



UNIVERSITY of HAWAII®

Ke Kulanui o Hawai'i

David Lassner
President

DEPT. COMM. NO. 389

January 23, 2024

The Honorable Ronald D. Kouchi,
President and Members of the Senate
Thirty-Second State Legislature
Honolulu, Hawai'i 96813

The Honorable Scott Saiki, Speaker
and Members of the House of Representatives
Thirty-Second State Legislature
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, the University of Hawai'i is transmitting one copy of the Annual Report on Campus Safety and Accountability (Section 304A-120, Hawai'i Revised Statutes) as requested by the Legislature.

In accordance with Section 93-16, Hawai'i Revised Statutes, this report may be viewed electronically at: <https://www.hawaii.edu/offices/government-relations/2024-legislative-reports/>.

Should you have any questions about this report, please do not hesitate to contact Stephanie Kim at (808) 956-4250, or via e-mail at scskim@hawaii.edu.

Sincerely,

A handwritten signature in black ink that reads 'David Lassner'.

David Lassner
President

Enclosure

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UNIVERSITY OF HAWAII SYSTEM ANNUAL REPORT



REPORT TO THE 2024 LEGISLATURE

Annual Report on Campus Safety and Accountability

HRS 304A-120

January 2024

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I. Introduction

The University of Hawai'i ("UH"), under the leadership of President David Lassner, is actively engaged in the continuous improvement of our campus climate with the intent that students can achieve academic success and personal growth in a safe and supportive environment.

In 2015, UH established a system Office of Institutional Equity ("OIE") to oversee UH's gender equity initiatives, under the guidance of the UH System Vice President for Administration. In 2021, as part of a reorganization of UH System and UH Mānoa offices, OIE was merged with the UH Mānoa Title IX Office and the UH System EEO/AA Office under the newly created Office of Equity Assurance ("OEA"). While the offices have maintained separate functions during the pendency of reorganization, they are working under the newly-appointed leadership of OEA Executive Director Jennifer Rose (former OIE Director). Thus, OEA maintains the original gender equity initiatives established in 2015, when OIE was launched as a new unit.

As a part of the original initiatives, in 2015, UH undertook a year-long planning process to develop a survey instrument that would measure students' attitudes, behaviors and standards in the context of trying to address and prevent sexual harassment and gender-based violence.

UH first conducted *the University of Hawai'i Student Climate Survey on Sexual Harassment and Gender-Based Violence* in January 2017. The Climate Survey gathered information from students to gauge the overall campus environment related to sexual harassment and gender-based violence; how well UH responds to and addresses their concerns; awareness of resource and reporting options for those experiencing sexual violence, sexual harassment, stalking, and interpersonal violence (domestic and dating violence); and the prevalence (e.g., how widespread) and incidence (e.g., how often) of sexual violence, sexual harassment, stalking, and interpersonal violence on campus.

Following the release of the 2017 survey report, each UH campus assembled an Action Plan Committee to develop and implement a year-long project that would address a campus-specific issue identified in the 2017 survey findings.

Findings from the 2017 survey also informed the planning and development of the *2019 Student Climate Survey on Sexual Harassment and Gender-Based Violence*, which was launched on January 22, 2019. Results from the 2019 survey were published on the OIE website in January 2020.

Findings from the previous surveys, in addition to the ongoing COVID-19 pandemic and subsequent changes to student life and mode of instruction, informed the planning and development of the *2021 Student Climate Survey on Sexual Harassment and Gender-Based Violence*, which launched on January 21, 2021. The results from the 2021 survey were published on the OIE website in March 2022.

Findings from the 2017, 2019, and 2021 surveys, in turn, informed the planning and development of the 2023 survey. The *2023 Student Climate Survey on Sexual Harassment and Gender-Based Violence* was launched on January 24, 2023.

