office delivered 15 presentations on the Guidelines to Harvard University staff. Representatives from the two offices also presented at the 2018 Western Association of College and University Business Officers Annual Conference on strategies for developing guidelines for gender inclusivity in the workplace, receiving a rating of 97% based on feedback from session participants.

ONLINE TRAINING MODULES

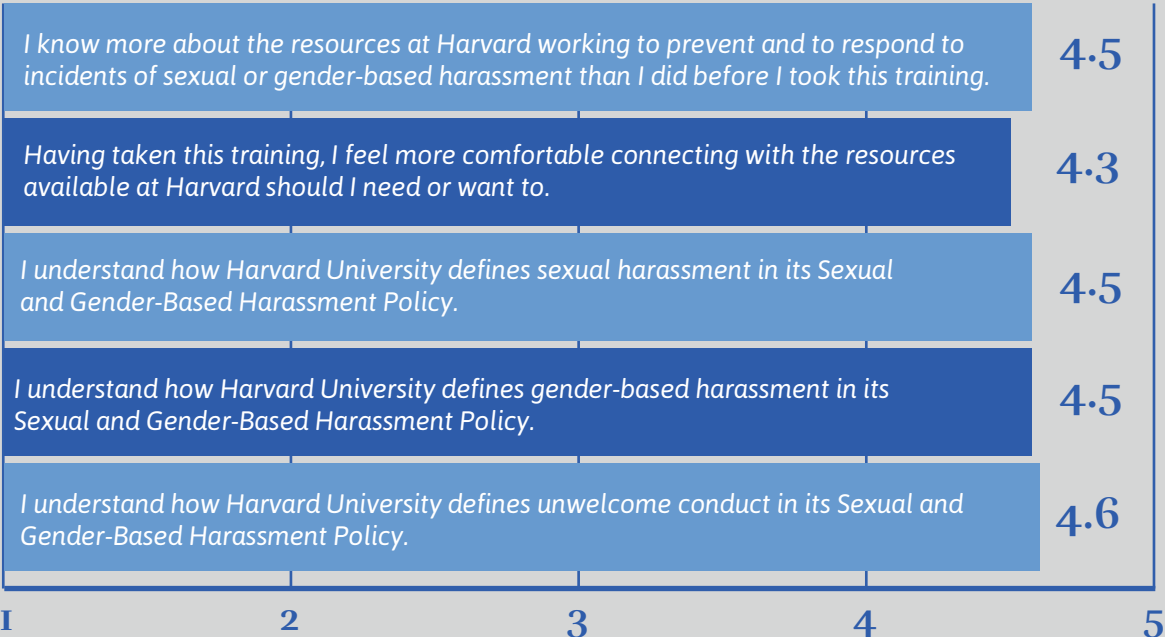
Supporting a Harassment-Free Community: Online Training Modules

Employee online training completion rates continue to increase over time. From FY17 to FY18, there was a significant increase in completion rates compared to FY17.

Figure 4. Employee Online Module Completion Rates

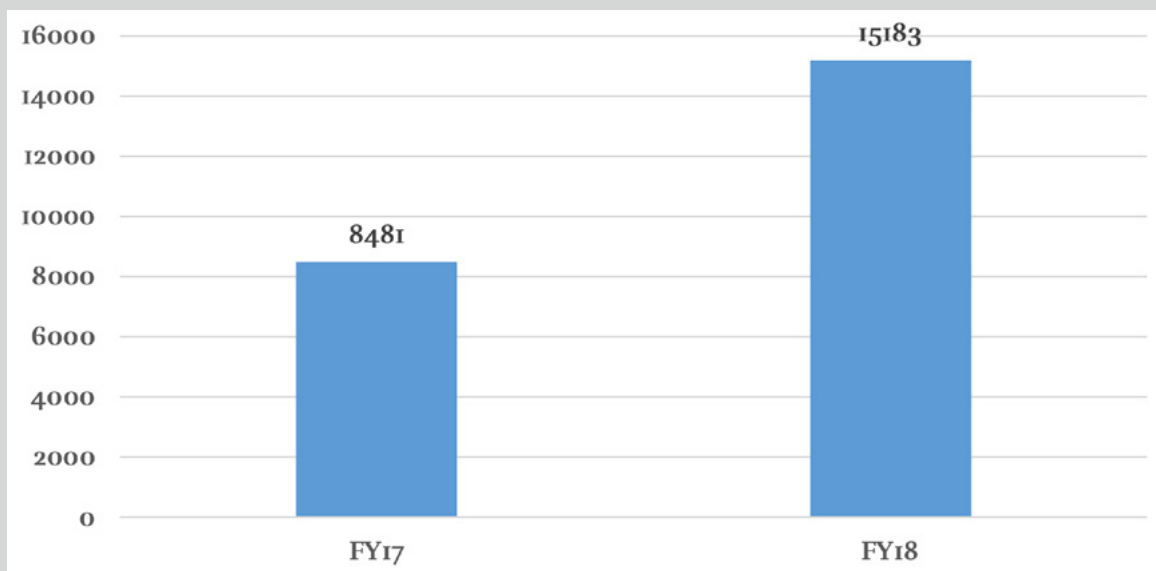


Harvard employees provided both positive and constructive feedback on the online module in FY18 and, when considering average ratings, reported high levels of agreement with the following statements:



The Title IX Office continues to work with Harvard Schools to enhance student online training modules, incorporating feedback from students and administrators. Last year, the Title IX Office supported nine Harvard Schools in providing online training to their students on the University's Sexual and Gender-Based Harassment Policy, procedures, and resources. There was a 79% increase in student online training completion rates from FY17 to FY18.⁵

Figure 5. Student Online Module Completion Rates



⁵ Student online training modules were not used prior to 2016.

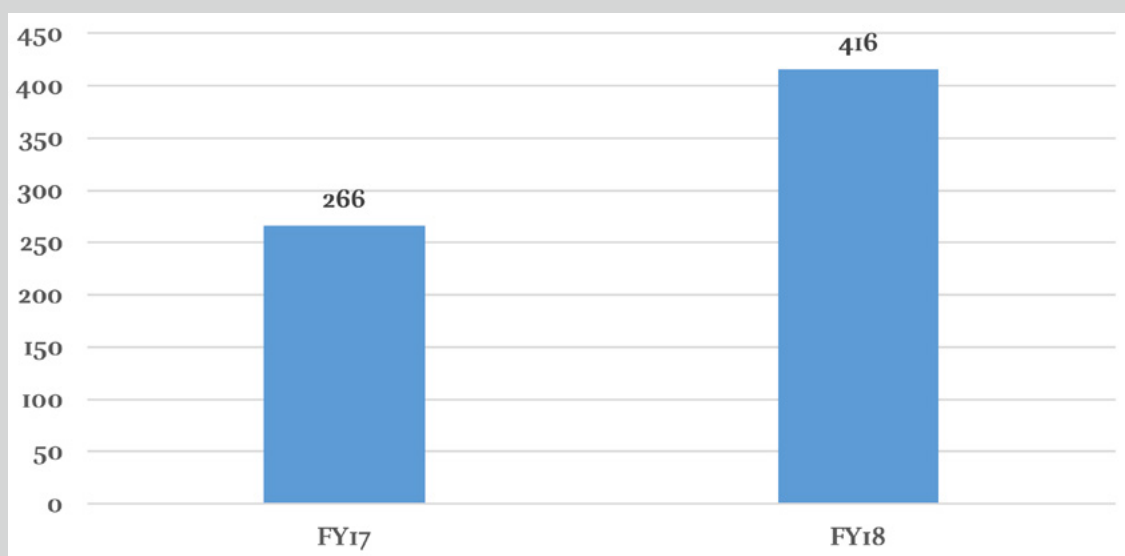


TITLE IX DISCLOSURE DATA ⁶

The following data reflect disclosures of potential sexual and/or gender-based harassment received by our system of local Title IX Coordinators or the University Title IX Office. Disclosures with interim measures represent the majority of local Title IX Coordinator activity. Interim measures are individualized supports to help those who have been affected by incidents of potential gender-based or sexual harassment, including sexual violence, participate in campus life at Harvard and continue with their studies or work. The majority of disclosures of potential sexual and/or gender-based harassment did not result in the filing of a formal complaint with the Office for Dispute Resolution (ODR).

