

# UC Common Charter – Case Management Team for Sexual and Gender-Based Violence and Misconduct (CMT)

## CHARGE

Using a multi-disciplinary approach, the Case Management Team for Sexual and Gender-Based Violence and Misconduct (CMT) reviews all current sexual misconduct cases to ensure that the campus' institutional response is trauma-informed; timely communication response occurs and adheres to all federal, state, and policy guidelines; and is coordinated among all points of contact for both complainants and respondents. Within CMT's work, the term sexual misconduct includes, dating violence, domestic violence, sexual assault, sexual violence, and stalking. The purpose of this CMT is not to discuss or dictate police or Title IX investigative strategy, but instead to coordinate a collaborative, trauma-informed, effective, and timely response to reports of sexual misconduct, review trends identified through metrics collected, identify areas of concern for the campus population, and identify necessary actions to address those areas of concern.

## MINIMUM REQUIREMENTS FOR THE CASE MANAGEMENT TEAM

### *Scope of Responsibility*

CMT monitors and work towards timely, coordinated response to reported allegations of sexual misconduct for all complainants and respondents within the University's jurisdiction. This primarily includes enrolled students and current faculty and staff, or those who were enrolled students and faculty and staff at the time of an incident, regardless of when and where the incident occurred. It may also include extension students or others on campus at various times; CMT does not discuss cases in which the Complainant Support (i.e. Advocate) may have knowledge, but were not reported due to that person's role as a confidential and/or privileged resource. CMT will follow cases from allegation through the investigation of that allegation, and then its referral, as applicable, to the appropriate disciplinary process or police and external agencies. The CMT has responsibility for ensuring the campus took the steps necessary to verify an allegation; it is also responsible for ensuring timely completion of these steps and communication, as appropriate, with complainants and respondents. Following the conclusion of CMT's case management responsibilities, individual CMT members continue to communicate with and support the complainant and respondent, as appropriate, CMT evaluates areas in the process that need improvement and the overall metrics collected for determining if process is working.

Electronic documentation of the high-level steps are completed, tracked, and analyzed for discussion at CMT meetings, which occur at least bi-weekly. The CMT is required to measure its effectiveness through systemwide metrics (and those that the campus also wants to include) and report the results of this information periodically. Systemwide data collection points are also required for this team to provide every six months (see "Assessment and Evaluation") or on request.

### *Membership*

CMT is focused on responding to reports of sexual misconduct, which encompasses the process from initial report of the allegation through investigation and, as appropriate, adjudication. For this reason, CMT must be able to make effective and efficient decisions and membership should be limited to core participants. The core CMT must, at a minimum, have representatives from student conduct, Title IX, campus police, and if appropriate, complainant support, and respondent support. Based on applicable laws and regulations, students may not be included in these meetings, which necessitate the discussion of protected information about students, staff, and faculty.

The complainant support refers to the full-time employee identified and designated by the campus as the Advocate who supports complainants. Where appropriate, if the campus has more than one Advocate in the office, a point person from the office will attend. The respondent receives support services from someone of comparable level of skill and support as to that of the Advocate for the complainant. The respondent support also has equal independence as that afforded the complainant support. This support should span the continuum of the investigation and adjudication process, and will be performed by someone identified and designated by the campus.

The respondent support sits on the CMT; however, due to best practices for investigating allegations, they do not attend the ongoing meetings. The CMT regularly inform and update the respondent support, as appropriate, to ensure timely communication and action. Additionally, the CMT provides the respondent support with sufficient information to support respondents in understanding their rights and responsibilities. The respondent support should also communicate frequently with the CMT through the team lead.

The complainant support should recuse themselves from CMT discussions that might compromise their status as confidential and/or privileged resources. Additionally, at the CMT lead's discretion, the complainant and/or respondent support may be asked not to participate in certain discussions.

This group may engage additional subject-matter expertise (for example academic personnel, human resources, clinical staff, or legal counsel) as necessary to perform its duties. The CMT should will identify subject-matter experts in advance and notify those people of their potential responsibilities when involved with the CMT. Note: No person should serve on the CMT who may be called upon to work on an appeal of an allegation of sexual misconduct.

### *Leadership*

The Title IX officer may convene CMT and act as the de facto leader. The Title IX officer has a coordinator to assist with the coordination of CMT and its activities, including data tracking, management, meeting logistics, and reports.

### *Timeliness*

The CMT ensures that the campus completes all investigations within 60 working days, unless there are extenuating circumstances. The CMT documents any exceptions to the timeframes and the associated rationale. In those cases, an appropriate, designated CMT representative communicates this need for additional time to both the complainant and respondent. Investigations should be monitored for timeliness and completeness by the CMT (see "Complainant Support and Respondent Support").