UH's campus climate surveys from 2017 through 2023 fulfill the requirements of Act 208, Session Laws of Hawai'i 2016, which requires UH to conduct a campus climate survey of students by

March 31, 2017 and to repeat the survey every two years. UH is scheduled to launch the fourth survey in January 2025 in compliance with the state law.

Pursuant to Act 208, UH, through this report, addresses the Legislature's request for information by providing:

- Information on the number of reported sexual assaults that occurred on a UH campus within the past five years;
- A summary of the most recent campus climate survey results; and
- UH recommendations and efforts to improve campus safety and accountability.

II. Reported Sexual Assault Crime Statistics on University of Hawai'i Campuses Within the Past Five Years

The UH provides information on each campus' sexual assault data using the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"). The information is publicly available through the Annual Security Reports for each campus. The contact information and website links to each campus is available at: [Link to UH Campus' Safety Contact and Website Information](#).

"Campus" is defined in 34 CFR 668.46(a) as "(i) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."

The reportable sex offenses covered under the Clery Act are rape, fondling, incest, and statutory rape. The definitions of these Clery Crimes can be found in the Federal Bureau of Investigation's 2021.1 National Incident-Based Reporting System User Manual from its Uniform Crime Reporting Program. Accordingly, the current definitions are as follows:

- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/ her temporary or permanent mental incapacity.
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**2018- 2022 Annual Security Report (ASR): Reported On-Campus Sexual Offense
Incidence Data¹**

(NR) Not Reported

(-) Not Applicable

() Part of Current Clery Act Reportable Offenses

Four-Year Universities

Campus Name: University of Hawai'i at Mānoa – Main Campus					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	3	3	5	4	4
Fondling	6	3	3	7	8
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai'i at Mānoa – Kaka'ako Campus Units (John A. Burns School of Medicine and UH Cancer Center)					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai'i at Hilo					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	2	1	0	0
Fondling	1	1	2	3	2
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

¹ Any Annual Security Report discrepancies for prior years will be addressed by the campus' campus security departments in its respective subsequent Annual Security Report.

Campus Name: University of Hawai'i at West O'ahu	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	1
Statutory Rape	0	0	0	0	0

Two-Year Community Colleges

Campus Name: Hawai'i Community College - Manono	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Hawai'i Community College - West Hawai'i Campus (Pālanuanui)	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Honolulu Community College- Main Campus	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	1	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Honolulu Community College- Marine Education Training Program					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Honolulu Community College- Aeronautics Maintenance Technology Training Program					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Kapi'olani Community College					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	1	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Kaua'i Community College					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	NR	0	0	0	NR
Statutory Rape	0	0	0	0	0

Campus Name: Leeward Community College - Pearl City Campus					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	1	1	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Leeward Community College – Wai‘anae Campus					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai‘i Maui College – Kahului Main Campus					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai‘i Maui College – Lāhaina Education Center					
	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai'i Maui College – Hāna Education Center	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai'i Maui College – Lana'i Education Center	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: University of Hawai'i Maui College – Moloka'i Education Center/Farm	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

Campus Name: Windward Community College	Year				
Incident Type	2018	2019	2020	2021	2022
Rape	0	0	1	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0

III. Summary of the Most Recent Campus Climate Survey Results

Through an extensive planning process and with assistance from both local and national experts, in the spring of 2023, UH deployed its fourth climate survey to all adult students across all ten campuses. A report of the findings was created by an independent research company, and a

summary of the most recent survey results are discussed below. The 2023 survey report will be available on the OIE website. Past survey reports are available on the [OIE website](#).

When the 2023 climate survey was launched, in-person instruction and in-person activities had not yet returned to pre-pandemic levels at the UH campuses. It should be noted that the UH mode of instruction changed from survey to survey. In the first two climate surveys, students took classes and engaged in UH activities on and off campus in a pre-pandemic in-person environment. In 2021, the Covid-19 pandemic impacted in-person engagement and UH students primarily attended classes virtually. In the Fall of 2022 and during the Spring of 2023, classes reverted to in-person. With campuses still in “recovery” mode and in-person participation not back to pre-pandemic levels, the environmental campus conditions suggest caution in comparing the last two survey data.

