



Title IX and PADHR Presentation

December 12, 2017

University of Virginia School of Medicine

Catherine Spear, Associate Vice President,
Office for Equal Opportunity and Civil Rights

Emily Babb, Assistant Vice President for Title IX Compliance/Title IX
Coordinator



UNIVERSITY of **VIRGINIA**

OVERVIEW



- Notice of Non-Discrimination and Equal Opportunity
- Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence (Title IX Policy)
- Preventing and Addressing Discrimination and Harassment (PADH Policy) and Preventing and Addressing Retaliation (PAR Policy)
- Why reporting is important
- How to report prohibited conduct under these policies
- How to address prohibited conduct



NOTICE OF NON-DISCRIMINATION AND EQUAL OPPORTUNITY

The University of Virginia does not discriminate on the basis of age, color, disability, gender identity, marital status, national or ethnic origin, political affiliation, race, religion, sex (including pregnancy), sexual orientation, veteran status, and family and genetic information, in its programs and activities as required by Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Titles VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Governor's Executive Order Number One (2014), and other applicable statutes and University policies. The University of Virginia prohibits sexual and gender-based harassment, including sexual assault, and other forms of interpersonal violence.

http://eocr.virginia.edu/notice-non-discrimination-and-equal-opportunity

UNIVERSITY POLICIES



	Title IX Policy	PADH and PAR Policies
Prohibits	 Sexual Assault Sexual or Gender-Based Harassment Sexual Exploitation Stalking Intimate Partner Violence Complicity Retaliation 	PADH: Discrimination and harassment on the basis of protected characteristics/statuses in the University workplace, academic setting, or programs and activities. PAR: Adverse action against a person for making a good faith complaint under the PADH or PAR policies, or assisting or participating in EOCR's complaint resolution process.
Applies to	Students, employees, and third parties	Students, faculty, staff, applicants for admission and/or employment and other third-parties (vendors, program participants, etc.)





TITLE IX POLICY

WHAT IS TITLE IX PROHIBITED CONDUCT?



- Sexual Assault
 - Sexual Contact
 - Sexual Intercourse
- Sexual Exploitation
- Intimate Partner Violence
- Stalking

- Sexual or Gender-Based Harassment
- Retaliation
- Complicity







WHO MUST REPORT?

RESPONSIBLE EMPLOYEES



- Responsible employees:
 - Student employees during scope of their employment (RA, TA, etc.)
 - Faculty
 - Staff
- What is the duty?
 - To promptly (within 24 hours) share
 - All known information
 - With the Title IX Coordinator (or designee)





HOW DO YOU REPORT PROHIBITED CONDUCT?

HOW TO REPORT SCC(1)



- Visit Just Report It: (www.virginia.edu/justreportit/)
- Contact the Title IX Office directly:
 - o in person or by mail to 445 Rugby Road, Terrace Level, Room 037, Charlottesville, VA 22904
 - o titleixcoordinator@Virginia.edu
 - o (434) 297-7988
- Contact your supervisor for assistance

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CONFIDENTIAL RESOURCES



- There are confidential resources on Grounds
 - Individuals associated with these resources <u>will NOT</u> disclose information about potential prohibited conduct without the student's permission (*unless* information concerns a minor (under 18) or a threat of serious physical harm to self or others)
- On Grounds
 - CAPS (http://www.virginia.edu/studenthealth/caps.html)
 - Women's Center (http://womenscenter.virginia.edu/)
 - Elson Student Health Care System
 - UVA Medical Center
- Off Grounds:
 - Sexual Assault Resource Agency (SARA)
 - SHE (Shelter in Emergency)
 - Victim's Advocates (County and City)







WHAT HAPPENS AFTER A REPORT IS MADE?

