Table of Contents

Mission Statement ................................................................. 2
Our Staff .................................................................................... 2
Staff Professional Achievements,
Events, Conferences and Activities........................................... 3
Nondiscrimination and Harassment.............................................. 5
Title IX/Sexual Misconduct....................................................... 6
Ethics ....................................................................................... 7
Information Technology Accessibility........................................ 7
Policy Library.............................................................................. 8
Records Management.............................................................. 8
Compliance.............................................................................. 9
Mission Statement

The Ethics and Compliance Office (ECO) promotes NIU’s mission through the creation of a campus environment that promotes the highest standards of ethics, integrity and responsibility to enhance the service and programs that NIU provides within the university and to the public at large.

To achieve this objective, ECO oversees and manages the policies and procedures that govern the university to ensure compliance with federal and state law, investigates non-compliance in an effective and expedient manner, and collaborates with campus partners through shared governance to provide for a system in which NIU’s values are incorporated into the decision- and policy-making of the university.

Our Staff

Sarah K. Garner, J.D., MPA
Ethics and Compliance Officer, Title IX Coordinator

Lindsay Hatzis, J.D.
Director of Investigations, Deputy Title IX Coordinator

Michelle Johnson
Title IX Investigator (Through February 2020)

Theresa Melidis
Title IX Investigator (From December 2019)

Kristin Good, J.D.
Ethics Investigator

Manuel Valdez, J.D.
Civil Rights Investigator (From August 2019)

Rebecca Hunt, M.L.I.S., Ph.D.
University Policy Librarian

Katharine Whitelaw
Information Technology Accessibility Officer

Cherry Adams
Records Management Specialist (From Sept. 2019 through May 2020)
Staff Professional Achievements, Events, Conferences and Activities

Campus Organization Memberships:
- Sexual Misconduct and Assault Response Team (SMART).
- Department of Justice Office of Violence Against Women Grant.
- Student Grievance Committee.
- Accessibility Action Team.
- Presidential Commission on Persons with Disabilities (PCPD).
- PCPD Accessible Technology Subcommittee.
- Presidential Council on the Status of Women.
- Conversations on Diversity and Equity (CODE) Facilitator.
- Library Advisory Committee.
- Collection Development Advisory Committee.
- Museum Studies Advisory Committee.
- Center for the Study of Women, Gender and Sexuality.
- Clery Compliance Committee.
- Coordinated Community Response Team for Gender-Based Violence.

Community Organization Memberships:
- National Association of College and University Attorneys.
- Chicagoland Title IX Consortium.
- DeKalb County Sexual Assault Response Team.
- Illinois State Bar Association.
- American Library Association.
- Association of College and University Policy Administrators.