The 2023 survey results show a number of areas of significant improvement in the UH campus climate for sexual harassment and gender-based violence, including student perceptions of risk of sexual assault and harassment overall at UH, the percentage of UH associated offenders, and student awareness of related UH campus services. Additionally, results also identified areas with opportunities for improvement such as certain sub-groups that tended to be more vulnerable and have higher prevalence rates. With regard to training, students who participated in training programs or information sessions on sexual harassment and gender violence indicated that the usefulness of the training increased significantly and satisfaction proved high.

IV. University of Hawai'i Recommendations and Efforts to Improve Campus Safety and Accountability

While the 2023 campus climate survey results indicated that there has been significant progress in some areas, there are still opportunities for continued improvement. Based on the survey findings, UH recommends focusing on three primary areas to improve campus safety and accountability. Although each campus is responsible for developing and implementing an Action Plan based on the survey data, overall, the Action Plans should prioritize (1) increasing awareness about EP 1.204, how to report and obtain support measures; (2) targeting outreach and training to sub-groups identified as vulnerable populations, and developing culturally relevant training curriculum; and (3) raising awareness of and referrals to campus resources to mitigate the consequences of Dating and Domestic Violence (“DDV”).

With regard to increasing awareness of EP 1.204 and related topics, pursuant to House Bill 554, UH is required to provide mandatory annual sexual misconduct primary prevention and awareness programming for all UH students enrolled at least part-time. Although the training is made available online to all students, emphasis should be placed on initiatives to increase participation with both online and in-person training. Using the survey results, the development of educational awareness campaigns should include events, activities, materials, and training on the topics related to UH sexual misconduct policy and procedures for reporting and obtaining resources.

Concerning efforts to target and provide culturally appropriate training to vulnerable student groups with higher prevalence rates, all campus Action Plans that include student-focused awareness, education events, activities, and training should be developed with a culturally relevant and intersectional approach. Specifically, ensure that all Action Plan deliverables are inclusive to the needs of those who have been identified as vulnerable populations, including but

not limited to LGBTQ+ students, students with disabilities, and students living in on-campus housing. Moreover, House Bill 554 requires that the programming for all UH students include culturally responsive methods to address the unique experiences and challenges faced by individuals based on race, color, national origin, ethnicity, religion, economic status, disability, and sex. To that end, OIE has continued to strengthen partnerships with community and criminal justice resources through engagement with the State of Hawai'i's Sexual Assault Response Team, a statewide entity facilitating county-led teams administered by the Hawai'i Office of the Attorney General. OIE and the Honolulu Sexual Assault Response Team (consisting of members from the Sexual Abuse Treatment Center, the Honolulu Police Department and the Honolulu Office of the Prosecuting Attorney) have hosted joint meetings to build professional relationships, strengthen referral systems, provide cross-training regarding service criteria, develop best practices regarding shared cases and effectuate collaborations to better serve victims across systems.

Third, with regard to mitigating the consequences of DDV by raising awareness of campus resources, efforts to promote and increase available emotional/mental health as well as academic/professional support services should also be included in the relevant campus Action Plans. Survey findings showed that DDV represented the highest prevalence among the four types of behaviors tracked and the majority of survivors suffered consequences that impacted the university environment. To increase access to confidential advocacy services, OIE established an inaugural advocacy program, housing three full-time advocates to serve all six Oahu campuses. The confidential advocacy program assists the campuses in meeting State law mandates and provides short and long-term case management, processing advising, safety planning, information, referral and brief services to student and employee survivors of sexual violence and other forms of sex discrimination and gender based violence. Additionally, UH students and employees are provided training on bystander intervention, which aims to help students and faculty identify the signs of DDV and learn basic skills to intervene, as appropriate.