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NEXT STEPS



- Dean on Call will contact student (Title IX/Employee Relations will contact employee) and provide support and resources
- Title IX Coordinator is notified
- A University team will assess any threat to health and safety, potentially report information to law enforcement, and determine next University steps
- The University will honor the individual's preferences whenever possible

RESOLUTION OPTIONS UNDER TITLE IX



Formal Resolution/Investigation





Remedial Measures: No Contact Directive,
 Academic Accommodations, Housing
 Accommodations, Workplace Accommodations

Law Enforcement (external option)

THE TITLE IX TEAM



If you have any questions about Title IX or your reporting responsibilities, please contact your supervisor and/or:

Emily Babb

Assistant Vice President for Title IX Compliance/Title IX Coordinator (434) 297-7988

ecb6y@virginia.edu

Akia Haynes

Deputy Title IX Coordinator <u>aah6n@virginia.edu</u>

Paul Apicella

Sr. Title IX Investigator pwa2a@virginia.edu

John Flood

Title IX Investigator jjf3y@virginia.edu

Charlotte Breen

Title IX Investigator cb5ru@virginia.edu





PREVENTING AND ADDRESSING DISCRIMINATION, HARASSMENT, AND RETALIATION



PREVENTING AND ADDRESSING DISCRIMINATION AND HARASSMENT (PADH) POLICY

What is Prohibited?

Discrimination and harassment which occurs because of one or more of an individual's protected characteristics.

Who is Covered?

Students, Faculty, Staff, and Third Parties

Which Protected Characteristics?

- Age
- Color
- Disability
- Family and Genetic Information
- Gender Identity
- Marital Status
- National or Ethnic Origin

- Political Affiliation
- Pregnancy
- Race
- Religion
- Sex
- Sexual Orientation
- Veteran Status

DISCRIMINATION



Discrimination is unfavorable treatment of an individual based on one or more of the individual's protected characteristics.

Some examples of unfavorable treatment are:

- a professor giving a student a lower course grade because of their religion; or
- a teaching assistant offering students an opportunity for extra credit, but refusing to give students with disabilities the same opportunity.

TWO TYPES OF HARASSMENT



 Quid pro quo ("this for that") harassment

Hostile environment harassment



HARASSMENT – HOSTILE ENVIRONMENT

(a) Unwelcome conduct based on a protected characteristic/status which

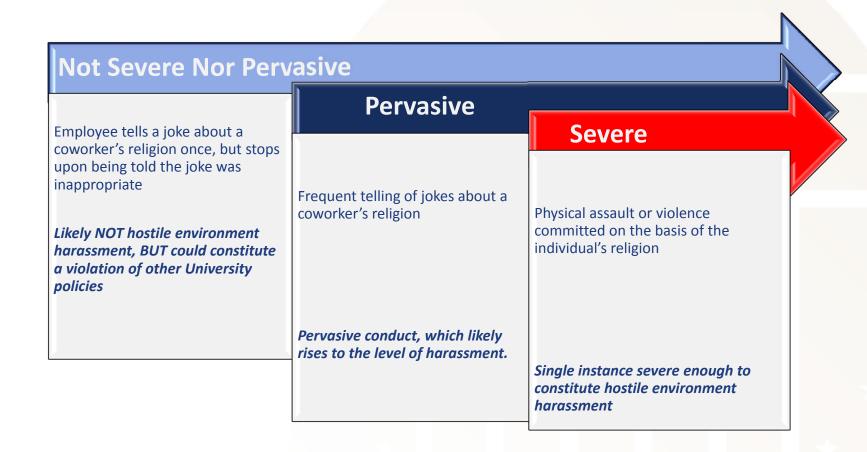
(b) is so severe and/or pervasive that it interferes with an individual's environment, and

(c) creates an environment that a reasonable person would find intimidating, hostile, or offensive.



UNDERSTANDING SEVERITY AND PERVASIVENESS







PREVENTING AND ADDRESSING RETALIATON (PAR) POLICY

What is Retaliation?

Retaliation is adverse action taken against an individual for:

- (1) making a good faith complaint of discrimination, harassment, and retaliation; or
- (2) assisting or participating in the complaint resolution process, e.g., as a witness during an investigation.

