



Human Resources Report February 16, 2024

Agenda Item #1: Title IX Annual & Quarterly Reports

Information Action Discussion

Purpose:

The State of Michigan requires the Title IX Office to report quarterly to the Board of Trustees and the President. The purpose of this report is to share 2023-2024 3rd quarter Title IX information with the Board of Trustees and the President.

Additionally, The State School Aid Act of 1979 (388.1874c), section 274c, requires state universities receiving funds under section 236 to report to the senate and house appropriations subcommittees on higher education on its efforts to develop and implement sexual assault response training for university personnel on an annual basis. A copy of the University's 274c. Annual Report is located in Appendix A.

Background:

Per the State of Michigan requirements, this report covers all reports made to the Title IX Office from October 26, 2023 through February 2, 2024.

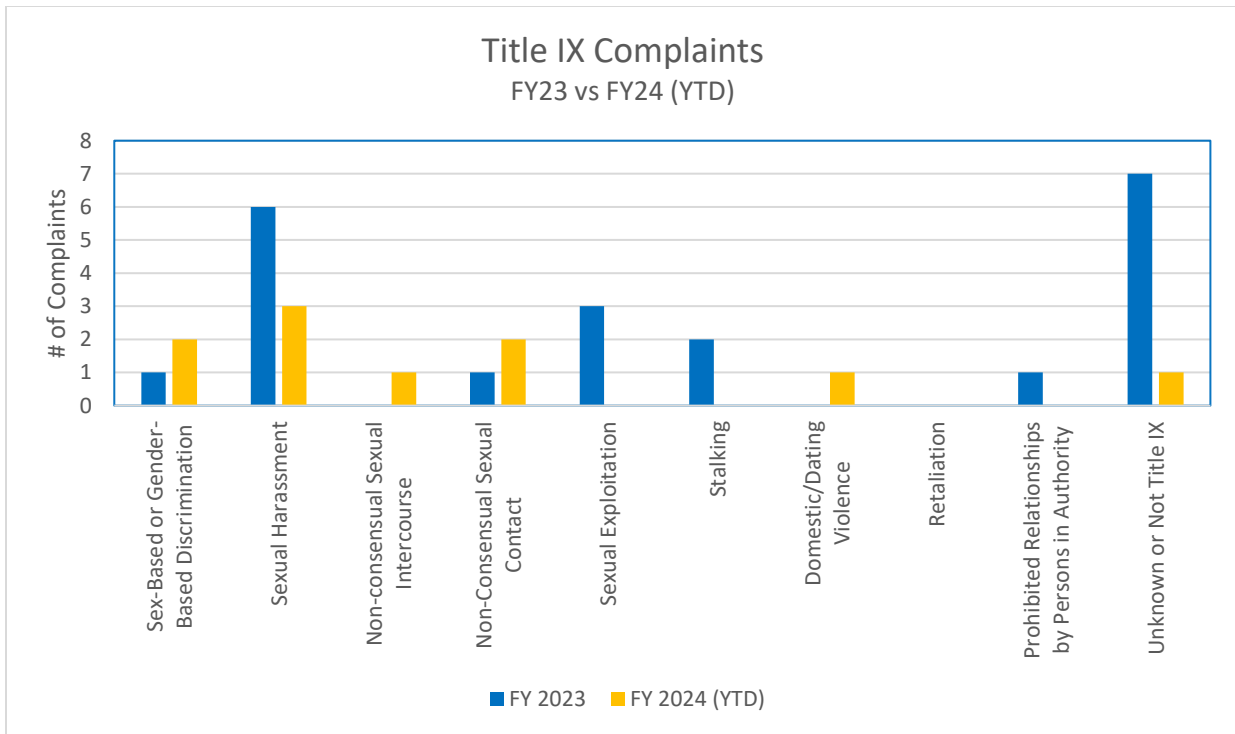
Since the last board report, the Title IX Office has received four (4) reports of alleged prohibited conduct.

- Three (3) reports received, closed with no formal complaint entered and the Title IX Office informed reporting parties of on and off campus resources.
- One (1) case is open currently and is under assessment.
- One (1) of the reports indicated LSSU employees as the Respondent. Information regarding the reports is listed the tables below.

