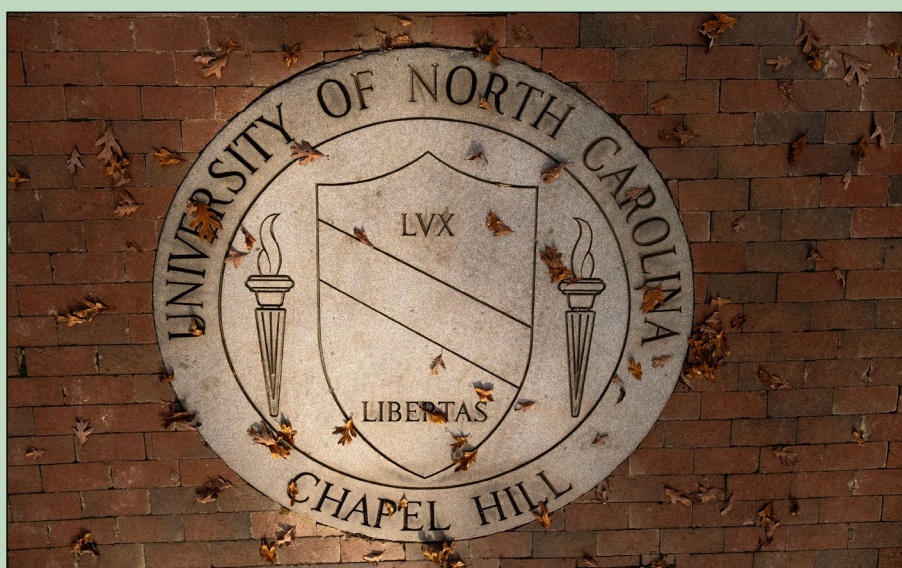


# **Equal Opportunity and Compliance Office**

University of North Carolina at Chapel Hill

## **Annual Report** Aug. 2018 – July 2019

POLICY ON PROHIBITED DISCRIMINATION, HARASSMENT  
AND RELATED MISCONDUCT, INCLUDING SEXUAL AND  
GENDER-BASED HARASSMENT, SEXUAL VIOLENCE,  
INTERPERSONAL VIOLENCE, AND STALKING



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# Introduction

The Equal Opportunity and Compliance Office (EOC) of the University of North Carolina at Chapel Hill is one of the primary offices on campus responsible for promoting a safe, equitable, and inclusive working and learning environment. We believe that universities at their core are a place of personal exploration, professional development, and engaging academic achievement and that true learning and impactful scholarship come from exposure to diverse perspectives and lived experiences. This belief is captured in UNC's stated mission to "teach a diverse community of undergraduate, graduate, and professional students to become the next generation of leaders." This portion of UNC's mission can only be accomplished in a working and learning environment that is inclusive of people from all backgrounds. Accordingly, UNC is proudly an educational community of students, faculty, and staff of diverse identities, varied backgrounds, and limitless potential.



People of all races, religions, national origins, gender identities, ages, sexual orientations, abilities, and backgrounds are welcome at UNC. We strive to make our University the most inviting working and learning environment possible. As such, the University has no tolerance for harassment or discrimination of any kind.

While the entire University community plays a role in making UNC a welcoming place to live, learn and work, EOC is uniquely positioned to address concerns of discrimination and harassment. Specifically, EOC oversees the [University's Policy on Prohibited Discrimination, Harassment and Related Misconduct, Including Sexual and Gender-Based Harassment, Sexual Violence, Interpersonal Violence and Stalking \(Policy\)](#). In addition to the Policy, EOC also oversees several other policies that provide accommodations to students, faculty and staff based on religion, disability, and pregnancy. EOC oversees and implements these policies by sharing information about the policies, receiving reports of potential violations, coordinating measures that help protect safety and well-being, investigating reports, and managing adjudication processes, including recommending and implementing sanctions and remedies, and engaging in an interactive process for people needing accommodations.

Each year, EOC prepares and publishes an Annual Report that contains information about reports of misconduct under the Policy, specific initiatives taken by the University during the academic year to strengthen our policies and procedures, as well as our trainings, outreach, and resources. This Annual Report covers activities initiated during the period of August 2018 through August 2019.

As you will see in the pages that follow, EOC works daily with campus partners with the goal of making UNC the most open and inclusive campus in America. We recognize the inherent worth and value in each of our students, faculty and staff; as such, EOC is honored to have the opportunity to positively contribute to Carolina.

We are now located at 214 West Cameron Avenue, next to North Carolina Hillel. Our new office, which is located on the second floor, is a welcoming, trauma-informed, and accessible space for visitors and staff. We are an office committed to supporting you. Let us know how we can help.

**Equal Opportunity and Compliance Office**

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**Becci Menghini**, Vice Chancellor for the Division of Human Resources and Equal Opportunity and Compliance

**Brandon Washington**, Interim Associate Vice Chancellor of Equal Opportunity and Compliance

**Adrienne Allison**, Director of Title IX Compliance, Equal Opportunity and Compliance



# Our Team



**Report and Response Coordinators:** There are three Report and Response Coordinators within EOC. They provide individuals reporting or responding to incidents of harassment and discrimination based on a protected status with resources and support options, including interim measures to address safety and well-being and can help individuals with making a formal report to the University and/or local law enforcement.