In FY18, the Title IX Office supported local Title IX Coordinators in their response to over 400 disclosures of potential sexual and/or gender-based harassment. As illustrated below, there was a 56% increase in disclosures of potential sexual and/or gender-based harassment from FY17 to FY18.

Figure 6. Total Disclosures Received



⁶ This report reflects disclosure data from July 1, 2017 to June 30, 2018. Data is presented without identifying information to protect the privacy of the individuals involved. Disclosure data in this report will not correspond to Harvard's annual report required under the federal Clery Act because this annual report uses definitions of prohibited conduct that are more expansive than the Clery reportable offenses and also includes cases from a wider geographic jurisdiction than in the Clery report.

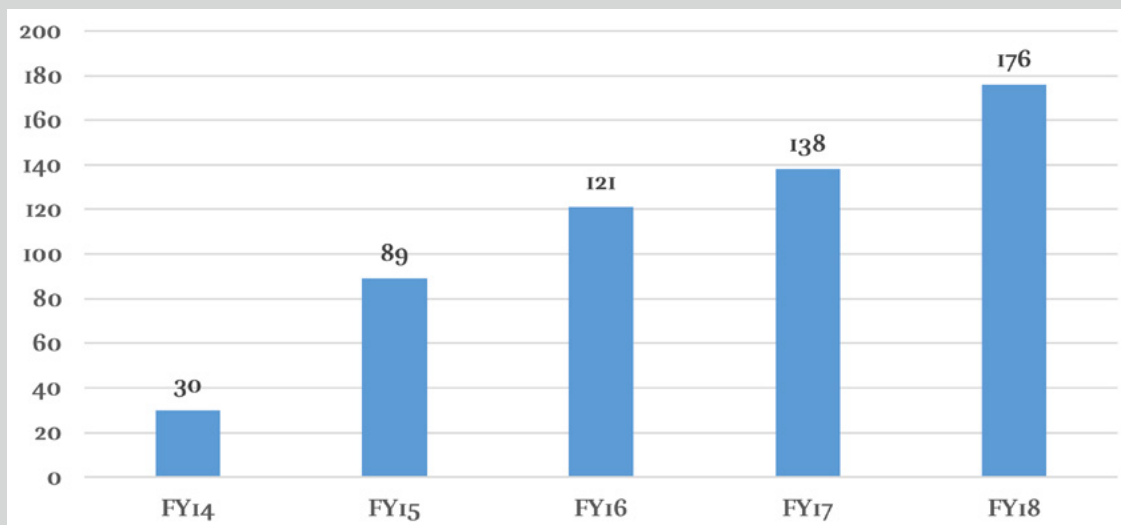
FY18 DISCLOSURES TO HARVARD COLLEGE

Snapshot: Increased Disclosures to the Title IX Coordinators at Harvard College

From FY14-FY18, there has been a steady increase in the number of students who connected with Title IX Coordinators for students at Harvard College to disclose incidents of potential sexual and/or gender-based harassment.

- 36% increase in disclosures from FY15 to FY16
- 14% increase in disclosures from FY16 to FY17
- 28% increase in disclosures from FY17 to FY18

Figure 7. Total Disclosures Received by Harvard College Title IX Coordinators



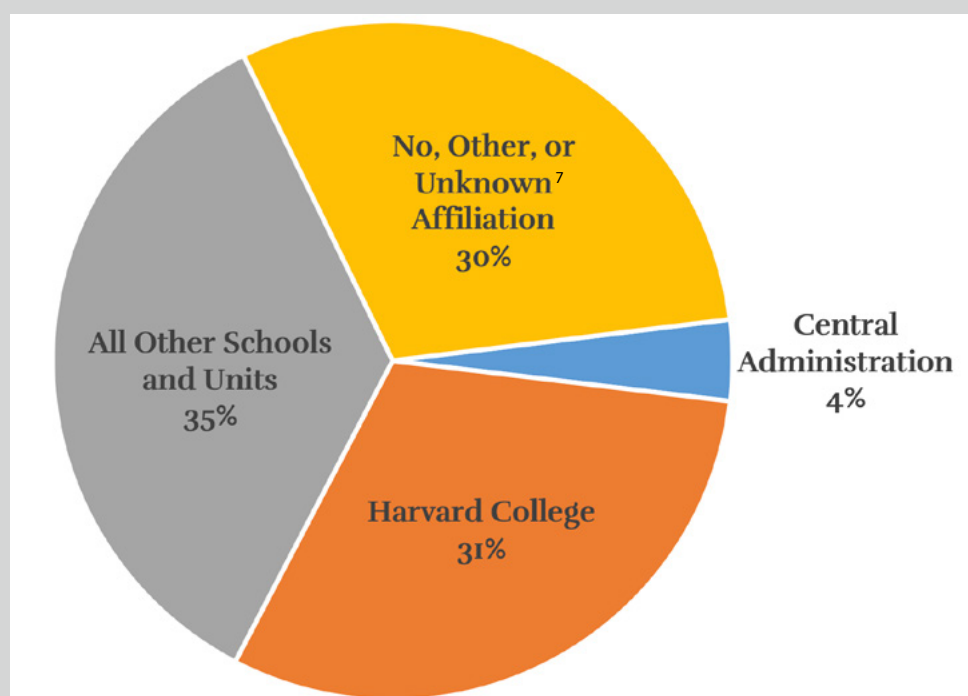
FY18 DISCLOSURE DATA

The following charts illustrate the total number of disclosures received in FY18 broken down by:

1. The affiliation of the person identified as impacted by potential conduct;
2. The University status of the individual identified as engaging in potential conduct; and
3. The University status of the person identified as having been impacted by potential conduct.

For the majority of disclosures received, a faculty or staff member was identified as the person engaging in potential sexual and/or gender-based harassment and a student was identified as the person impacted by potential sexual and/or gender-based harassment.

Figure 8. Schools/Unit Affiliation of Person Identified as Impacted by Potential Conduct



⁷ "Unknown" denotes disclosures wherein the person raising the disclosure did not disclose the affiliation of the person identified as impacted by potential conduct (e.g., individuals disclosing on behalf of an unidentified friend, anonymous phone calls or emails).

Figure 9. University Status of Person Identified as Engaging in Potential Conduct ⁸

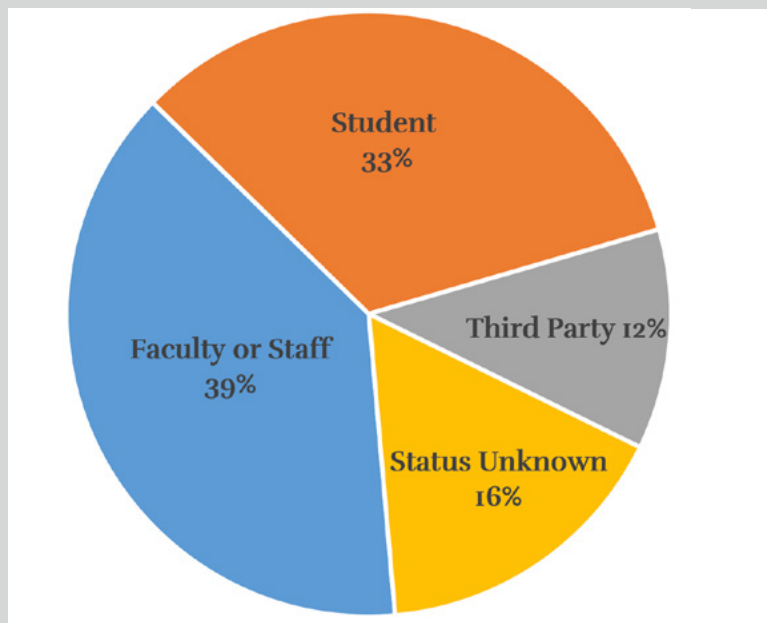
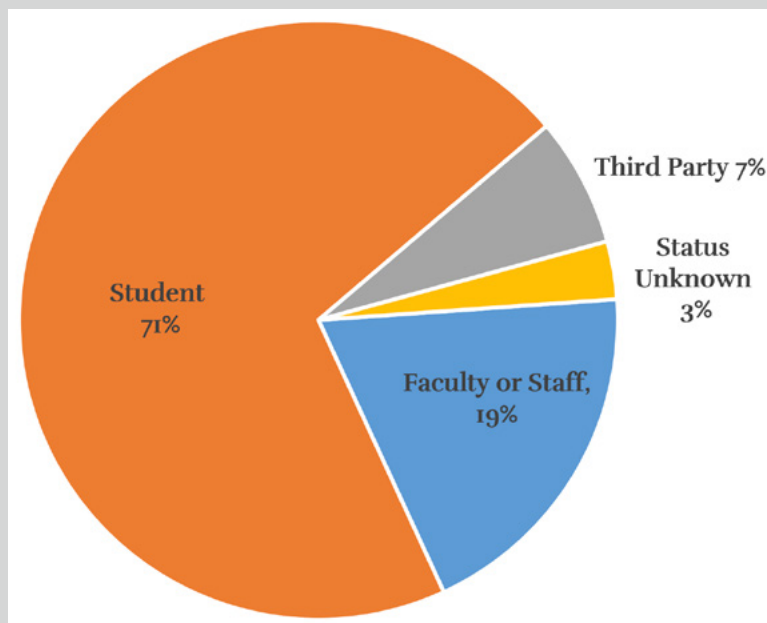