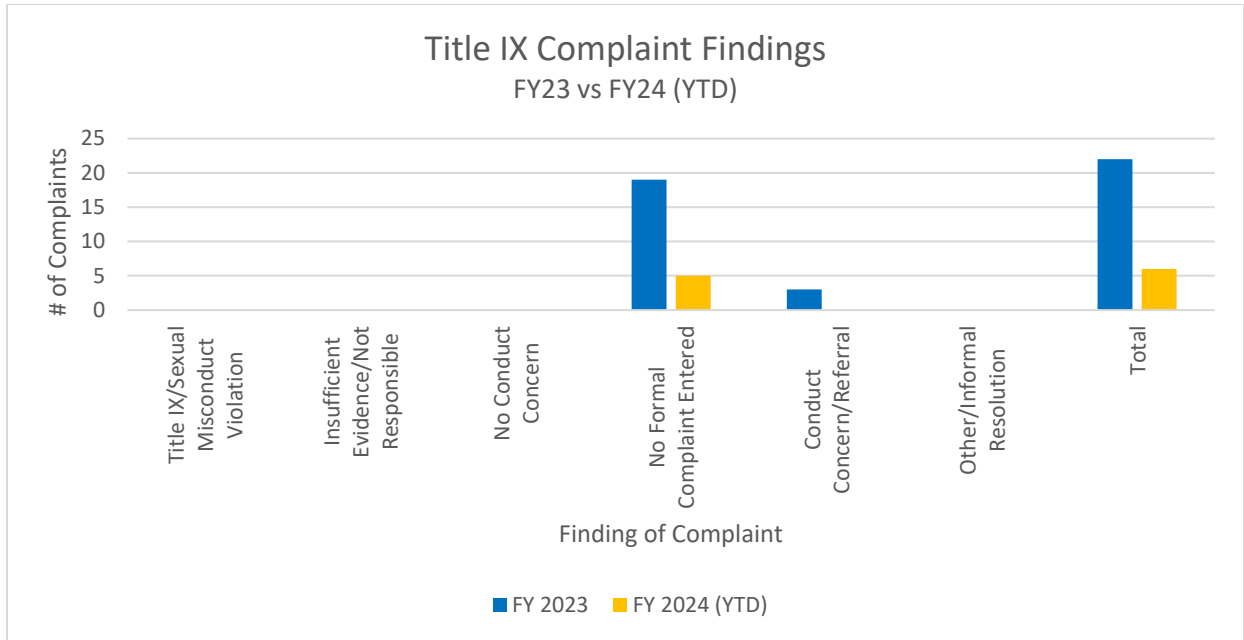
The chart below shows basic case information related to the Title IX Quarterly report.

Case Number	Reporting Year	Date of Report	Date of Incident	Case Status	Reporting Party Status	Responding Party Status	Prohibited Conduct	Finding
2119	2023-2024	11/4/2023	11/4/2023	Open	Student	Unknown	Sexual Harassment	
2144	2023-2024	11/20/2023	10/20/2023	Closed	Student	Student	Not Title IX	No Formal Complaint Entered
2148	2023-2023	11/21/2023	11/17/2023	Closed	Student	Student	Not Title IX	No Formal Complaint Entered
2164	2023-2024	12/11/2023	12/11/2023	Closed	Student	Employee	Sex-Based or Gender-Based Discrimination	No Formal Complaint Entered

The “Title IX Complaints” chart shows the number of types of Title IX complaints received during FY23 compared to FY24.



The “Title IX Complaint Findings” chart shows the overall findings of Title IX cases adjudicated during FY23 compared to FY24.



Suggested Action/Motion:

N/A

President’s Recommendation:

N/A



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Agenda Item #2: Human Resources Updates

Information

Action

Discussion

Purpose:

The purpose of this report is to share with the Board of Trustees updates from the Offices of Human Resources, Safety, and Risk, Public Safety and Title IX.

CASET Update

The restoration work in the CASET building after the fire in September 2023 has continued through the winter, and is nearing completion in most areas of the building. All classroom areas of the building have been reopened except for the Robotics Annex, which was the source room of the event. The subrogation investigation has been completed, and remediation on the Annex has begun. Additional construction work is anticipated to be necessary for the Annex including replacing structural beams, HVAC work, electrical work, and replacing both garage doors.

Ceilings and lights have been replaced throughout the building, and most walls have a fresh coat of paint. The high ceilings in the Robotics Lab and machine shop have been repainted from an avocado green to a bright Laker blue. All machines in each lab are in the process of being cleared by Original Equipment Manufacturers (OEMs) to ensure they are all in proper working order. Engineering faculty and staff, and the facilities team have continued to be integral team members to the successful reopening of each area of CASET.

To date, Zurich has covered a total of \$8 Million in mitigation costs for CASET. The University is responsible for \$50,000 of the total claim. Additional costs are projected to be covered and reimbursed to the University in the next week, with an expected ongoing total approval of \$11,259,651.

