



UNIVERSITY
of VIRGINIA

OFFICE FOR EQUAL OPPORTUNITY AND CIVIL RIGHTS



Title IX and PADHR Presentation

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University of Virginia School of Medicine

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Coordinator





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	<ul style="list-style-type: none"> • Sexual Assault • Sexual or Gender-Based Harassment • Sexual Exploitation • Stalking • Intimate Partner Violence • Complicity • Retaliation 	<p>PADH: Discrimination and harassment on the basis of protected characteristics/statuses in the University workplace, academic setting, or programs and activities.</p> <p>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.</p>
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)



UNIVERSITY OF VIRGINIA
JUST REPORT IT

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:
 - in person or by mail to 445 Rugby Road, Terrace Level, Room 037, Charlottesville, VA 22904
 - titleixcoordinator@Virginia.edu
 - (434) 297-7988
- Contact your supervisor for assistance



CONFIDENTIAL RESOURCES

- There are confidential resources on Grounds
 - Individuals associated with these resources will NOT 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)

CONFIDENTIAL



WHAT HAPPENS AFTER A REPORT IS
MADE?



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
- Alternative Resolution
- 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:

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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

Not Severe Nor Pervasive

Employee tells a joke about a coworker's religion once, but stops upon being told the joke was inappropriate

Likely NOT hostile environment harassment, BUT could constitute a violation of other University policies

Pervasive

Frequent telling of jokes about a coworker's religion

Pervasive conduct, which likely rises to the level of harassment.

Severe

Physical assault or violence committed on the basis of the individual's religion

Single instance severe enough to constitute hostile environment harassment



PREVENTING AND ADDRESSING RETALIATION (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 EOOCR directly:
 - in person or by mail to Washington Hall (Hotel B) - East Range, P.O. Box 400219, Charlottesville, VA 22904
 - (434) 924-3200
 - uvaeocr@virginia.edu
- File a complaint with EOOCR



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 uvaeocr@virginia.edu;
- 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.



OFFICE FOR EQUAL OPPORTUNITY AND CIVIL RIGHTS

- HOME
- ADA COORDINATOR
- DISCRIMINATION & HARASSMENT
- EMPLOYMENT EQUITY
- TITLE IX
- RELATED SITES

IF YOU ARE IN IMMEDIATE CRISIS, CALL 911.

[Report an Incident](#)

File a Complaint

When filing a complaint under the Preventing and Addressing Discrimination and Harassment and/or Preventing and Addressing Retaliation policies ("PADHR Complaint"), EOCR strongly encourages the use of its Complaint Form. If a reasonable accommodation or other assistance is needed to file a complaint, please contact the EOCR office at (434) 924-3200. Complaints may be submitted to EOCR in any one of the following ways:

- Email to uvaeocr@virginia.edu
- 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, Virginia, 22904-4219
- Fax to (434) 924-1313

[File a Complaint](#)

ON THIS PAGE

- Preventing and Addressing Discrimination, Harassment, and Retaliation (PADHR) Complaint Procedures
 - Informal Procedures
 - Formal Procedures
 - Administrative Review
 - Obligation to Provide Truthful Information
 - External Complaints



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:

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QUESTIONS?