Staff Professional Development, Events and Conferences:
- ALERT! Exploring Timely Warnings and Emergency Notifications under the Clery Act.
- They’re Back! Addressing Student Health and Safety on Campus.
- The Legal Landscape for Higher Education: Greek Life Issues.
- The Harvard Admissions Decision.
- Uncovering Sexual Assault in Domestic Violence Calls: An Improved Law Enforcement Response to Assess for Sexual Violence, Build an Evidence Based Case and Reduce Gender Bias.
- Incorporating What is Known about Respondents into Thoughtful Adjudication Practices.
- Faculty Handbooks: Common Issues and Practical Tips.
- Holiday Headaches: Avoiding the Pitfalls of Common Issues in the Workplace.
- Stalking: Know It, Name It.
- How Do I Know You’re Not Lying? Gender Bias and Sexual Assault Response.
- Annual Higher Education Labor and Employment Law Update.
- Understanding the Executive Order on Combating Anti-Semitism.
- Coronavirus on Campus: Legal and Operational Considerations Briefing.
- Education and COVID-19: Legal Issues Town Hall.
- Conducting Remote Investigations.
- Decoding Digital Abuse: Prevention Strategies for 2020 and Beyond and Insights on Pending Title IX Regulations.
- Unconscious Bias: The Impact on the Legal Profession and the Justice System.
- Increasing Diversity within the Legal Profession.
- Title IX: An Introduction to the New Regulations.
- Title IX: The Department of Education’s Final Rule on Sexual Harassment.
- The Impact of Title IX Regulations on Faculty and Employees.
- NACUA Virtual Magic: Delivering Great Presentations Online.
- State of Illinois Revolving Door Training.
- Conducting Climate Investigations: Challenges and Best Practices.
- Leadership and Management — Why You Need Both.
- The Role of Alcohol in Gender Biases.
- Title IX and Challenges to Sex-Based Scholarships.
- Remaining Trauma-Informed in an Era of Changing Title IX Regulations.
- Title IX and Employee Rights.
- Civility: Difficulties in the Workplace.
- Restorative Justice as a Response to Campus Misconduct.
- Chicagoland Title IX Consortium First Annual Conference.
- Strangulation, Childhood Trauma, Hope and Collaboration: Transforming our Response to Domestic and Family Violence.
- An Employer’s Guide to the Coronavirus and Ill Employees in the Workplace.
- Navigating Coronavirus in the Workplace.
- Charting the Uncharted: Moving Investigations and Adjudications Into a Digital Environment During Campus Closures and Times of Social Distancing, Part 1 and Part 2.
- Before the New Title IX Rules Drop.
- Comfort and Competency Addressing Intimate Partner Violence.
- ATIXA Rapid Response Webinar Live Q&A Follow-up.
- COVID-19 and the Workplace: Employer Q&A.
- Ten Things to Know About the New Title IX Regulations.
- Discussing the Final Title IX Rule.
- Final Title IX Regulations and Their Effect on Your Campus.
- An Overview of the New Title IX Regulations and Their Implications for Colleges and Universities.
- The Road to Compliance: Essentials for Community Colleges, Colleges, and Universities Under the New Title IX.
- Digital Accessibility Trends Mid-year Update.
- A Blind User’s Experience with the Web.
- Reimagining Computer Labs.
- Universal Design with Accessibility in Mind.
- The Real Cost of Accessibility Complaints.
- Evaluating and Managing Accessibility in Third-party Web Content.
- Procuring Accessible Products.
- Accessibility Engineering.
Staff Activities:

- Provided training to ADEI employees on the Ethics and Compliance investigation process.
- Provided training in conjunction with NIU advocacy services to Safe Passage on the university's Title IX policy and procedures.
- Provided training in conjunction with the director of Clery to the Athletics Department coaches and department heads on Title IX reporting obligations.
- Coordinated and provided Title IX resolution and hearing officer training in fall 2019.
- Provided training to Academic Advising Council and all university academic advisors on Title IX reporting requirements and responsible employee obligations.
- Provided training to EAP on how to be advisors for employees in Title IX matters.
- Provided training in conjunction with the director of Clery to all athletics department employees on responding to Title IX disclosures.
- Provided training to respondent advisors for students in Title IX matters.
- Participated on faculty/staff and Student Grievance Working Group.
- Led the redevelopment of university’s sexual misconduct website.
- Revised Title IX Policy in fall 2019.
- Revised Title IX Policy and procedures to conform to new Title IX federal regulations issued in May 2020 for implementation in August 2020.
- Revised Nondiscrimination, Harassment and Retaliation Policy in fall 2019.
- Converted all university collective bargaining agreements to accessible formats.
- Assisted in creating and implementing Huskies Give Back Program.
- Presented on Creating an Accessible Syllabus at CHHS All-College Meeting.
- Presented at three procurement electronic requisitions trainings on purchasing accessible technology.
- Presented creating an accessible syllabus for Faculty Senate.
- Presented on accessible technology at library staff/faculty meeting.
Nondiscrimination and Harassment

The university is committed to ensuring that its students and employees can learn and work in an environment that is free from discrimination and harassment on the basis of race, color, national origin, ancestry, sex, pregnancy, religion, age, physical and/or mental disability, marital status, veteran/military status, sexual orientation, gender identity, gender expression, political affiliation, order of protection status, victim of domestic or sexual violence status, citizenship status, arrest record in employment/personnel matters, and genetic information.

