



USC'S OFFICE FOR EQUITY, EQUAL OPPORTUNITY AND TITLE IX (EEO-TIX)

PRESENTED BY RAHEL DENBOBA

TRAINING, EDUCATION AND PREVENTION COORDINATOR



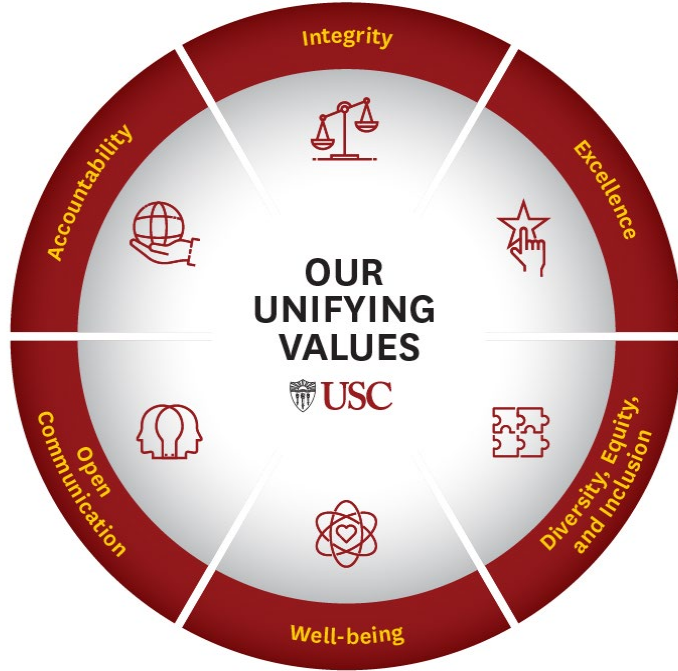
USC University of
Southern California

ROSSIER SCHOOL OF EDUCATION

June 10, 2021

HONORING NATIVE LANDS

We acknowledge that we are on the traditional land of the Tongva people. For thousands of years, the Tongva people lived on this land we occupy today and were considered the most powerful indigenous peoples to inhabit the Los Angeles basin. Along with the Tongva, we also recognize the Chumash, Tataviam, Serrano, Cahuilla, Juaneno, and Luiseno People, for the land that USC also occupies around Southern California. We pay respects to their elders past and present. Please take a moment to consider the many legacies of violence, displacement, migration, and settlement that bring us here today. And please join us in uncovering such truths at any and all events.



Integrity – We do the right thing.

Excellence – We bring our best selves.

Diversity, Equity and Inclusion – We all belong.

Well-being – We honor the whole person.