Figure 10. University Status of Person Identified as Impacted by Potential Conduct ⁹



⁸ These figures do not represent the total number of individuals identified as engaging in potential conduct, but rather the total number of disclosures received where the University status of the individual identified as engaging in potential conduct was faculty, staff, student, third party, or unknown, respectively. An individual may be identified as the person engaging in potential conduct for more than one disclosure.

⁹ These figures do not represent the total number of individuals identified as impacted by potential conduct, but rather the total number of disclosures received where the University status of the individual identified as impacted by potential conduct was faculty, staff, student, third party, or unknown, respectively. An individual may be identified as the person impacted by potential conduct for more than one disclosure.

ABOUT THE OFFICE FOR DISPUTE RESOLUTION



Statement from William (“Bill”) McCants, Director of the Office for Dispute Resolution (ODR)



ODR’s fourth fiscal year of operation, FY18, drew to a close on June 30, 2018, with a total of 130 complaints received since September 2014. ODR, staffed by three impartial and experienced investigators, supported by three fellows,¹⁰ noted the broad use of our

services across the University community, which signals a still-growing awareness of this important informal resolution and investigative resource. Complaints over the four-year period have involved School programs or activities overseen by all ten Harvard faculties, as well as seven Units. Using gender self-identification by parties, ODR also noted that over the four-year period, about 66% of complaints were filed by females against males, 12% by males against males, 8% by males against females, and 7% by females against females. In 10% of complaints filed over the four-year period, at least one party self-identified as BGLTQ.

An increased understanding of the Sexual and Gender-Based Harassment Policy standard by stakeholders may be reflected in the fact that while in FY18 complaint receipts increased by 7% over the previous year (and 77% over FY16, its first full year of operation), the number of complaints proceeding to investigation following initial review increased by 32% (and allegations within those complaints going to investigation happened to increase by 104%, reflecting the scope and complexity of some of the concerns brought forth). ODR in FY18, at the request

of Schools or Units, in seven complaints investigated related allegations that fell outside the scope of the Policy, such as alleged physical violence that was not sexual or gender-based in nature. ODR also handled two complaints under University-wide policies other than the Policy; these two complaints are not included in the data and charts contained in this Report.¹¹

The ODR team continued to field requests from the Harvard community for information or advice about the steps involved in pursuing an informal resolution or filing a formal complaint under the Policy. In response to feedback from stakeholders such as parties and witnesses involved in investigations and other interested individuals at the various Schools and Units, as well as input from the University’s Title IX Policy Review Advisory Committee, ODR rolled out a new website in August 2018 that includes, for example, an Investigative Process flowchart. ODR also continued to work on improving the format and readability of its final reports of investigation (FRIs) in FY18. FRIs issued in FY18 to date average under 25 pages in length, for example, compared to an average of almost 47 pages in FY15. In addition, ODR continues its ongoing communications and consultation with important allied service providers at Harvard such as OSAPR, HUHS, HUPD, and the Office of the General Counsel.

ODR’s investigative efforts continued to be supported by working jointly with trained [investigative designees](#), for those Schools and Units that use that model, or by regularly communicating with liaisons who provide valuable information from

10 ODR Fellow Eric Jordan was promoted to ODR Associate on July 1, 2018.

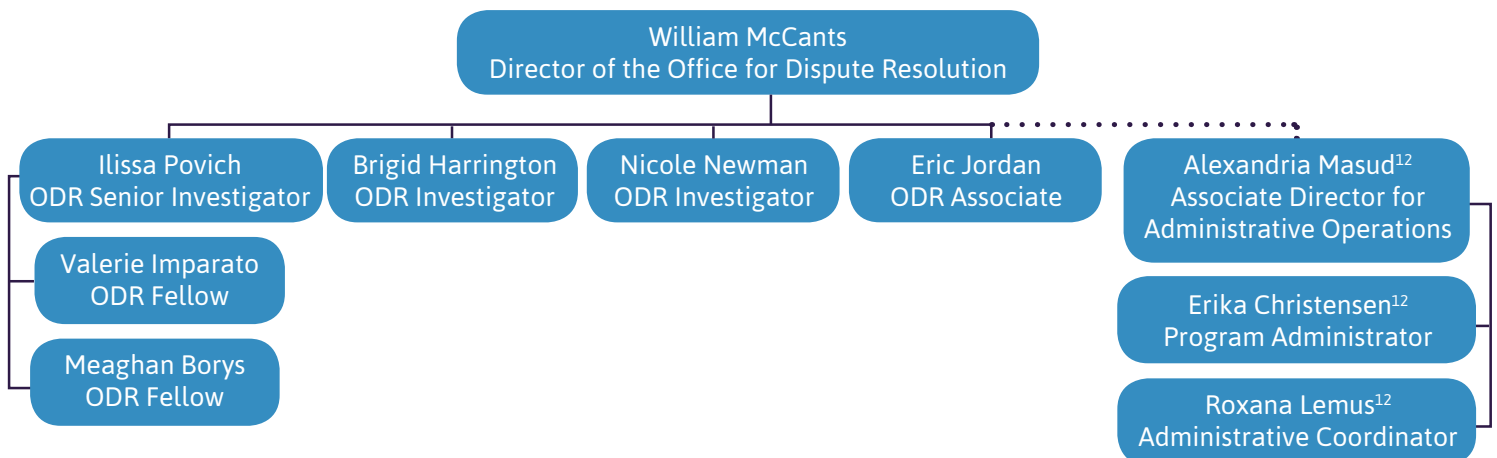
11 ODR only accepts such complaints from Schools and Units when the size of its caseload of complaints filed under the Policy allows.

their Schools and Units to ODR, while also relying on ODR to keep the liaisons current on investigative status and progress. In all cases, communication between ODR and the local Title IX Coordinators, as well as when appropriate the Title IX Office, also helped ensure proper attention to the support needs of the parties involved in our investigations. In addition, when a formal complaint is filed, and ODR finds there is a hostile environment for one or multiple members of our community, the ODR Investigative Team together with the involved School or Unit create tailored [recommended measures](#). This holistic approach works to improve outcomes both for individuals and the broader community.

As part of our mission, ODR staff was involved in delivering over 30 audience-tailored trainings and

presentations, which included attendees from across Harvard. ODR staff members also continued to hone and advance their skills base, receiving as applicable more than 50 hours of professional development training in subjects such as investigation, confidentiality, due process, and the neurobiology of trauma.

ODR staff remains at all times keenly aware that we have been entrusted with investigating for all members of the Harvard community, in a prompt and fair manner, one of the most sensitive areas of human interaction, while protecting the privacy of those who interact with our office. We continue to be grateful for the efforts of our many partners to assist us in this important task.



¹² Erika Christensen, Roxana Lemus, and Alex Masud are cross-departmental administrative staff, contributing to both the Title IX Office and Office for Dispute Resolution.