The complaint resolution process is designed to address and resolve allegations of discrimination, harassment and retaliation in a manner that maintains and promotes positive academic and working environments consistent with the values of NIU. All employees and students have a right to file a complaint based on treatment that they have been subjected to. Complaints are reviewed and investigated according to the university’s Nondiscrimination, Harassment and Retaliation Policies and Procedures for Students, Faculty and Staff.

During fiscal year 2020, ECO responded to a total of 31 complaints. The chart below illustrates the total number of complaints filed as compared to prior years.

Of the 31 complaints received during fiscal year 2020, disability discrimination was the most reported, comprising of 29% of the total allegations filed. Race discrimination was the second-most reported, comprising of 22% of the total allegation filed. To note, one complaint may contain more than one type of allegation.

In addition to the investigatory work that ECO provides, staff frequently advise departments and provide on-call trainings on how to respond to concerns of policy violations and how to be supportive of individuals who have filed a complaint or are involved in the investigation process. ECO is also a partner in developing the annual and new hire discrimination and harassment training and is involved in campuswide discussions and initiatives related to positive working and learning environments.
Title IX/Sexual Misconduct

The university, through ECO, responds to reports of sexual misconduct, which include sexual harassment, sexual assault and violence, stalking, and intimate partner violence (dating and domestic violence). Any student or employee has rights and options to address what they experienced, to include requesting confidential supportive measures, seeking assistance through on- and off-campus partners, or filing a police report with local law enforcement and/or sexual misconduct complaint with the university.

Compliance with Title IX of the Education Amendments of 1972 (“Title IX”) includes implementing federal and state regulations and laws, in addition to understanding and incorporating best practices for our students and employees. This work cannot be achieved alone and requires the continued collaboration with multiple departments across campus, including Academic Diversity, Equity and Inclusion; Student Affairs; and Police and Public Safety.

ECO is responsible for maintaining the university’s Sexual Misconduct Policy and Complaint Procedures for students, faculty and staff. Annual and specialized campus training and education also occurs by ECO and in partnership with other campus offices.

The information below indicates the number of reports of sexual misconduct received, as compared to previous years. These reports are either filed by an individual who has experienced or witnessed sexual misconduct or a “responsible employee” who has learned of an incident and is required to report the information to the Title IX Coordinator.

Of the 165 reports received, intimate partner violence remains the most reported type of sexual misconduct, comprising 29% of the total allegations submitted, followed by sexual harassment and sexual assault. This information helps guide our campus partners in understanding what types of training and education to provide to our students and employees.

In addition to understanding what incidents are being reported, information about when reports are submitted also informs campus partners on the timing of trainings and education. The chart below indicates that September remains the month in which the most incidents of sexual misconduct are reported.

ECO is a member of various campus and community groups related to sexual misconduct and harassment. Most notably, ECO is a member of the core team for the grant that was awarded by the Department of Justice Office on Violence Against Women. This grant involves working with campus and community partners, including law enforcement and advocates, to do a comprehensive review of all of the work that NIU engages in related to sexual misconduct. Some of the areas on which the grant has focused on include how to provide a coordinated response, ways to educate individuals on bystander intervention and what it means to be an advocate for a student. ECO also chairs the NIU Sexual Misconduct and Assault Response Team and is a member of the DeKalb County Sexual Assault Response Team.

Responsible Employee training, developed and administered by ECO, is designed to educate employees who are required to report sexual misconduct on how to be supportive of an individual who has disclosed information to them and what happens after a report is submitted. During fiscal year 2020, 143 employees were trained during two sessions.
Ethics

ECO regularly advises on ethics-related inquiries and questions regarding a variety of topics including the gift ban, political activity, conflicts of interest and revolving door prohibition. ECO is available by phone and email to respond to ethics inquiries and we encourage members of the campus community to reach out with questions and concerns.

