



In July 2022, Lehigh University contracted with TNG to conduct a confidential review of Lehigh University's Title IX Office. At the start of this engagement, there were discussions about the scope and phases, which were to include the following:

- 1) Audit and review of written materials
- 2) Interviews with campus constituents and stakeholders
- 3) Synthesis of Information

The University also formed an internal committee (the "Internal Committee") of three individuals, who were charged by Provost Nathan Urban to conduct a review of the University's Title IX office and processes, focused on response time for Title IX cases, communications from the Title IX office to students involved in Title IX cases, and the University's reporting structure for the Title IX office.

After initial meetings with University General Counsel Frank Roth and the EOCC and Title IX Coordinator, Karen Salvemini, in August 2022, TNG requested information from the Title IX Coordinator, including the following:

- Web-based materials and content, including
- Title IX and sexual harassment support materials
- Victim advocacy materials
- Template communications and checklists used by Title IX Coordinator
- Training materials for Lehigh's Title IX employee(s)
- Title IX Coordinator and other relevant job descriptions
- Communications for a random selection of cases
- Aggregate data regarding cases –
  - # of cases by type and allegation
  - # of cases that go to hearings
  - Type and average length of cases – hearings vs no hearings
- Internal benchmarking data
- ATIXA's 2021 State of the Field Survey

There were delays in the Title IX Coordinator providing requested information to TNG, in part because of understaffing in the EOCC / Title IX function and in part because some requested data had never been compiled in the past. In some instances, the requested data or information on cases could not be compiled and provided to TNG within the limited timeframe available. The EOCC / Title IX Coordinator was as cooperative with TNG throughout the review as could be expected given the limited staffing and lack of a utilized database.

As a result of the limited information provided and the timeliness of the information that was provided, TNG, in consultation with the University, had to revisit the scope of our charge. This readjusted scope included the addition of twice weekly sessions between a TNG Consultant and the Lehigh Title IX Coordinator beginning in mid-October. TNG also reviewed the timeline of Title IX investigations that were eventually outsourced to TNG to investigate or were outsourced to conclude an investigation that was

incomplete. This also impacted TNG's ability to coordinate with the Lehigh Internal Committee to release both TNG's and the Internal Committee's reports simultaneously. As a result, our report addresses some of the items of concern raised by the Internal Committee.

As part of this review, over the course of past 4 months, TNG has:

- Met with Lehigh's Title IX Coordinator for multiple hours weekly between October and December 2022
- Examined multiple Lehigh websites, including the Title IX website, EOCC website, and Gender Violence Prevention website
- Reviewed current and prospective job descriptions, along with training records of the Lehigh Title IX team
- Compared office structures of Lehigh's peer and aspirational institutions, utilizing research conducted by Lehigh's Human Resources Office
- Assessed Lehigh's templated communications and checklists
- Reviewed newspaper articles and petitions related to Lehigh Title IX efforts

Over the past several months, many of the issues identified have been raised with Lehigh's Title IX Coordinator. Since TNG began work related to assignment, Lehigh has made some effort to implement Title IX best practices more effectively. Some of these steps included:

- Beginning in October, biweekly meetings between Lehigh's Title IX Coordinator and a Title IX Consultant to determine ways to improve efficiency in the Title IX Office
- Providing Title IX Coordinator administrator access to a pre-existing data management platform, Maxient, to allow Title IX cases to be indexed in a way that provides more detail and will allow for greater transparency and efficiency
- Lehigh is hiring a Deputy Title IX Coordinator/Investigator. That position is currently posted.
- There has been an effort made to create a more uniform reporting approach that moves the reporting link from the GVES website to a more appropriate location.
- Lehigh is in the process of reviewing and updating existing policies and party communications, including refocusing some letters to highlight Complainant's options in the process rather than focusing on the process. The current letters could be considered off putting and cumbersome. This is also per federal mandate.
- At least one live-hearing occurred under the Title IX formal grievance process.

As a result of this review, TNG has made a series of observations and we have several recommendations related to the implementation of Title IX best practices; details are included in our full report. Based on concerns raised in the May 2022 *Brown & White* student newspaper article, identifying the internal bottlenecks and providing recommendations to improve timeliness related to communications and resolution was the greatest priority. After reviewing the concerns raised by stakeholders and the feedback elicited by the Internal Committee, to improve Lehigh's overall Title IX response, we recommend Lehigh increase the current staffing in the Title IX Office and shift the reporting structure of the Title IX Office away from the Office of General Counsel. Assessment of the Title IX response should be ongoing and may require additional actions on the University's part in the coming months.

**Submitted December 12, 2022**