### *Role in Reporting Incidents*

The CMT develops clear internal guidelines about reportable versus non-reportable incidents (i.e.: something brought to the Advocate alone would not be reportable), which it uses when it gathers or shares data in order to assess trends and analyze for areas of improvement.

### *Services Provided to Complainants and Respondents*

The CMT itself is not responsible for communicating directly with complainants and respondents; however, CMT members in their other campus roles have this responsibility. CMT should ensure its members communicate with the complainant and respondent, as appropriate, to fulfill the CMT mission, thoroughly review the allegation, and to refer the case in a timely manner for further action if necessary. These communications should be documented by the campus.

The CMT holds the campus accountable for timely and adequate communication. Team members who communicate with both the complainant and respondent should confirm that each understands the allegation's process and progress, as well as helping the complainant and respondent in understanding the possible outcomes and timelines. The CMT members should also focus on trauma-informed communication approaches that minimize the number of times the complainant and respondent must retell their stories. Through the appropriate and defined processes, the CMT members use their defined roles to refer the complainant and respondent to resources for guidance, counseling, advice, and other services to assist with coping.

### *Training*

All CMT members are trained in trauma-informed practices. Trauma-informed training will be provided to the CMT staff members to help with techniques and understanding about how to work with sexual misconduct complainants. In turn, this will enhance the CMT's ability to manage cases in a constructive and efficient manner, with the tools necessary for the circumstances and demonstrate respect of the parties involved.

## **MEMBER RESPONSIBILITIES**

Each CMT member may have overlapping responsibilities between their individual employment responsibilities and those responsibilities associated with their CMT role. Accordingly, the CMT members adhere to the following specific responsibilities or constraints to ensure confidentiality is maintained.

### *Conflicts of Interest*

There should be a process at the campus level for disclosure of conflict of interest to assure this is effectively disclosed and addressed.

### *Title IX*

The Title IX officer may convene the CMT. The Title IX officer (or the leader if otherwise designated) is responsible for escalating concerns from this CMT to campus leadership, as well as collecting information that may be pertinent to the larger campus policy. The CMT is responsible for sharing the University's actions to prevent and respond to sexual misconduct. However, the CMT lead also ensures the CMT focuses on its narrow mission to manage cases associated with allegations of sexual misconduct in a timely and effective manner.

### *Team Coordinator*

The CMT has a coordinator who, among other responsibilities, administers the work of the CMT. Under the direction of the Title IX Officer, the coordinator gathers all complaints made through the various methods available on campus, which the Title IX Officer, and/or the CMT leader, uses to convene the CMT. Other CMT members may receive reports, and they are responsible for informing the Title IX officer so those reports may be discussed as part of the CMT. The coordinator ensures meetings are set, document the meeting activities as necessary, follows up with CMT members to ensure timely completion of tasks, as well as has responsibility for data collection and reporting to provide accountability to the campus community and system for the CMT's work. The coordinator keeps records of the CMT's work, balancing assessment against the need to protect confidentiality.

### **STRUCTURE & OVERSIGHT**

The Vice Chancellor and/or Campus Ethics and Compliance Officer has responsibility for the timeliness and action taken by the CMT. The campus Title IX officer convenes the CMT and oversees its meeting frequency; however, the CMT should meet no less than bi-weekly, with an encouragement to meet more frequently as dictated by caseload.

### **ASSESSMENT & EVALUATION**

The CMT needs to collect data to assess its effectiveness at responding to allegations of sexual misconduct. The recommendation is that it should aggregate high-level information where possible. The CMT uses baseline, standardized reporting and criteria used throughout the University, and the campus has flexibility to add campus-specific metrics and reporting to fulfill the CMT's mission.

The CMT Coordinator, under the supervision of the Title IX officer, is responsible for developing a high-level summary of the incident and actions needed (eliminating specific case details, but keeping timelines and milestones) in order to assist the CMT in identifying gaps and weaknesses in its process. The Title IX officer also has responsibility for collecting and disseminating appropriate reports about the CMT's activities and statistics about incidents of sexual misconduct. Systemwide data collection points are also required for this team to provide to every six months minimally, or as needed to the Coordinated Community Response Team for Sexual and Gender-Based Violence and Misconduct (CCRT), as well as to the University Office of Ethics, Compliance, and Audit Services (ECAS). The CMT is accountable to provide annual reports to the campus community, including faculty, staff, and students concerning its progress—as well as other system reports.