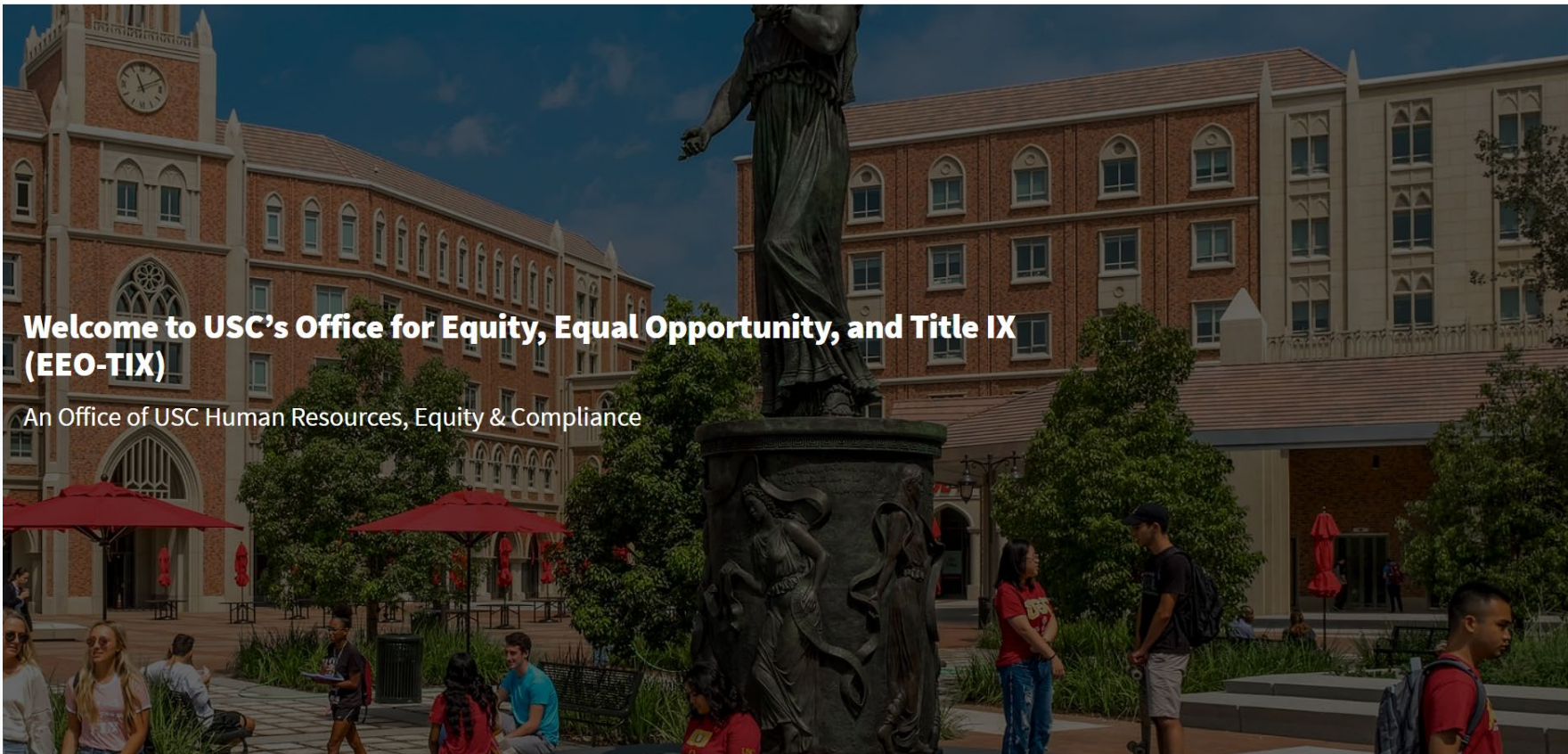
Open communication – We share openly and honestly.

Accountability – We take responsibility.



Welcome to USC's Office for Equity, Equal Opportunity, and Title IX (EEO-TIX)

An Office of USC Human Resources, Equity & Compliance



Key Responsibilities of the EEO-TIX Office

Educate

- Support and centralize ongoing prevention, education, and training efforts to promote and protect the civil rights of University community members (students, faculty, and staff)

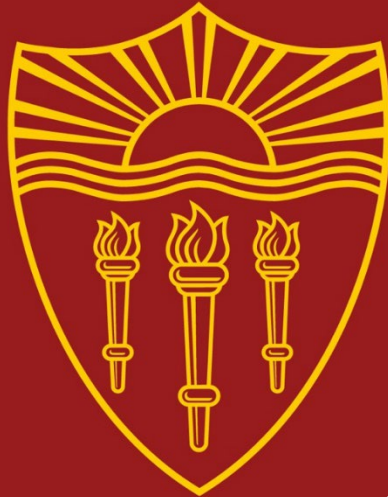
Advance

- Partner to promote and lead initiatives that support and advance diversity, equity, and inclusion across all aspects of campus life.