Statements of economic interest, administered by the Illinois Secretary of State and Executive Ethics Commission, are reviewed by the Ethics Officer prior to certification. During fiscal year 2020, 400 statements were submitted by designated employees and reviewed by ECO. The review by ECO provides employees with information about conflicts of interest and connects them with the Provost’s Office to annually complete the Outside Consulting and Research and Outside Employment process.

During fiscal year 2020, ECO had 18 ethics inquiries/investigations; 16 reported directly to ECO, and two referred by the Office of the Executive Inspector General (OEIG). The inquiries and investigations ranged from allegations that an employee was misusing state resources to inaccurately reporting their work time.

The new employee and board member training is annually updated to ensure the most relevant content. ECO, in conjunction with Human Resource Services, administers the annual ethics training for all employees. Similar to previous years, nearly 100% of all employees completed the annual state-required training.

Information Technology Accessibility

NIU is required to have accessible electronic and information technology (EIT) for students and employees. Technology is accessible when people with and without disabilities are able to use it independently to get the same information, engage in the same interactions and receive the same services in the same time frame as those without disabilities.

The Information Technology Accessibility Officer (ITAO) provides an accessibility check for NIU’s website and web applications. During fiscal year 2020, 48 new or revised websites, individual pages, templates and/or applications were reviewed for accessibility. Three of the websites — Human Resource Services, University Libraries, and University Council — are all over 300 pages each.

The ITAO serves on the selection committee for major technology purchases and is part of the approval process for technology purchase requisitions through the P2PO system. As part of this process, over 340 purchase requisitions were reviewed by the ITAO to determine whether the equipment or software is accessible to its users, regardless of disability. In addition, the ITAO was involved in three Requests for Proposal for enterprise-level technology.

Students and employees report accessibility issues with NIU technology to ECO and, in response, the ITAO works with units, departments and divisions across campus to find accessible solutions. In addition to responding to concerns, the ITAO provides proactive education and outreach to employees regarding how to make coursework, and learning and working technologies accessible.
The Policy Library initiative commenced in 2016 by the University Council-Faculty Senate’s Rules, Governance and Election Committee. The Policy Library has provided transparency to the policy-making process by allowing members of the campus community to see which policies are new or up for review and provides them with an ability to learn about the policy and comment on it before it is approved. Much of this fiscal year was spent fine-tuning the process at the university and learning best practices from other institutions.

During fiscal year 2020, 30 of the approximate 290 universitywide policies were reviewed. The Policy Library Committee also met on a monthly basis to review the policies, suggest improvements and consider ways to consolidate existing policies.

The university is committed to the efficient and reliable maintenance of its records. The records management program, as established by ECO, provides direction and support to departments and divisions about how to properly identify, retain and dispose of records in their possession so that records of vital, historical, fiscal and legal value are identified and preserved, and that nonessential records are discarded in a timely manner according to the established guidelines of the State Records Act.

Fiscal year 2020 was spent creating a central location of information and behind-the-scenes workflow to assist the office in reviewing departments’ record inventories and tracking disposal certificates. All of the existing record schedules have been gathered, examined, checked and double-checked for this workflow. A new website was also created, providing campus with easy-to-read information about the life cycle of a record and allowing users to easily find record schedules by scrolling through the information or to simply type in search terms, a function that was not previously available.

Some may find the task of creating and updating schedules to be daunting. However, the staff at ECO are available to assist and provide guidance as needed.
Compliance

ECO assists departments in meeting state and federal mandates that impact higher education. The Compliance Calendar serves as a comprehensive listing of reporting mandates that various divisions and departments within the university are responsible for. In addition to making this listing available, ECO works closely with General Counsel and the State Legislative Liaison in reviewing recently enacted state laws and disseminating the information to senior leaders.