Bill McCants, Director of the Office for Dispute Resolution

Bill supervises the ODR staff, ensures timely and high-quality complaint resolution processes, and develops and delivers extensive University-wide training. He came to the Office in August 2014 with over 12 years of experience in civil rights investigations on the federal and state levels, in various protected class statuses, including sex, race, color, national origin, disability, and age. A graduate of Harvard Law School (HLS) and a licensed attorney, Bill has master's degrees in psychology (FAS/DCE) and criminal justice (Northeastern University). He holds a bachelor's degree from UCLA in History with a minor in Economics. A secondary schoolteacher for eight years, Bill taught U.S. and European History and Psychology, the latter two subjects at the advanced placement (AP) level. He also served as a co-Head of House in MIT undergraduate and graduate housing for 16 years. Bill is an avid ocean sailor and environmentalist, having previously served for several years as a municipal Conservation Commissioner.



Meaghan Borys, ODR Fellow

Meaghan is a licensed attorney who graduated from Harvard College in 2011 and received her J.D. from UCLA School of Law in 2014. In addition to her role as an ODR Fellow, Meaghan is a proctor in the Yard, where she serves as a resident advisor to first-year Harvard students. She has practiced as a criminal prosecutor in the Suffolk County District Attorney's Office in Boston and spent two years as a law clerk to the Justices of the Massachusetts Superior Court.



Erika Christensen, Program Administrator

Erika contributes to the broader programmatic initiatives of the Title IX Office, develops informational content in digital and video formats, and manages data systems. She also provides support to the Office for Dispute Resolution and assists with casework as needed. Erika has a B.A. in the Studies of Women, Gender, & Sexuality from Harvard College. Prior to joining the Title IX Office and ODR, she worked to support at-risk communities by developing suicide mitigation strategies. She also worked as a national campaign recruiter during the 2016 presidential primaries.



Brigid Harrington, ODR Investigator

Brigid has been a licensed attorney for 13 years and is in her fourth year conducting ODR investigations and facilitating trainings as an Investigator. She previously conducted criminal investigations as an Assistant District Attorney in New York, where she was assigned to the Special Investigations Bureau of the Special Narcotics Prosecutor, and has worked as a civil litigator in Boston. Brigid has a B.A. from the University of Pennsylvania and a J.D. from Boston College. Brigid is an avid skier and runner, and has completed two marathons.



Anne-Valerie Imparato, ODR Fellow

Anne-Valerie Imparato is a licensed attorney with a J.D. from HLS, and a B.A. in Political Theory from New York University. Prior to joining ODR, Anne-Valerie worked at major law firms in New York and Boston, specializing in international litigation, international arbitration, and securities law. She also has extensive immigration law experience and speaks five languages: English, French, Haitian Creole, Spanish, and Italian. Anne-Valerie is currently a member of Harvard's Administrative Fellowship Program.



Eric Jordan, ODR Associate

Eric is a licensed attorney with a J.D. from HLS in 2014 and a B.A. in Architecture from Princeton University in 2009. Prior to joining ODR, Eric worked as both a litigation and a transactional associate for a major New York law firm, representing clients ranging from multinational corporations to refugees. Eric is also an alumnus of Harvard's Administrative Fellowship Program.



Roxana Lemus, Administrative Coordinator

Roxana provides administrative support to the Title IX Office and the Office for Dispute Resolution and contributes to the improvement of departmental processes and procedures. Prior to joining Harvard, she worked for four years as a paralegal and Spanish/English interpreter for a law firm specializing in immigration law. She has her certifications in community, medical, and legal interpreting from the BU Center for Professional Education and is completing her Associate's Degree in liberal arts at Bunker Hill Community College. Roxana is also a community organizer and volunteer doula.



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worked over a decade in institutional asset management managing hundreds of investment portfolios for endowments and foundations.



Nicole Newman, ODR Investigator

Nicole has conducted ODR investigations and facilitated trainings as an Investigator since 2017. Nicole is a licensed attorney who came to the Office with over six years of experience in civil rights investigations at federal and state enforcement agencies, where cases involved all protected class statuses in education, employment, housing, and places of public accommodation. In addition, she previously worked as a civil litigator at a major Boston law firm. Nicole holds a

B.A. from Duke University in Political Science and Spanish Studies, and a J.D. from Boston College Law School.



Ilissa Povich, ODR Senior Investigator

Ilissa has conducted investigations and facilitated trainings with ODR since its inception in the fall of 2014. A graduate of HLS and a licensed attorney, Ilissa previously worked at a major Boston law firm and as General Counsel of a Boston area company. She holds a bachelor's degree from Duke University in Public Policy Studies and Economics. Ilissa has taught legal writing to new lawyers and summer associates. She is also an active volunteer in her local community, serving

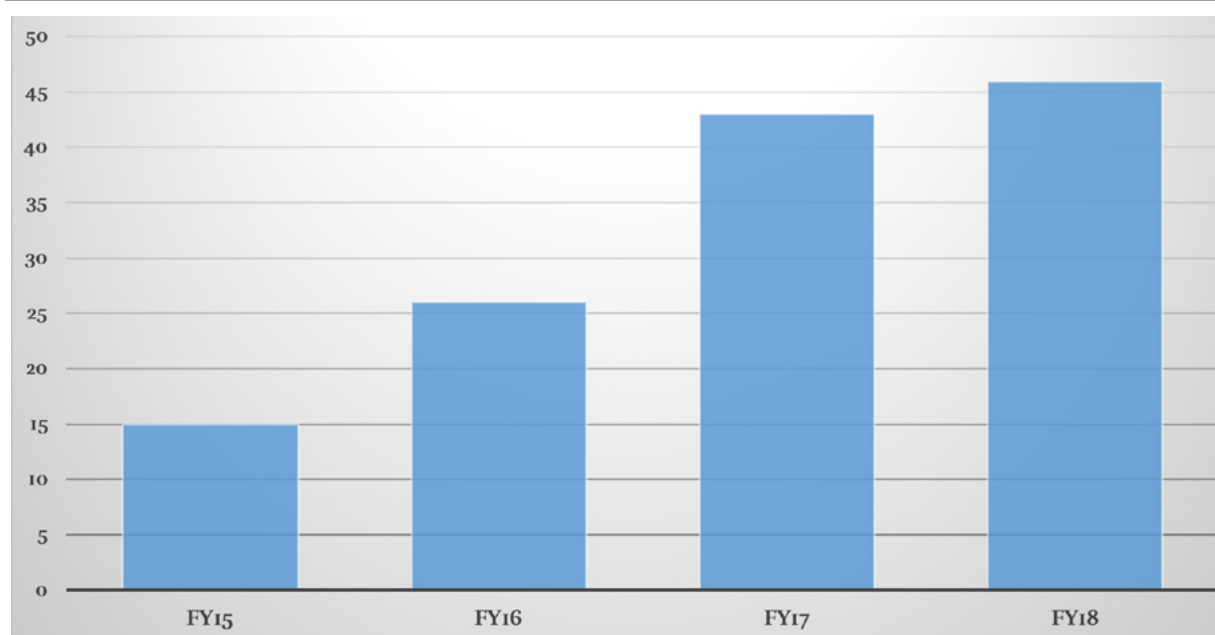
in leadership roles in numerous education-related non-profits, and previously served as the Chair of her town's School Committee.

ODR – DISPUTE RESOLUTION DATA & ANALYSIS

As in prior years, each case ODR investigated in FY18 was unique, and many were highly complex. A summary of ODR complaint information in FY18, with comparisons to complaint information in FY15, FY16, and FY17, is provided below:

- ODR received 46 new complaints in FY18, compared to 43 new complaints in FY17, 26 new complaints in FY16 and 15 new complaints in FY15.¹³
- Approximately 46% of the complaints were resolved before progressing to the investigative stage (i.e., through administrative closure after initial review, or withdrawal).

Figure 1. Year-Over-Year Increase in Number of Formal Complaints Filed with ODR



Timing: In FY18, ODR staff continued to keep the average length of investigations to approximately 3.5 months (2017-2018, ranging in length from 2.5 to 4.4 months),¹⁴ down from approximately 5 months in FY15, its first year of operation. The ability to do so can be attributed in part to the fact that ODR gained an additional ODR Fellow in FY18. ODR ensures that its investigators are as thorough as possible, and we continue to work to make the process move more quickly while maintaining the same quality, fairness, and sensitivity.