Human Resources

- The Human Resources Office implemented the new Life Insurance benefit through One America, which began on January 1.
- All W2s were provided 2023 employees in January.

Safety & Risk

LSSU hosted members from our property insurance provider, Zurich, and broker, Ghallager, for an annual Property Loss Control Visit. This visit went exceptionally well, resulting in a reduction in suggested actions by Zurich to three areas of improvement. The University is prepared to implement two of these suggestions immediately, and is in the process of requesting state

funding for the third. The most notable feedback from this visit was a great compliment to the management of the chemical storage room, which the loss control expert noted was the best managed and maintained chemical storage room he has seen in his career.

The University has begun renewal of all insurance policies for property and liability. The first has already been completed, being the Underground Storage Tank Insurance policy. The largest application the Risk Office manages is through the M.U.S.I.C. program, which covers Casualty, fleet, and general liability is currently underway, and expected to be completed in mid-January.

LSSU will be working closely with J. Gallagher Risk Management Services to renew our property insurance with Zurich.

Title IX

In addition to the Title IX Quarterly Report presented during the previous agenda item, the Title IX Office prepared and submitted the Annual Gender Discrimination and Prohibited Conduct Report, 274(c) to the State of Michigan. This report is attached in Appendix A and reports aggregate reports, investigations, and related timelines to the state government.

Suggested Action/Motion:

N/A

President's Recommendation:

N/A



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Agenda Item #3: Contributions to the Strategic Plan

Information

Action

Discussion

Purpose:

The Strategic Plan was approved by the Lake Superior State Board of Trustees on April 24, 2020. The purpose of this report is to share with the Board of Trustees contributions to the strategic plan from the Human Resources, Safety, and Risk and Title IX offices.

Contributions to the Strategic Plan

3.1.7 Develop an institutional crisis management plan, which includes how LSSU will respond to infectious diseases and global pandemics.

The University continues to support this plan by maintaining a situationally aware staff through new online training launched November 3, 2023.

Suggested Action/Motion:

N/A

President's Recommendation:

N/A

Appendix A

[Note: This report contains information about sexual assault and/or violence which may trigger adverse reaction for those who have been a target of such behavior.]



Lake Superior State University
Gender Discrimination and Prohibited Conduct (Title IX)
Annual Report
Reporting Period: 2022-2023
Prepared: January 30, 2024

The purpose of this report is to broaden awareness throughout the campus community about gender based prohibited conduct and the University's response. This report will be compiled and shared annually. This report documents cases from July 1, 2022 through June 30, 2023.

Introduction

Lake Superior State University is an educational institution receiving federal financial aid, and as such is subject to the provisions of Title IX (promulgated and regulated by the Department of Education's Office of Civil Rights). Lake Superior State University is committed to providing all members of the campus community with an educational and working environment free of all forms of gender-based discrimination and sexual misconduct. Potential violations of University Policy 1.5.2 Sex- and Gender-Based Discrimination and Sexual Misconduct, are reported and investigated following the procedures outlined in LSSU Policy 1.5.2, Sex- and Gender- Based Discrimination and Sexual Misconduct. This Annual Report details the nature of the reports that the University received during the reporting period as well as opportunities for education and training for all campus constituents.

Incident Reporting

During 2022-2023, the University received 47 reports of behavior that were reported to the Title IX Office. Of the 47 reports, 26 reports of behavior fell under the purview of Title IX (behaviors that created a barrier to one's education caused by sex- or gender-based harassment, discrimination, or violence). Reports were made in-person or online, or by a third-party to either the Title IX Office or the Office of Public Safety.

Complainant refers to those who file a report or a concern, and Respondent refers to those who are the subject of a report or a concern.

Of the 47 Complainants, 40 were current LSSU students, 4 were LSSU staff members and 3 was not a member of the LSSU campus community, or their relationship to LSSU was unknown. Of the 47 Respondents, 23 were current LSSU students, 12 were LSSU staff members, and 12 was not a member of the LSSU campus community, or their relationship to LSSU was unknown.

The distribution of Title IX reports received is as follows:

- July: 1
- August: 7
- September: 4
- October: 11
- November: 5
- December: 0
- January: 2
- February: 3
- March: 7
- April: 3
- May: 2
- June: 2

Type of Incident

LSSU Policy 1.5.2, Sex- and Gender-Based Discrimination and Sexual Misconduct Policy, defines ten categories of prohibited conduct: sex-based or gender-based discrimination, sex-based or gender-based harassment, sexual harassment, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, stalking, intimate partner violence, retaliation, and prohibited relationships by persons in authority.