Retaliation may exist even when the underlying complaint is not substantiated.

Examples

- A professor gives a lower grade to a student because the student reported to EOCR that the professor harassed them on the basis of their religion.
- EOCR investigates a complaint of alleged discrimination by TA Smith. John, a student in TA Smith's discussion session, is a witness in the investigation. TA Smith discovers that John is a witness and starts to repeatedly refer to John as an idiot and yell at him during the weekly discussions.

HOW TO REPORT



- Submit a bias report to Just Report It (www.virginia.edu/justreportit/)
- Contact EOCR directly:
 - o in person or by mail to Washington Hall (Hotel B) East Range, P.O. Box 400219, Charlottesville, VA 22904
 - o (434) 924-3200
 - o <u>uvaeocr@virginia.edu</u>
- File a complaint with EOCR

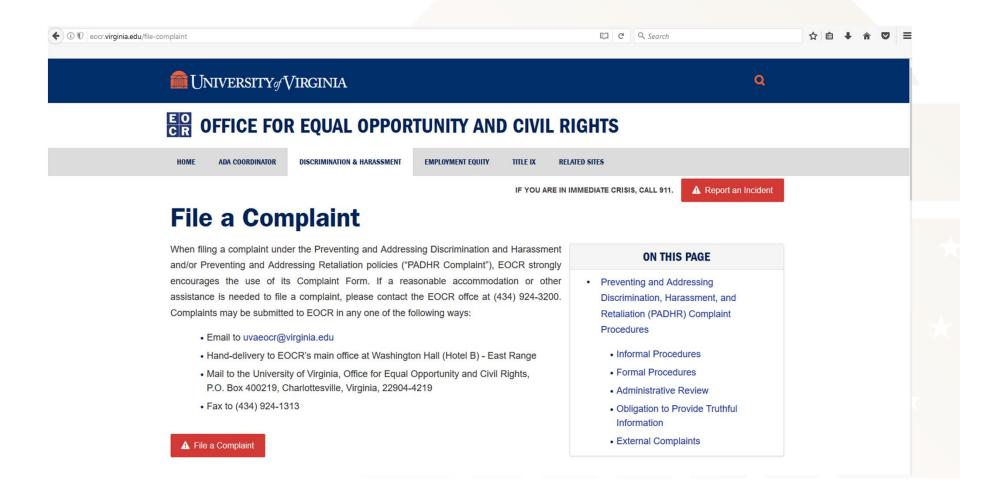


HOW TO FILE A PADHR COMPLAINT

To file a complaint, submit the PADHR Complaint Form (available online at http://eocr.virginia.edu/file-complaint or EOCR's main office) or a written complaint to EOCR in any one of the following ways:

- email to <u>uvaeocr@virginia.edu</u>;
- hand-delivery to EOCR's main office at Washington Hall (Hotel B) - East Range;
- mail to the University of Virginia Office for Equal Opportunity and Civil Rights, P.O. Box 400219, Charlottesville, VA, 22904-4219; or
- fax to (434) 924-1313.





PADHR RESOLUTION OPTIONS



- Informal Resolution
- Formal Resolution
 - Investigation
 - Negotiated Resolution

Interim measures, such as no contact directives, academic accommodations, housing accommodations, and workplace accommodations may be implemented during the resolution process.

CONFIDENTIAL UNIVERSITY RESOURCES for PADH/R Issues





- CAPS
- Women's Center
- Elson Student Health
- UVA Medical Center
- University Ombuds



PADHR TEAM

If you have any questions about the PADH and/or PAR Policies, please contact:

Catherine Spear

Associate Vice President for EOCR (434) 924-7179 ccs9a@virginia.edu

Nic Thompson

Compliance Director, EOCR (434) 243-6368 nmt5j@virginia.edu

Tosha Barnes

EOCR Specialist (434) 924-8074 llb7rc@virginia.edu

Ted Wammes

EOCR Specialist (434) 924-8078 tcw8b@virginia.edu

QUESTIONS?