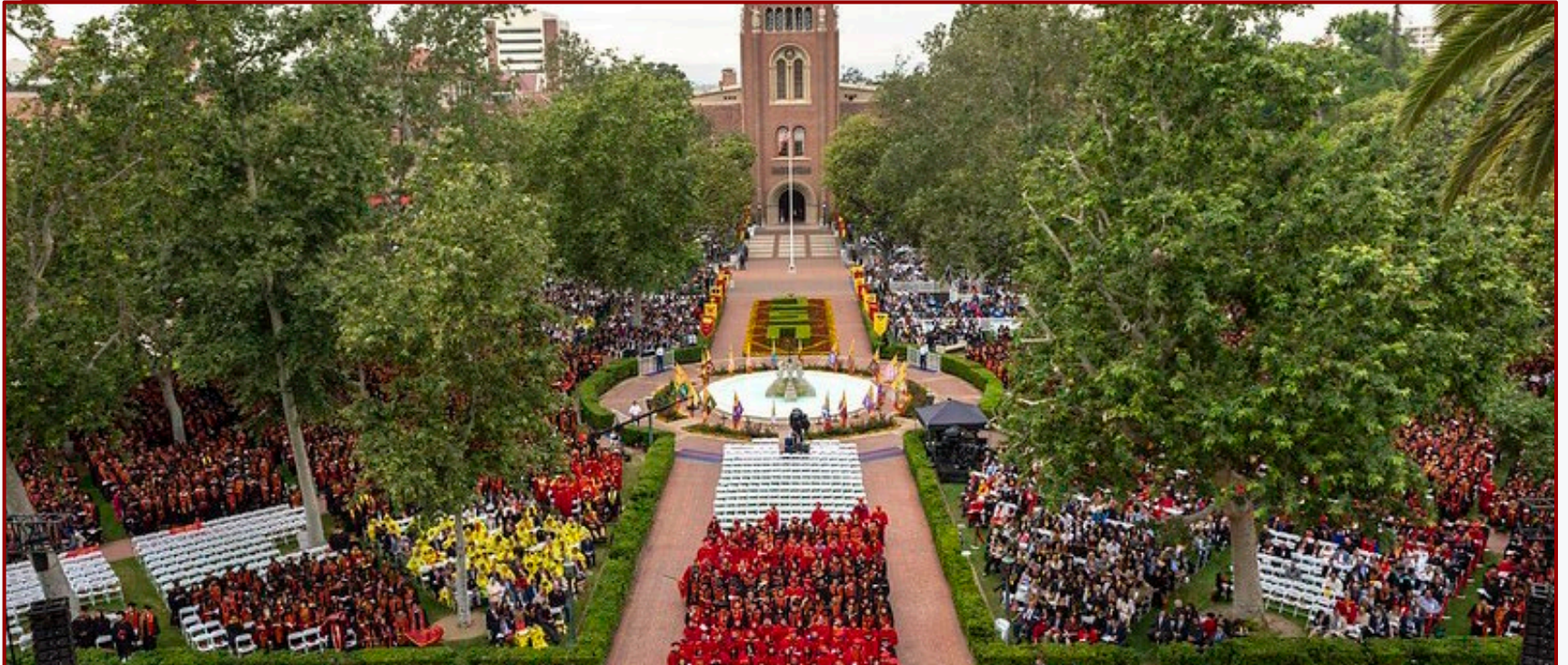
Respond

- Promptly and appropriately respond to all reports of protected class discrimination, harassment, and related retaliation through supportive measures, as well as, when appropriate, alternative and formal resolution options.

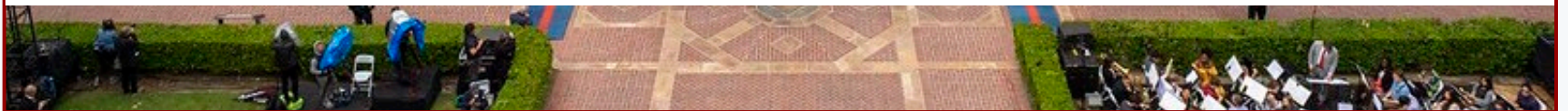
What We Will Cover



- USC Policy and Prohibited Conduct
- Designated Employee Responsibilities
- How to Report to EEO-TIX
- What happens after a report is received
 - Reporting Options
 - Supportive Measures
 - Accountability Measures