Based on the nature of the incident, a report of sexual misconduct or gender discrimination may include an allegation of more than one form of prohibited conduct. The reports for the 2022-2023 year alleged the following policy violations:

- Sex-Based or Gender-Based Discrimination: 1
- Sex-Based or Gender-Based Harassment: 14
- Non-Consensual Sexual Intercourse : 2
- Non-Consensual Sexual Contact: 2
- Sexual Exploitation: 4
- Stalking: 4
- Intimate Partner Violence: 2
- Retaliation: 0
- Prohibited Relationships by Persons in Authority: 1

Investigated and Resolved Cases

During the reporting period, 47 cases were reported. All cases were assessed and 1 was investigated. At the conclusion of the investigation of this case, the case was reassessed to not fall under Title IX prohibited conduct, and was referred to another department. Of the 47 cases that were not investigated, 34 were not investigated because the Complainant did not want to move forward with a Title IX investigation, 1 was not investigated because the parties were unknown, 1 was not investigated because the parties elected to move through the informal resolution process, and 11 were assessed then referred to other departments as they did not fall under Title IX prohibited conduct. In all cases, Reporting Parties were provided assistance, ensured each was safe and not in harm's way, and connected with appropriate resources and support. During a case investigation, other remediation or action is taken as appropriate, such as reassignment of roommates (LSSU residence halls), schedule changes to classes, referral to the LSSU Counseling Center, and referral to the Diane Peppler Resource Center.

Clery Act Reporting Coordination

The University has a requirement under the Clery Act to publically share information about campus crime statistics. While the Title IX Office handles allegations of prohibited conduct (University policy violations), the Clery Act requires the tracking and reporting of criminal activity (as defined by criminal statute) as well as the proximity of that activity to University campus or other property. An Annual Security Report is published and available on the University web site, updated in the fall of each year.

Prior Year Comparison

In 2021-2022, the University received 33 total reports, and investigated 1 report.

Outcome	Number
Title IX Violation	0
Informal Resolution	5

Referred as Conduct Concern	8
No Conduct Concern or No Report	20

Resources and Support

Regardless of whether the Reporting Party chooses to proceed with a Title IX Investigation, the University is committed to providing the Reporting Party with resources and support to pursue their education without further barriers caused by harassment, discrimination, or violence.

Education and Training

The Department of Education requires that those who support Title IX case management on campus receive appropriate annual training. Over the course of the year, the Title IX staff completed multiple certification programs and conducted multiple trainings for the members of our campus community.

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Resident Assistant & Public Safety Title IX Training	August 2022	Online	DoV, DaV, SA and S
All Staff Annual Online Training	August 2022	Online through Get Inclusive	DoV, DaV, SA and S
Let's Taco 'Bout Sex!	September 2022	Cisler Center, Lake Superior State University	DoV, DaV, SA and S
Shatter the Silence, Stop the Violence: The Journey of a Survivor Exhibit	October 2022	Pleger Commons, Lake Superior State University	DoV, DaV, SA and S
Sexual Education Health Fair	February 2023	Cisler Center, Lake Superior State University	DoV, DaV, SA and S
Title IX Coordinator Training	April 2023	Online through Bricker & Grayden	DoV, DaV, SA and S
Human Trafficking Training	April 2023	Cisler Center, Lake Superior State University	DoV, DaV, SA and S
Title IX Investigator Training	April 2023	Online through Bricker & Grayden	DoV, DaV, SA and S
Title IX Coordinator Training	May 2023	Online through Bricker & Grayden	DoV, DaV, SA and S

The University offered the following ongoing awareness and prevention programs for students during the 2021-2022 academic year:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Resident Assistant & Public Safety Title IX Training	August 2021	Cisler Center, Lake Superior State University	DoV, DaV, SA and S
Student Athlete Title IX & Bystander Intervention Training	August and September 2021	Norris Center, Lake Superior State University	DoV, DaV, SA and S
All New Incoming Student Title IX & Bystander Intervention Training	August 2021	Norris Center, Lake Superior State University	DoV, DaV, SA and S
Let's Taco 'Bout Sex!	August 2021	Pleger Commons, Lake Superior State University	DoV, DaV, SA and S
Empty Chair Project	September 2021	Shouldice Library, Lake Superior State University	DoV, DaV, and SA
Safe Party	September 2021	Brady Hall, Lake Superior State University	SA
Shatter the Silence, Stop the Violence: The Journey of a Survivor Exhibit	October 2021	Shouldice Library, Lake Superior State University	DoV, DaV, SA and S
Ring of Silence Community Program	April 2022	Arts Center, Lake Superior State University	DoV, DaV, SA