Central Michigan University
Title IX Summary Report,
as required by the 2018 State School Aid Act, Section 274(d)(2)
October 31, 2019

Pursuant to Sec. 274(d)(2) of the State School Aid Act, Central Michigan University ("CMU") provides the following Title IX Summary Report. This Title IX Summary Report is provided in addition to its 2019 Annual Security and Fire Safety Report, which can be found at: https://www.cmich.edu/fas/police/Documents/2019%20ASR.pdf.

a. Requirement: The amounts and descriptions of all fees incurred in Title IX-related civil and criminal litigation.

   Response: CMU has not incurred any fees in civil or criminal litigation involving Title IX of the Education Amendment of 1972.

b. Requirement: The number of Title IX complaints.

   Explanation: This number includes all complaints/incidents under CMU's Sexual Misconduct policy that were reported to the CMU's Title IX office regardless of the outcome of these complaints or whether the complaints involved students, faculty, staff, or university community members.

   Response: Between January 1, 2018 and December 31, 2018, the Office of Civil Rights and Institutional Equity ("OCRIE") opened 378 files involving complaints/incidents raised under CMU's Sexual Misconduct policy. Possible paths to conclusion for a file could include a formal investigation under CMU's Sexual Misconduct policy, alternate resolutions such as training/education, interim measures, resources being offered and/or provided, or a referral to another university office or department. If alternate resolutions as described above are sufficient, a formal investigation is not initiated.

c. through d.

   Requirement: (c) The average length of time for investigations and resolutions of Title IX complaints.

   (d) The aggregate number of Title IX cases, investigations, and complaints for each of the categories described in subparagraphs (i) to (iii), subject to subparagraph (iv), as follows: (i) cases investigated for less than 15 days, (ii) cases investigated for at least 30 days and less than 60 days, (iii) cases investigated for 90 days or more; (iv) if, for any category of cases under subparagraphs (i) to (iii), there is an aggregate of fewer than 5 cases investigated, the university shall not report the aggregate number of cases and instead shall report that fewer than 5 cases were investigated.

   Explanation: (c) This number includes endorsed complaints that resulted in a formal investigation by OCRIE under CMU's Sexual Misconduct policy filed against a student,

faculty, staff, or university community member. The average length of time is calculated from the date notice of an investigation was served to the Respondent through the date the Determination was issued in the case. The average time period calculation does not include any period of time in which a case may be eligible for an appeal or undergoing an appeal or issuance of a sanction or appeal of a sanction, if applicable.

(d) For completeness, all time frames are provided, including cases investigated for at least 15 days and less than 30 days, and for cases investigated for at least 60 days and less than 90 days, even though these latter two categories have not been included in the requirements of the Act.

Response: See Chart below.

Timeframe for complaints formally investigated[1] under CMU's Sexual Misconduct policy[2]	
Cases investigated for less than 15 days	0
Cases investigated for at least 15 days and less than 30 days	0
Cases investigated for at least 30 days and less than 60 days	3
Cases investigated for at least 60 days and less than 90 days	5
Cases investigated for 90 days or more	9[3]
Total number of cases investigated under CMU's Sexual Misconduct policy	17
Average time to complete an investigation	101 business days[4]

[1] This number includes endorsed complaints that resulted in a formal investigation by OCRIE under CMU's Sexual Misconduct policy.

[2] CMU's Sexual Misconduct policy applies to matters of dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment, and stalking as well as retaliation as those terms are defined in CMU's Sexual Misconduct policy.

[3] CMU notes that of the cases that were investigated for 90 day or more, one case was granted a good cause extension while CMU revised its Sexual Misconduct Policy following the 6th Circuit Court's ruling in *Doe v. Baum*; and one case was granted a good cause extension at the the request of the Complainant due to a serious health condition. In both cases that were granted good cause extensions, all parties were notified in accordance with CMU's Sexual Misconduct Policy.

[4] A business day is defined as a day that CMU is open for business, and excludes weekends, holidays, observed holidays, and designated university closure days.

e. Requirement: The number of Title IX appeals and the resolutions of those appeals.

Explanation: One appeal per case will be counted, regardless if the complainant, respondent, or both, file an appeal of the determination. The number of appeals of the determinations that were received and the outcome of those appeals are included in the report. Appeals of sanctions, if applicable, are not included in this report (sanctions are issued by the CMU Office of Student Conduct if the Respondent is a student or by the appropriate CMU human resources department and supervisor if the Respondent is an employee of CMU, and are, as such, outside the purview of OCRIE's authority).

Response: One appeal was filed from a determination. The appeal was not granted because the conditions of the appeal under CMU's Sexual Misconduct policy, grounds for appeal,[5] were not met.

f. Requirement: The number of Title IX-related complaints filed by the university with law enforcement agencies.

Response: Title IX is a federal law that prohibits discrimination based on sex in all CMU activities, but Title IX does not have any statutory or regulatory provisions that are "criminal" matters or provisions. CMU's police department is informed of criminal matters in accordance with the law. However, Title IX is not a criminal statute, and, thus, does not require and cannot compel the university to report a complaint or concern under Title IX to the CMU police department or similar law enforcement agency. Rather, all CMU employees (subject to limited exceptions provided by law) are mandatory reporters under CMU's Sexual Misconduct Policy. Such mandatory reporters and all Title IX complainants are directed, as required by Title IX, to report matters to the CMU Office of Civil Rights and Institutional Equity, which is CMU's Title IX office and the office of the Title IX Coordinator.

[5] CMU Sexual Misconduct Policy Proceedures, Sec III.A.2.