USC's Policy on Prohibited Discrimination, Harassment, and Retaliation



To Whom the Policy Applies

SCOPE:



Students and Post-Docs



Staff (including Healthcare staff)



Faculty



Third Parties

- Race
- Color
- Ethnicity
- Religion (including religious dress and grooming practices)
- Creed
- Sex
- Age (40 years and over in the employment context)
- Marital status
- National origin
- Citizenship status
- Employment status
- Income status
- Shared ancestry and ethnic characteristics

- Partnership status
- Medical condition (including cancer and genetic characteristics)
- Pregnancy (including childbirth, breastfeeding, or related medical conditions)
- Disability
- Political belief or affiliation
- Domestic violence victim status
- Military or veteran status
- Sexual orientation
- Gender
- Gender identity
- Gender expression
- Genetic information

What is “Prohibited Conduct” Under the Policy?

- **Discrimination** based on a protected characteristic
- **Harassment** based on a protected characteristic
 - Title IX sexual harassment (defined by U.S. Department of Education)
 - Sexual & gender-based harassment (broader scope)
 - Other protected characteristic harassment (e.g., race, disability, etc.)
- **Sexual assault**
- **Dating & domestic violence**
 - Physical violence
 - Non-physical conduct that would cause a reasonable person to fear for their safety
- **Stalking**
- **Nonconsensual viewing, recording, and dissemination**
- **Exposure**
- **Retaliation**
- **Complicity**
- **Violation of a University directive** (e.g., Avoidance of Contact directive)

- Fear of retaliation is a common barrier to reporting
- Constitutes a form of Prohibited Conduct
- Important protection to ensure that community members feel comfortable engaging in “protected activity:”
 - Reporting Prohibited Conduct
 - Participating in a University investigation

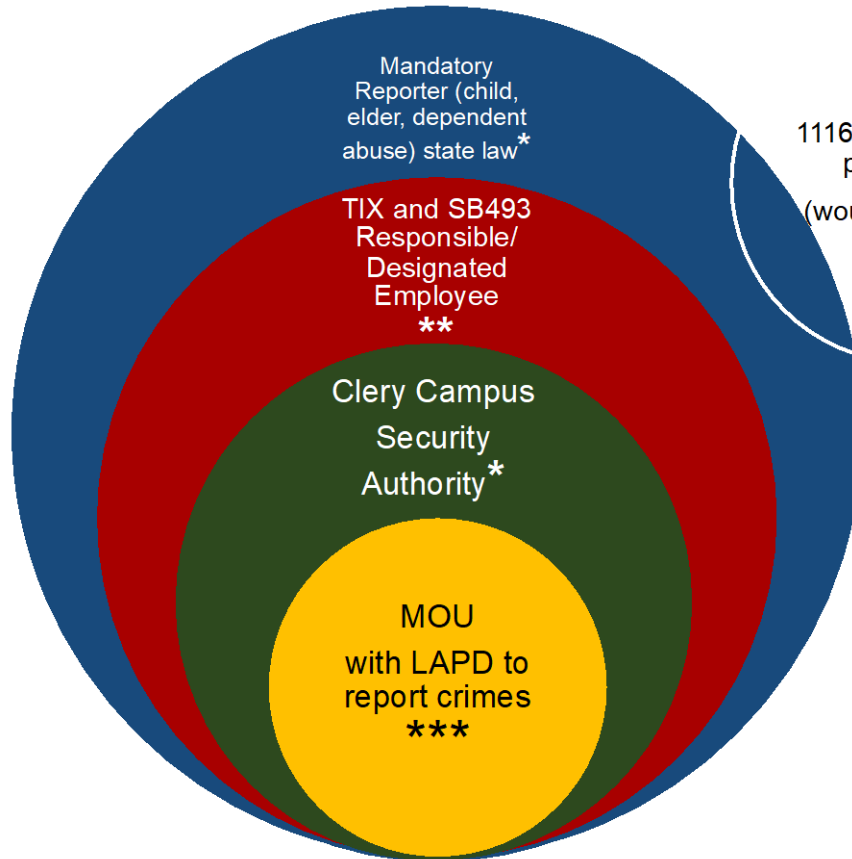
Interfering with, threatening, or retaliating against students or employees who have reported possible policy violations is prohibited and may result in employee sanctions and discipline.