¹³ ODR in FY18, at the request of Schools or Units, in seven complaints investigated related allegations that fell outside the scope of the Policy, such as alleged physical violence that was not sexual or gender-based in nature. ODR also handled two complaints under University-wide policies other than the Policy; these two complaints are not included in the data and charts contained in this Report.

¹⁴ In estimating the average length of investigation for the purposes of this annual report, ODR did not include staff cases requiring interpretation and translation services, cases involving delays due to documented medical or related circumstances, or cases with more than twice as many allegations as the ODR average of three.

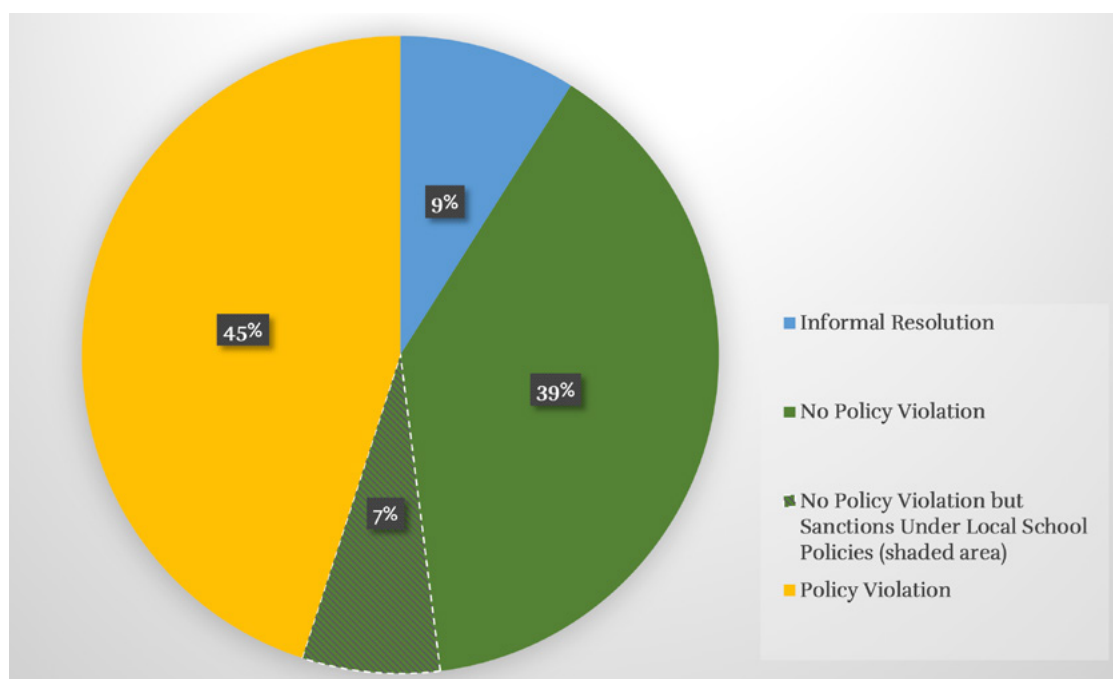
Many factors affect the length of the investigation in a particular case, for example:

- The type and total number of allegations per complaint;
- The nature and volume of the documentation submitted as evidence;
- The number of witnesses interviewed;
- Scheduling challenges, such as: academic obligations (e.g., exams, final projects); University holidays; and parties' and/or witnesses' travel abroad; and
- Extensions in time granted to parties to designate their respective personal advisors, who may include attorneys.

We often see in one complaint allegations that include a constellation of conduct such as sexual assault, stalking (including through electronic means), and a pattern of comments targeting an individual based on sex-stereotyping, sexual orientation, and/or gender identity. The Policy takes into account that an individual may have experienced multiple types of prohibited behavior, during one or more incidents. This standard allows us to be responsive to the broader array of conduct that may be negatively affecting someone's life at Harvard. Accordingly, a single complaint against one respondent may contain multiple allegations. In addition, under the Policy, we also assess whether a hostile environment has been created.

Of the total number of complaints that went to full investigation from FY15-FY18, approximately 45% were found to involve violations of the Policy and 46% were found not to involve violations of the Policy, with 15% of the latter (7% of the total) resulting in factual findings that subsequently resulted in disciplinary actions under local School or Unit rules.

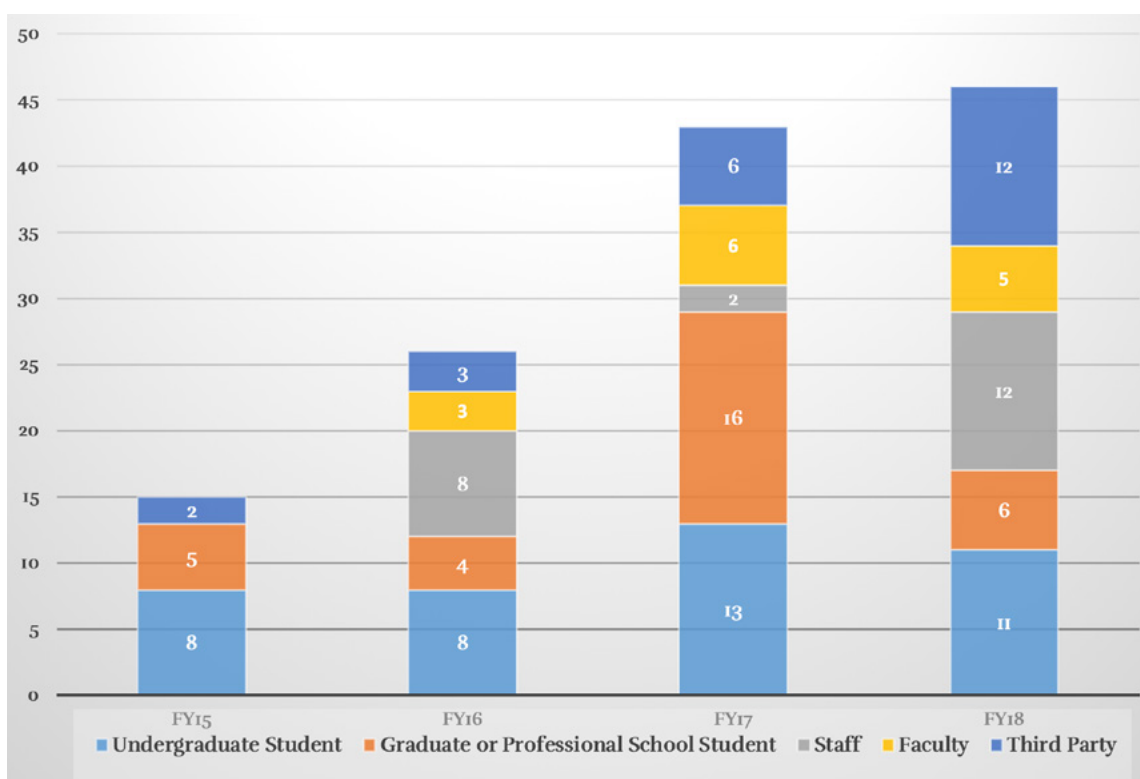
Figure 2. Outcomes of Complaints Proceeding to Investigation FY15-FY18 (N=56)



Case Demographics

- For each of the four fiscal years, the largest proportion of complaints was filed by or on behalf of students (including both undergraduate students and graduate or professional school students). The number of complaints filed by or on behalf of staff and third parties increased significantly between the third and fourth fiscal years (by 10 and 6, respectively), while the number filed by or on behalf of faculty¹⁵ decreased slightly (by 1). (Figure 3)
- In three of the four fiscal years, the largest proportion of complaints was filed against students (including both undergraduate and graduate or professional school students). The number of complaints filed against staff increased somewhat (by 2) between the third and fourth fiscal years, while those filed against faculty increased significantly (by 6). The modest number of complaints filed against third parties increased slightly (by 1) between the third and fourth fiscal years. (Figure 4)

Figure 3. University Status of Complainants FY15-FY18 (N=130)



¹⁵ The “Faculty” category, for annual report purposes, includes Research Associates, Fellows, and Postdocs.