Because action-planning necessarily requires input from key UH stakeholders, those who best understand the individual campuses, including campus Title IX Coordinators, executive leadership, campus Provost and Chancellors, will be briefed on the results from the 2023 climate survey following its release. As with prior climate surveys, each campus will update its campus specific Action Plan, goals and metrics accordingly.

In response to the 2020 Regulations issued by the U.S. Department of Education, the University modified its existing policies and procedures governing Title IX sexual harassment and civil rights. UH Interim Administrative Procedure AP 1.204 – *Title IX Sexual Harassment Grievance Process* (“AP 1.204”), related to the grievance process for formal complaints of Title IX sexual harassment became effective as of January 2022. Then, effective February 1, 2023, UH Executive Policy EP 1.204 – *Sex and Gender Based Misconduct Policy* (“EP 1.204”) was further revised as well as UH Executive Policy EP 1.202 – *Nondiscrimination, Equal Opportunity, and Affirmative Action Policy* (“EP 1.202”), and UH Administrative Procedure AP 1.202 – *Discrimination Complaint Procedure for Students, Employees, and Applicants for Admission or Employment* (“AP 1.202”). Collectively, these policies prohibit discrimination and harassment based on any protected category under state and federal law, including but not limited to sex, gender identity, and sexual orientation. The latest versions of the Executive Policies and Administrative Procedures are available on the [OIE website](#).

With the celebration of Title IX's 50th anniversary, the Biden administration proposed new Title IX rules for public comment in June 2023 and is now set to finalize them in March 2024. To prepare for these changes, OEA is considering how the proposed regulations will affect the University's current policies and procedures, including its investigatory and grievance procedures, and determining what adjustments are desired. Additionally, OEA is in the process of consulting with potential vendors to provide training in 2024, based on the final regulations, to all UH employees involved in the Title IX and civil rights process. Following the much-anticipated release of the Biden regulations, OEA will continue its work to ensure that the University's policies and procedures are compliant with the new rules and that University provides a safe learning and working environment to all UH constituents.

The OEA continues its effort to further strengthen education and awareness training on nondiscrimination, and inclusive culture on campus, more specifically, information about civil rights and sexual harassment, sexual assault, domestic violence, and stalking, to ensure that all individuals feel safe, comfortable, and included on campus. In 2023, OIE relaunched its comprehensive online training program to educate the UH community on their rights, responsibilities, and available resources under state and federal law and University policies. The latest version of this training program is compliant with the 2020 Title IX Regulations and includes various curriculum types, customized to address the unique experiences of UH's various audiences, including community college, undergraduate, and graduate students, student athletes and athletics staff, and employees. Email invitations to the Vector Online Training on Workplace Non-Violence and Preventing Harassment and Discrimination were sent to the University community as part of the University's system-wide approach to educating employees about their rights, responsibilities, and available resources. All University constituents are encouraged to participate each semester. All new employees are required to take the Title IX training "no later than 30 days after the date of first employment." Upon selection and during the onboarding process, a New Hire Onboarding packet is provided to selectees, which contains information on the mandatory online Title IX training. The Title IX-related training overview is readily available on the OIE website. In addition to the online training, OIE and Campus Title IX Coordinators continue to provide in-person training and informational sessions, which provides further insight into specific areas of Title IX and UH policy. In an effort to continually update and enhance the online training program, OEA continues to work with other campus experts on a homegrown learning management system for future training opportunities for faculty, staff, and students.

V. Conclusion

UH remains committed to the continuous improvement of our campus climate through prevention and other programmatic initiatives with the goal of increasing safety and raising awareness of resources, rights and support programs. Through this report, we affirm our priority of helping students achieve academic success and personal growth in a safe and supportive environment. UH greatly appreciates the Legislature for its continued support of gender equity and campus safety in higher education.