- **Verbal:** offensive jokes, comments, etc.
- **Non-Verbal:** grunting, cat-calls, touching, etc.
- **Physical:** targeting someone with violence, property damage, touching, etc.
- **Written:** graffiti, emails, letters, etc.
- **Graphic:** images, symbols, etc.
- **Electronic:** use of electronic information technology, such as email and social media

CONTINUUM OF POTENTIALLY HARASSING CONDUCT



Reporting-Compliance Responsibilities



11160: Health care practitioner (wound/assault)*

Mandatory Report to CA. Med Board – SB 425/ CA BPC § 805.5 (conduct of sexual nature)*
Licensing Requirements

Tarasoff: Duty to Protect/Warn - CA Civil Code *

*Required by state or federal law
**Required by state law, federal law (Title VII supervisors), and Resolution Agreement
***Memorandum of Understanding

Who are Designated Employees?

- Faculty, academic advisors, and other staff employees, including student employees, who hold supervisory positions.
- Teaching assistants, research assistants, and residential assistants, although not employees

Designated Employees ***must immediately report*** information about suspected discrimination, harassment, sexual misconduct, stalking, or dating/domestic violence to the EEO-TIX Office.

This duty applies:

- No matter how the information is learned—any report or observation
- Regardless of Respondent affiliation or location of incident
- Even if you do not have a complete report

Failure to make a timely report, and if applicable, document this information in the employee's personnel file may result in disciplinary action against the employee.

CLERY REPORTABLE CRIMES

- Murder/non negligent manslaughter
- Negligent manslaughter
- Aggravated assault
- Rape
- Fondling
- Statutory rape
- Domestic violence
- Dating violence
- Stalking
- Incest
- Burglary
- Robbery
- Motor vehicle theft
- Arson
- Hate crime
- Drug/alcohol/weapons violations – arrests and referrals

CLERY REPORTABLE LOCATIONS

- On Campus
- Non-campus buildings owned, leased, or controlled by USC
- Public property within, or immediately adjacent to and accessible from campus

Campus Security Authorities or “CSAs” include:

- University Police
- Non-police people or offices responsible for campus security
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
- Officials with significant responsibility for student and campus activities (e.g., Student Affairs, Faculty in Residence, Directors and Assistant Directors, Deans and Assistant Deans)

<https://dps.usc.edu/contact/report/security-authorities/>

What If I Also Am A Supervisor?

Supervisors (of faculty, staff, student employees, healthcare employees) have an **additional responsibility** to **promptly notify** the EEO-TIX Office after completing an employee's performance evaluation, **IF** the evaluation reveals the following (and must **document** in employee's personnel file):

1 ORAL OR WRITTEN COMPLAINT OF SEX DISCRIMINATION

An oral or written complaint of sex discrimination was provided to the supervisor during the evaluation period.

2 ARISES DURING PERFORMANCE EVALUATION

Information arises during the performance evaluation that suggests possible sex discrimination by the employee.

Tips for responding to disclosures of Prohibited Conduct:

 **BE COMPASSIONATE**

 **DO NOT PROMISE
CONFIDENTIALITY**

 **CONNECT TO
RESOURCES**

 **DO NOT INVESTIGATE**

 **BE CLEAR ABOUT
REPORTING
RESPONSIBILITY**

 **DO NOT FIX OR
OVERPROMISE**

Suggested Responses to Disclosures



“I’m sorry that happened to you.”

“I’m sorry you are going through a difficult time.”