Figure 4. University Status of Respondents FY15-FY18 (N=130)

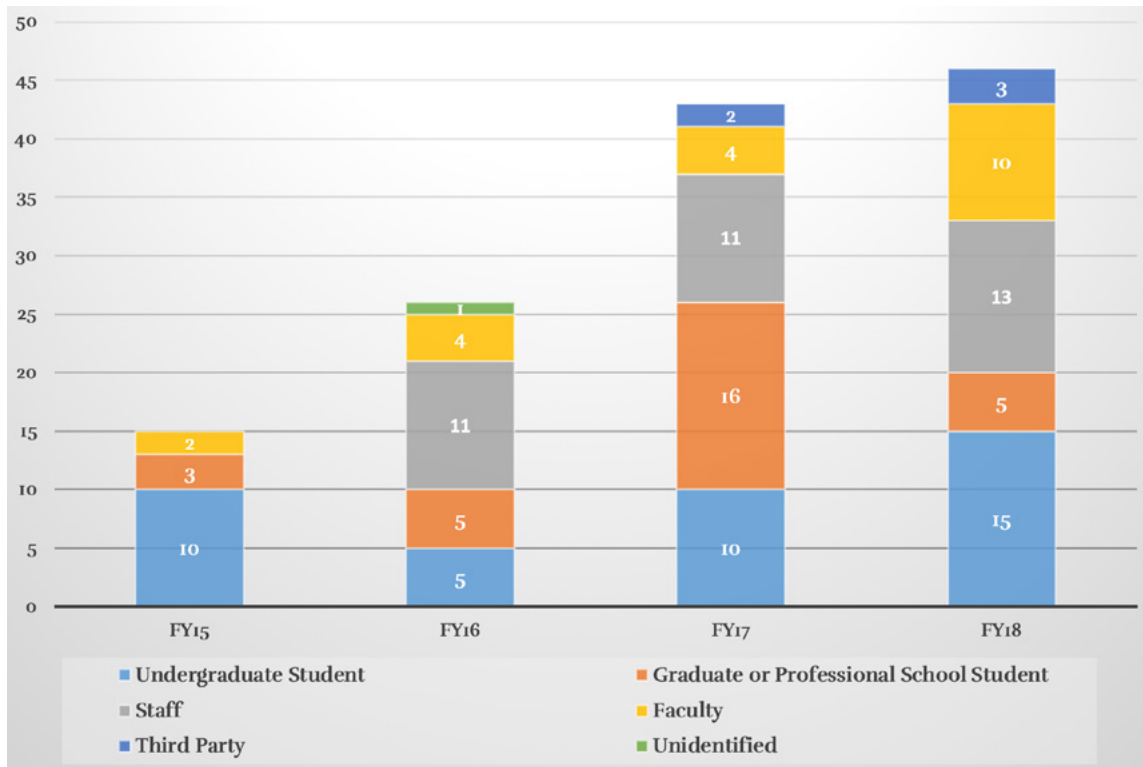


Figure 5. Complaint Allegations by Category FY15-FY18 (N=184)

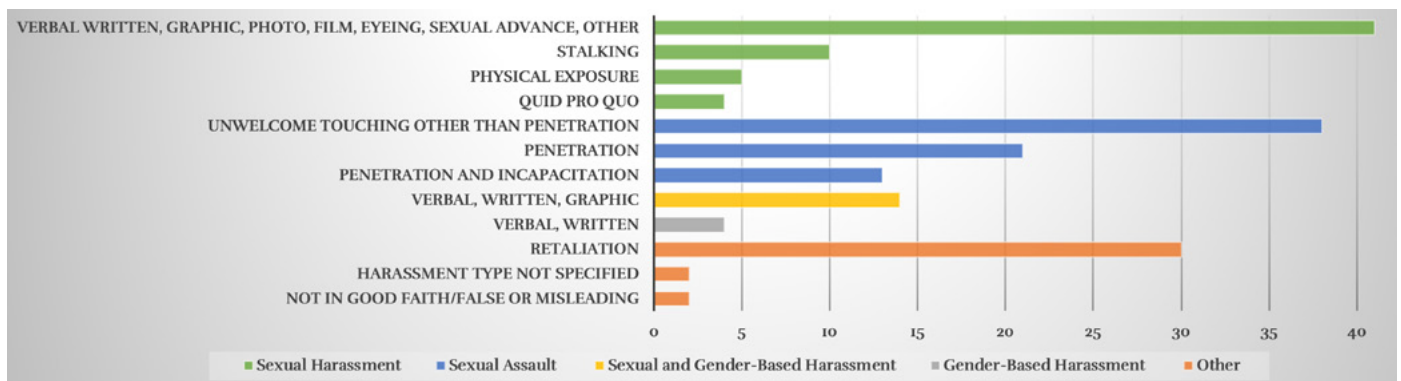


Figure 6. Complainant Status, Focusing on Allegations of Sexual Assault FY15-FY18 (N=72)

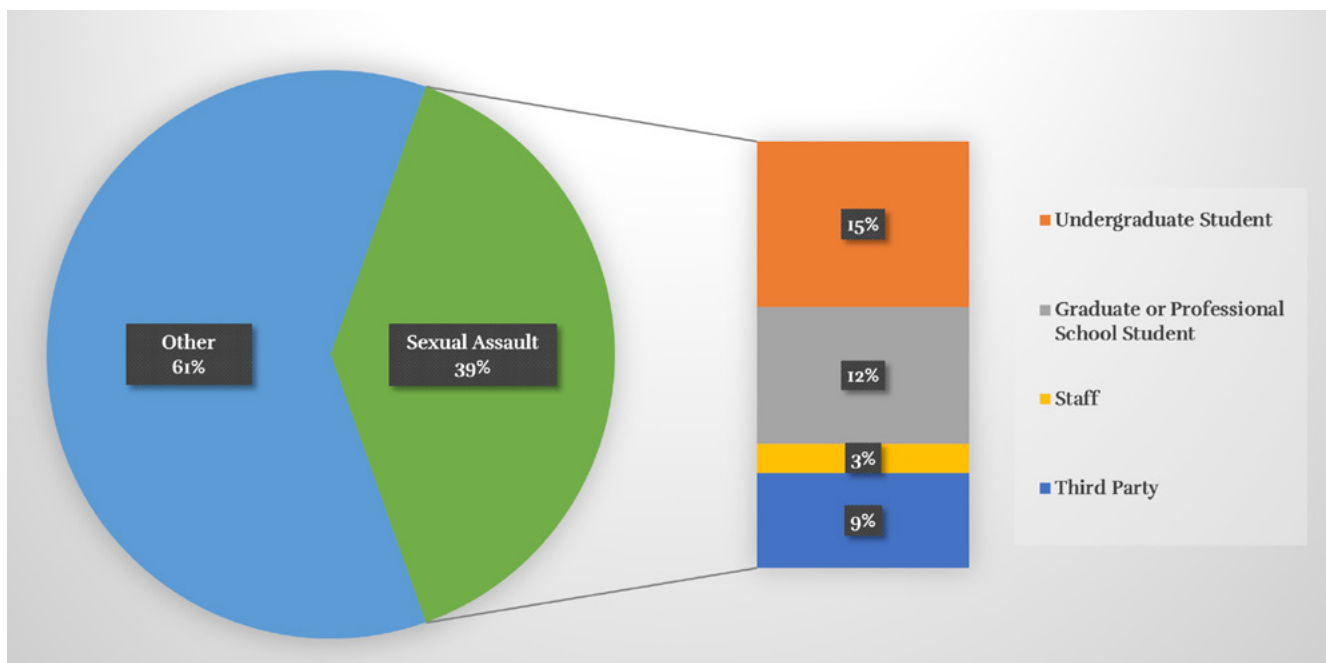


Figure 7. Respondent Status, Focusing on Allegations of Sexual Assault FY15-FY18 (N=72)

