

2017-18 Case Report

(September 2017 through August 2018)

Job Accommodations under the Americans with Disabilities Act (ADA):

During the reporting period, IE coordinated the purchase or implementation of ADA job accommodations for 17 employees. ADA cases are considered open until the individual is no longer affiliated with the University.

Prohibited Harassment, Discrimination, Formal Agency and Retaliation Cases

During the reporting period, IE received and responded to complaints based on sex and gender identity, race, disability status and retaliation. IE also responded to complaints filed with external enforcement agencies. There were no reports or cases of prohibited harassment or discrimination on the basis of color, religion, marital status, age, protected veteran status, height or weight.

As indicated in Table 1, the majority of the cases (n=26) involved reported incidents/claims of race (n=8), disability (n=8), Gender (n=3) and National Origin (n=2) based discrimination or harassment. IE was able to resolve and close the race, disability, gender and national origin cases internally through investigations or consultations. In addition, IE responded to complaints from the Equal Employment Opportunity Commission (n=1), Michigan Department of Civil Rights (n=2) and the Department of Education/Office for Civil Rights (n=1). These cases were either closed or are pending agency response. Finally, IE received and responded to one complaint of retaliation for engaging in a protected activity, which was resolved through consultation.

Table 1. Prohibited Harassment, Discrimination, External Agency and Retaliation Cases (excluding Sexual Misconduct)

Basis of Discrimination or Harassment	Reported Incidents/Claims	Outcome
Race	8	6 Consultations 1 Informal Resolution 1 Not responsible for a policy violation
Disability	8	4 Consultations 3 Informal resolutions 1 Not responsible for a policy violation
Gender	3	3 Consultations
National Origin	2	2 Consultations
External Agency (EEOC, MDCR, DOE/OCR)	4	2 Dismissed 2 Pending Agency Response
Retaliation	1	1 Consultation
Age, Color, Height, Marital status, Protected veteran status, Religion, or Weight	0	N/A

Table 2. Sexual Misconduct Cases

Sexual Misconduct	Reported Incidents	Outcome
Harm to Others	0	
Intimate Partner Violence-Relationship	4	2 Closed After Assessment - Respondent not Affiliated with WMU 2 Closed After Assessment - Complainant Declined Participation
Intimate Partner Violence-Dating	4	3 Closed After Assessment - Respondent not Affiliated with WMU 1 Closed After Assessment - Complainant Declined Participation
Intimate Partner Violence-Domestic	4	2 Closed After Assessment - Respondent not Affiliated with WMU 2 Closed After Assessment - Complainant Declined Participation
Non-consensual Sexual Contact	8	3 Closed After Assessment - Complainant Declined Participation 2 Closed After Assessment - Respondent not Affiliated with WMU 2 Responsible for Policy Violation (Sanctions: 1 Probation, 1 Behavior Contract. Both received additional sanctions ³ .) 1 Not Responsible for Policy Violation
Sexual Assault	30	10 Closed After Assessment - Complainant Declined Participation 6 Closed After Assessment - Unknown Respondent 5 Responsible for Policy Violation (Sanctions: 1 Expulsion, 4 Suspensions. All received additional sanctions.) 4 Not Responsible for Policy Violation 3 Closed After Assessment - Respondent not Affiliated with WMU 2 Closed After Assessment - Anonymous Report
Sexual Harassment	26	14 Closed After Assessment - Complainant Declined Participation 9 Informal Resolutions 2 Responsible for Policy Violation (Sanctions: 1 Resignation during the disciplinary process, 1 Retirement during the disciplinary process) 1 Closed After Assessment - Anonymous Report
Sexual Exploitation	6	5 Responsible for Policy Violation (Sanctions: 1 Expulsion, 4 Probation. All received additional sanctions.) 1 Closed After Assessment - Complainant Declined Participation
Stalking of a Sexual Nature	11	5 Closed After Assessment - Complainant Declined Participation 3 Informal Resolutions 2 Responsible for Policy Violation (Sanction2: 1 Expulsion, 1 Probation. Both received additional sanctions.) 1 Closed After Assessment - Anonymous Report
Total Sexual Misconduct Incidents:	93	
Sexual Misconduct Consultation	63	Inappropriate behavior reported as a form of sexual misconduct that, upon review, is one or more of the following: 1) lower level concerns that can be addressed through discussions with IE staff 2) lower level concerns that can be addressed through intervention of individuals in the environment (i.e. supervisor, faculty, residence hall staff) 3) other forms of harassment or bullying that are not covered under the sexual misconduct policy
Total Incidents:	156	