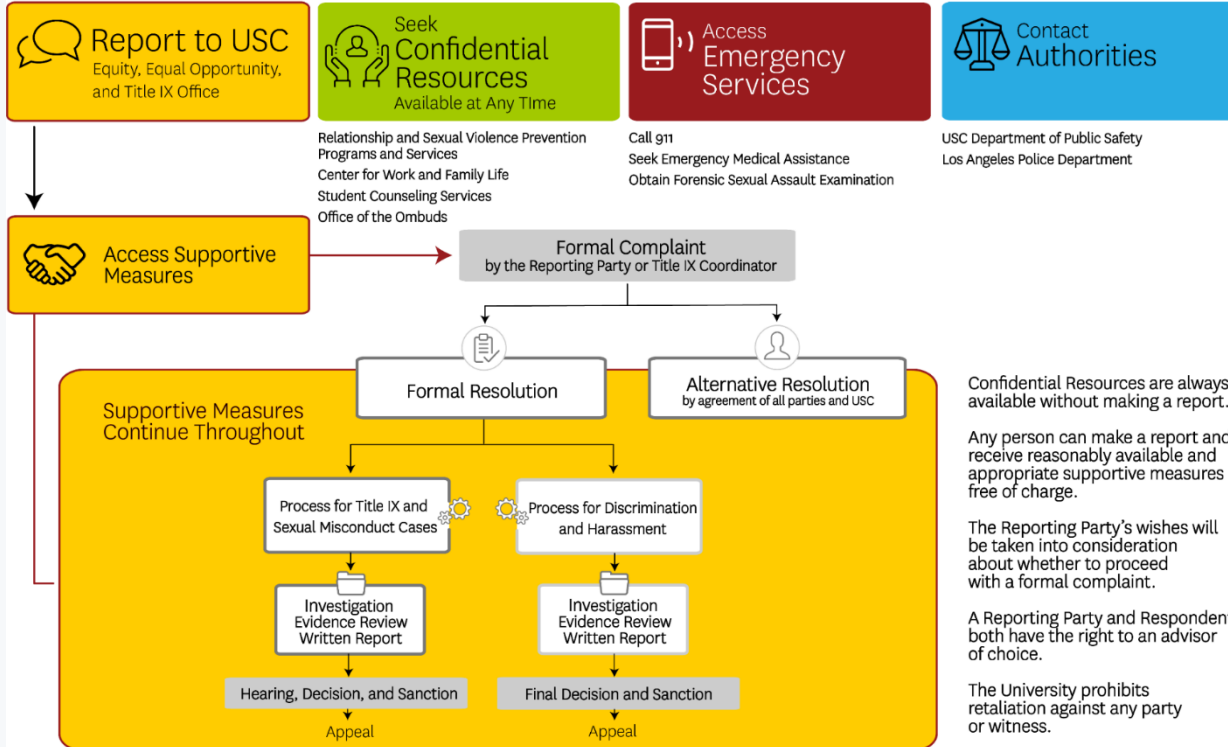
“I’m here for you and am going to connect you to University resources so that you can make informed choices of what you’d like to see happen next.”

How To Get Help: At A Glance

Navigating the USC Policy on Prohibited Discrimination, Harassment, and Retaliation

In an effort to explain options available within this policy, the following flowchart provides a visual representation of the process.

What are my choices?



- Call: 213-740-5086
- Email: eeotix@usc.edu
 - Please include all the information you know (e.g., names, dates, nature of report, student/employee ID numbers, emails)
 - Please include all known information

- Available for Respondents, Reporting Parties, witnesses, and other members of the community.
- Available without a Formal Complaint or investigation
- Designed to address the safety and well-being of an individual and to afford continued access to University programs and activities.