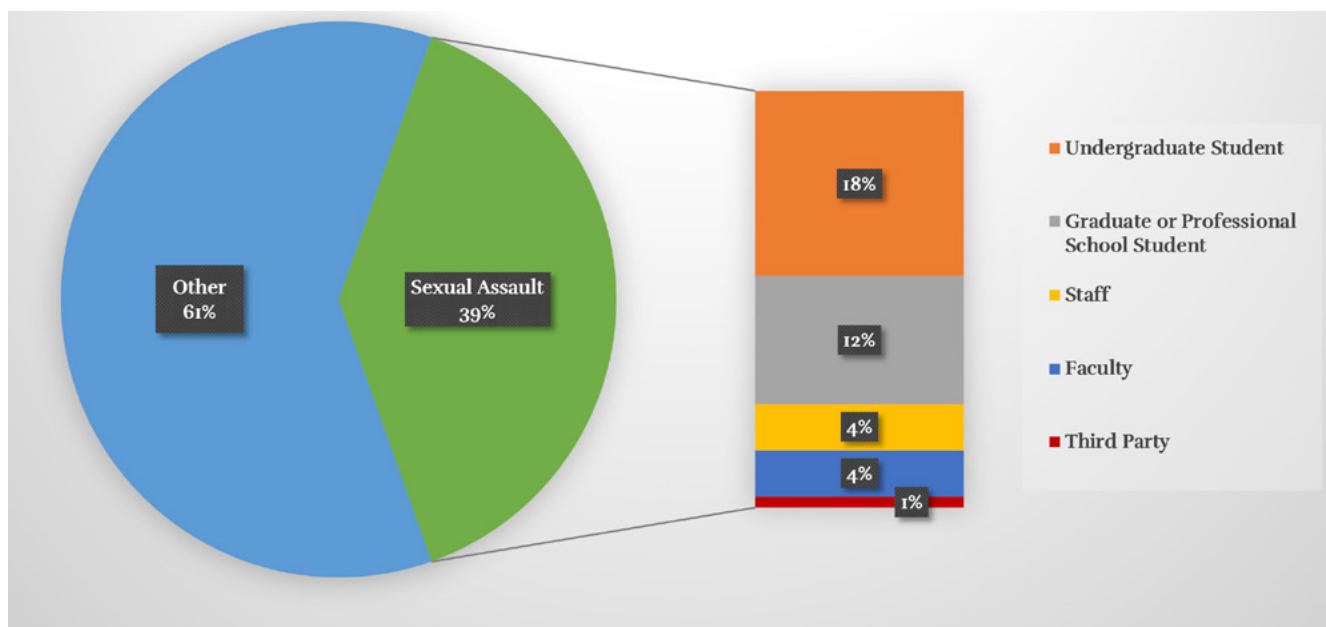


Figure 8. Sexual and/or Gender-Based Harassment Allegations (Not Including Sexual Assault) by Complainant Status FY15-FY18 (N=78)

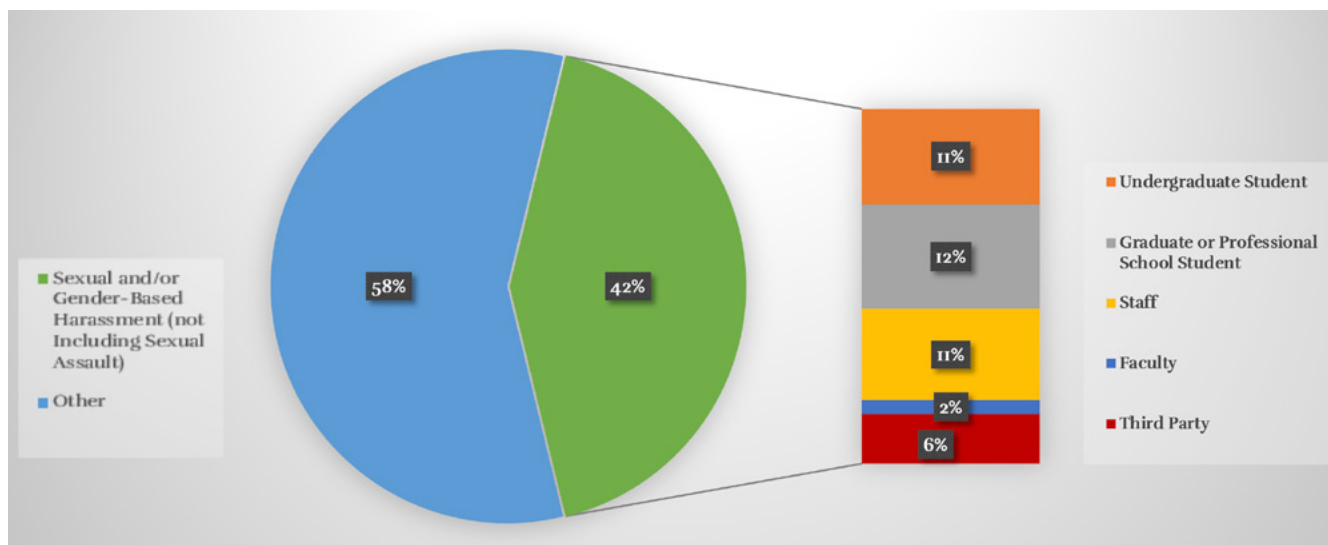
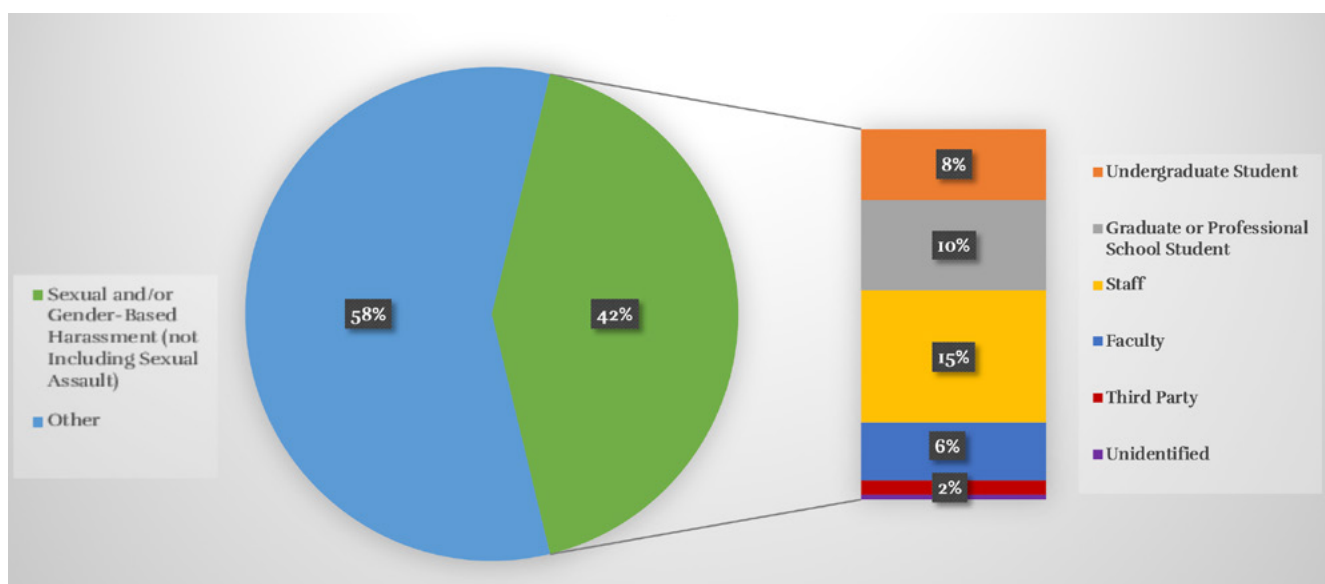
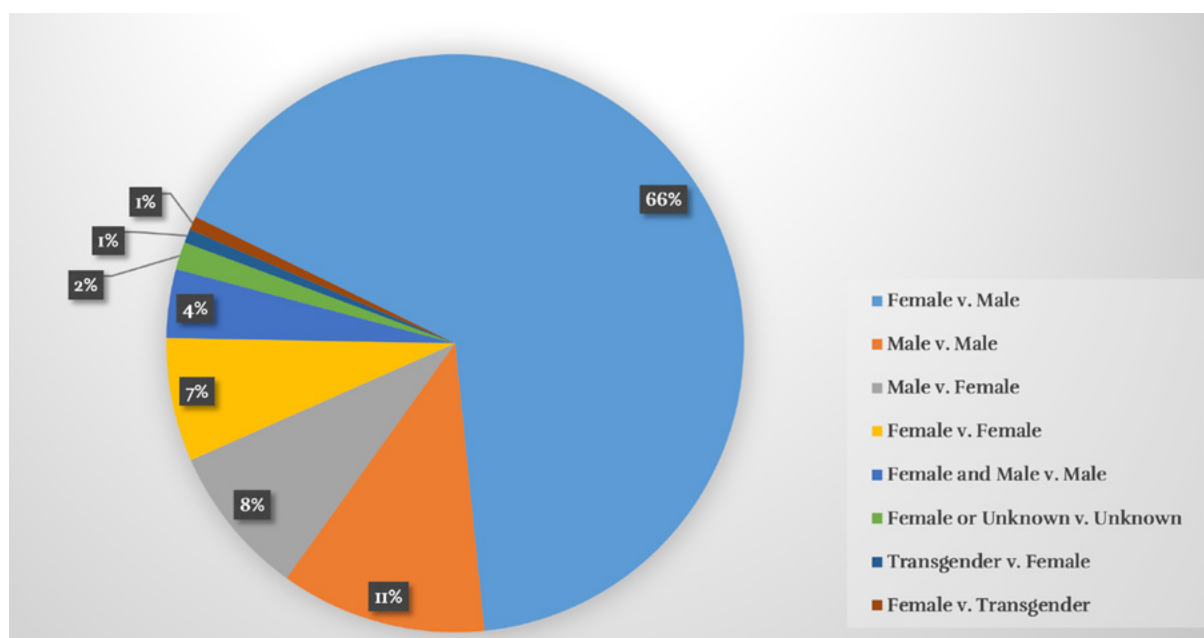