EXAMPLES OF SUPPORTIVE MEASURES

1 Access to Counseling

5 Workplace modifications

2 Mutual Avoidance of Contact (AOC) directives (non-punitive administrative measure designed to minimize conflict)

6 Schedule modifications

3 Academic accommodations (e.g., extension of deadlines)

7 Campus escort services

4 Housing accommodations

8 Other reasonably available supportive measures

Available with or without filing a Formal Complaint with EEO-TIX

- **REPORT v. FORMAL COMPLAINT:** A disclosure to a Designated Employee is not the same as making a Formal Complaint to EEO-TIX.
- EEO-TIX conducts outreach to the Reporting Party:
 - Information about all reporting options (including EEO-TIX)
 - Information about confidential resources
 - Information about supportive measures
- EEO-TIX will seek to honor the Reporting Party's choices whenever possible

Two Formal Resolution Tracks

If the **Formal Complaint** alleges **only** Discrimination (either Disparate Treatment or Disparate Impact), Hostile Environment Harassment (based on a protected class other than sex or gender), Quid Pro Quo Harassment (based on a protected class other than sex or gender), and/or Retaliation not relating to Sexual Harassment.

Investigation by a trained investigator free of conflict of interest or bias. During the investigation, both parties provided an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Evidence Review: Parties may review and respond to all information gathered in the investigation that is directly related to the allegations.

Investigative Report issued to both parties, which includes a determination regarding responsibility.

Sanctioning Panel convenes if there is a finding of responsibility to determine an appropriate sanction. Panel determined by status of Respondent.

Appeal for: (1) procedural irregularity, (2) new evidence, or (3) conflict of interest or bias. Appellate authority determined by status of Respondent.

If the **Formal Complaint** alleges any of the following Prohibited Conduct:

- Title IX Sexual Harassment, including Sexual Assault, Dating and Domestic Violence, and Stalking; Sexual and Gender-Based Harassment; Nonconsensual Viewing, Recording and Dissemination; Exposure; Other Forms of Dating and Domestic Violence; and/or Retaliation relating to Sexual Harassment.

Evidence Review: Parties may review and respond to all information gathered in the investigation that is directly related to the allegations.

Investigative Report issued to both parties, which includes a determination whether the conduct alleged, if substantiated, requires a hearing with cross-examination.

Live Hearing with: (1) cross-examination by the parties' advisors, and (2) rules that limit what evidence that may be considered in making a determination of responsibility.

Notice of outcome issued to the parties that includes a determination regarding responsibility.

Sanctioning Panel convenes if there is a finding of responsibility to determine an appropriate sanction. Panel determined by status of Respondent.

Appeal for: (1) procedural irregularity, (2) new evidence, or (3) conflict of interest or bias. Appellate authority determined by status of Respondent.

Cannot occur unless:

- There is an investigation; **and**
- They are found responsible for violating the Policy

This does not prevent interim supportive measures that are not disciplinary in nature.

- Relationship and Sexual Violence Prevention Programs and Services (RSVP)
 - 213- 740-9355 (WELL), press "0" after hours
 - <https://studenthealth.usc.edu/sexual-assault/>
- Counseling and Mental Health
 - <https://studenthealth.usc.edu/counseling/>
 - [BIPOC Mental Health resource site](#)
- Office of the Ombuds
 - <https://ombuds.usc.edu/>

Private Resources on Campus

- Campus Support and Intervention (CSI)
 - 213-740-0411
 - <https://campussupport.usc.edu>
- Asian Pacific American Student Services (APASS)
 - <https://apass.usc.edu>
- Center for Black Cultural and Student Affairs
 - <https://cbcsa.usc.edu>
- Latinx Chicanx Center for Advocacy and Student Affairs
 - <https://lgbtrc.usc.edu>
- LGBTQ+ Student Center
 - <https://lgbtrc.usc.edu>
- Veterans Resource Center
 - <https://vrc.usc.edu>
- Office of International Services (OIS)
 - <https://ois.usc.edu>

FIGHT ON FOR CIVIL RIGHTS!

FOR QUESTIONS OR MORE INFORMATION:

Catherine Spear

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USC Office for Equity, Equal Opportunity, and
Title IX
(EEO-TIX)

Cspear@usc.edu
(213) 200-1345



(213) 740-2500 or (800) 348-7454 or report.usc.edu



THANK YOU!