Figure 9. Sexual and/or Gender-Based Harassment Allegations (Not Including Sexual Assault) by Respondent Status FY15-FY18 (N=78)



**Figure 10. Gender²⁰ of the Principals
Complainant v. Respondent
FY14-FY18 (N=130)**



²⁰ Using self-identification.



GLOSSARY OF TERMINOLOGY

In response to community feedback, we have included for your convenience a glossary of terminology commonly used in this Report.

Administrative Closure: When an Investigation is not opened because the conduct alleged would not be a violation of the Policy, even if the facts are true. (See “Initial Review” below)

Complainant: A person who files a complaint with ODR alleging that they experienced sexual or gender-based harassment, or in special circumstances described in the applicable procedures, a School or Unit Title IX Coordinator or designee.

Complaint (or “Formal Complaint”): A written and signed statement alleging a violation of the Policy. A complaint can be filed by the complainant or by a third party filing on behalf of a potential complainant (a “reporter”). Submitting a complaint to ODR starts the formal complaint process.

Designee: see “Investigative Team,” defined below.

Disclosures: Concerns regarding incidents of potential sexual or gender-based harassment that are brought to the attention of local Title IX Coordinators.

Finding of Fact: After gathering and reviewing evidence from both parties and witnesses, as well as other evidence identified by the Investigative Team, the Investigative Team weighs the evidence and reaches a determination about what, more likely than not, happened in a particular case.

Informal Resolution: Informal resolution is a voluntary process through which the party initiating the request identifies specific allegations and, with the assistance of their Title IX Coordinator, the Title IX Officer, or ODR, addresses those allegations through a written agreement that is mutually acceptable to both parties, the School or Unit Title IX Coordinator, and the Title IX Officer or the Director of ODR in consultation with the Title IX Officer. At any point prior to such resolution, the party who initiated the request may withdraw the request for informal resolution. If the informal resolution request is withdrawn before a formal complaint has been filed, either party may initiate a formal complaint under the applicable procedures. Ordinarily, the informal resolution process will be concluded within two to three weeks of the date of the request. Once the parties have reached an express agreement through informal resolution, ODR will not investigate a complaint based on the same scope of allegations. Some allegations may not be appropriate for informal resolution, for example, in some instances where the allegations indicate a potential risk of a hostile environment for others in the community.

Initial Review: A review of the complaint by the Investigative Team to determine whether the allegations, if true, would be a violation of the Policy. If so, then an investigation is started. If the allegations would not be a violation of policy, the complaint is administratively closed. To make this decision, the Investigative Team will review the written complaint and have a conversation with the complainant to gather more information about the allegation. During the Initial Review period, the respondent is not notified of the complaint.

Interim Measures: Individualized supports to help those who have been affected by incidents of potential gender-based or sexual harassment, including sexual violence, participate in campus life at Harvard and continue with their studies or work. Some examples include extensions of time or other course-related adjustments, University-issued and University-enforced no contact orders, and alterations to course schedules or work schedules.

Investigation: The process followed by a trained ODR Investigative Team to gather information in a thorough, impartial, structured, and timely way so that a decision can be made regarding the facts of a case and there can be a determination of whether there has been a violation of the Policy.

Investigative Team: The Investigative Team, which consists of an ODR Investigator paired with a trained person designated by the respondent's School or Unit, is responsible for conducting investigations. If the School or Unit does not designate a person to serve on the Investigative Team, then a single ODR Investigator will conduct the investigation.

Liaison: A person designated by the respondent's School or Unit the respondent is from to provide information to ODR from the School or Unit, while also relying on ODR to provide the Liaison with information about the status and progress of the investigation.

Parties: The complainant and the respondent.

Personal Advisor: Under the conditions outlined in the applicable procedures, the parties in an ODR complaint each may be entitled to designate a "personal advisor" to support them during the ODR investigation process. Personal advisors are individuals who, at the request of their advisee, provide support to the advisee throughout the ODR investigation. A personal advisor should be someone who can assist the party without conflict and thus, may not have any other involvement in the ODR process. So, for example, an individual may not serve as both a personal advisor and a witness in an ODR investigation. The personal advisor may be present when their advisee is being interviewed and can give feedback to their advisee in private. They may not speak for their advisee during the interview.

Policy: Harvard University's Sexual and Gender-Based Harassment Policy.

Principals: Individuals in a complaint alleging they have been the subject of misconduct prohibited by the Policy, or in special circumstances described in the applicable procedures, a School or Unit Title IX Coordinator or designee, and individuals who are alleged in a complaint to have engaged in conduct prohibited by the Policy.

Reporter: Someone who submits a complaint describing possible harassment, but who did not directly experience it. For example, a concerned coworker who witnessed harassment in the workplace.

Respondent: A person who is alleged in a complaint to have engaged in conduct prohibited by the Policy.

Responsible Employee: Staff (including paid student employees, only when acting as employees of the University) and faculty who must share information with a Title IX Coordinator about potential incidents of sexual or gender-based harassment. Our goal is to ensure that individuals receive accurate information about the resources and options available from a trained person in a position to assist them. For more information on responsible employees, visit the [Responding to Disclosures Guide](#).

Third Party: A person who is not a Harvard student, faculty, staff, or appointee as provided in the Policy, but to whom the Policy either applies or who may bring a complaint under the applicable procedures.

Title IX Coordinator: Harvard has designated 50+ Title IX Coordinators distributed across every School and Unit of the University. The Coordinator assures that every student, faculty, and staff member has access to support at the local level. They serve in a neutral role and are specially trained to respond to disclosures of potential sexual or gender-based harassment, assist in developing interim measures, and serve as a bridge to other resources. Title IX Coordinators handle disclosures sensitively and discretely and information is shared on a strictly need-to-know basis.

APPENDIX: ABRIDGED LIST OF HARVARD RESOURCES

THE TITLE IX OFFICE & ODR ARE LOCATED AT:

44R Brattle Street, 2nd Floor
Cambridge, MA 02138

Title IX Office

Phone: (617) 496-0200

Email: titleix@harvard.edu

Website: titleix.harvard.edu

Office for Dispute Resolution

Phone: (617) 495-3786

Email: odr@harvard.edu

Website: odr.harvard.edu

For a comprehensive list of resources, visit our Title IX Resource Guide at <https://titleix.harvard.edu/resource-guide>.

- [Title IX Coordinators](#)
- [Office for Dispute Resolution \(ODR\)](#)
- [Office of Sexual Assault Prevention & Response \(OSAPR\)](#)
- [Harvard College Office of BGLTQ Student Life](#)
- [Harvard University Police Department \(HUPD\)](#)
- [Harvard University Health Services \(HUHS\)](#)
- [Harvard University Counseling and Mental Health \(CAMHS\)](#)
- [Harvard University Health Services Behavioral Health](#)
- [Harvard Chaplains](#)
- [Bureau of Study Counsel \(BSC\)](#)
- [University Ombudsman Office \(Cambridge\)](#)
- [Ombuds Office \(Longwood\)](#)
- [Employee Assistance Program \(EAP\)](#)