**Investigators:** There are six Investigators working within the EOC. Should an individual choose to pursue a formal investigation, Investigators will send both reporting and responding parties a written notice of the investigation. The Investigator will schedule times to talk with the reporting and responding parties individually, along with each witness and will collect any additional information and evidence before concluding the investigation.

**Accommodations Support:** We have three staff members who facilitate the EOC accommodations process. These team members help employees and students with religious accommodations request, employees and applicants for employment with disability accommodations request, and students and applicants for employment with pregnancy accommodations requests.

# Our Approach

The EOC staff treat every person with whom we interact with respect, dignity, and compassion. Members of the Carolina community who seek our services are often dealing with frustrating and/or traumatic experiences, and we approach each individual with an understanding ear and open mind. We aim to empower individuals with accurate information to inform their choices and to be a resource throughout the process of seeking accommodations, reporting misconduct, or exploring other avenues to promote belonging, equity, and access at Carolina.

Our work often involves students, faculty, and staff who are in conflict with each other, and we approach those cases from a position of neutrality and fairness. Our primary objective is to ensure that any person who has been impacted by prohibited discrimination, harassment, or related misconduct receives a prompt response from our office and resources to feel safe and to have equal access their Carolina education or employment. When we determine a member of the Carolina community has engaged in prohibited discrimination, harassment, or related misconduct, we take action designed to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects, while supporting the University's educational mission.

## Education, Training, and Awareness

In the 2018-2019 academic year, the EOC continued to focus on engagement, training and outreach to the campus community.

Through efforts by EOC and campus partners, the University provides training and education to its students, faculty, and staff as part of its commitment to assuring a comprehensive prevention, support, and response system. Programs address types of prohibited conduct, bystander intervention, compassionate support and response, and information regarding the University's Policy and resources. The University also offers several additional trainings for students and employees that are related to the broad range of misconduct prohibited by the Policy.

*\*See training descriptions in the Appendix*

## 18/19 Trainings By the Numbers

**250+**

Americans with Disabilities  
Training participants

**1,171**

Responsible Employee  
Training participants

**69**

Search Committee  
Training participants

**196**

Equal Employment  
Opportunity and Diversity  
Fundamentals (EEODF) &  
Blueprint for Engaged  
Supervision Training (BEST)  
participants

**128**

Lunch and Learn  
participants

**377**

Helping Advocates for  
Violence Ending Now  
(HAVEN) participants

**41**

Human Resources Office  
Onboarding participants

**868**

Preventing Unlawful  
Discrimination and  
Harassment Training  
participants

# Awareness and Outreach



In addition to training and education programs, the EOC, in conjunction with campus partners, continues to focus on growing and improving the awareness of campus and community resources related to safety, equity, and inclusion.

These efforts include:

**AWARENESS & OUTREACH**

**2018**

**2019**



**DELTA ADVOCATES**

26 students served in the 2018 calendar year and 30 served in the 2019 calendar year. Each participants received 39.5 hours of training.

**EMPOWERING CAROLINA**

174 people attended the fall 2018 program on Mental Health and the Workplace. 171 people attended the spring 2019 program on Mental Health and Wellness.

**HEELS UNITED FOR A SAFE CAROLINA**

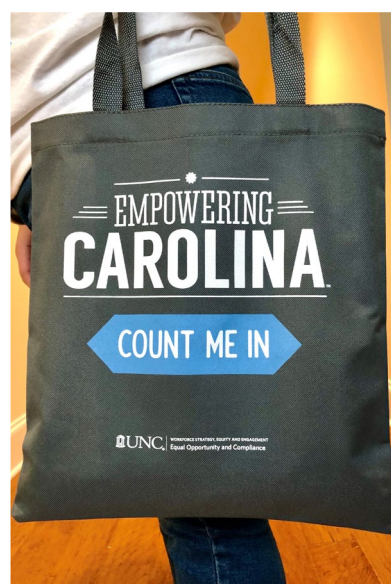
EOC staff lead 9 Heels United tabling sessions covering Stalking, Consent, Bystander Intervention, Relationship Violence.

**SAFE.UNC.EDU**

Continues to act as UNC-CH's main portal for Resources information about about gender-based harassment and discrimination including sexual violence, interpersonal violence, and stalking. The EOC Office lead a redesign effort that began in May 2019.

**TAR HEEL TRIBUTE**

The 5th annual Tar Heel Tribute took place in November 2018 bringing together about 100 UNC-CH students faculty and staff who currently serve or have served in the US Armed Forces.



*\*See program descriptions in the Appendix*

# Campus Partner Trainings

Our campus partners play a major role in the overall safety awareness and education of our students, faculty and staff. Below are the trainings and professional development opportunities offered by campus partners in 2018-19.

<b>CAMPUS PARTNER PROGRAMS</b>	<b>2018 2019</b>
<b>DIVERSITY IN THE CLASSROOM</b>	
<b>DIVERSITY AND LEADERSHIP</b>	
<b>DIVERSITY IN THE WORKPLACE</b>	
<b>SEXUAL ASSAULT PREVENTION FOR UNDERGRADUATES AND FOR STUDENT ATHLETES</b>	
<b>GREEN ZONE</b>	
<b>MEN'S PROJECT</b>	
<b>ONE ACT &amp; ONE ACT FOR GREEKS</b>	
<b>RECOGNIZING THE NEED FOR CULTURAL COMPETENCY IN OUR EVERYDAY LIVES</b>	
<b>SAFE ZONE</b>	
<b>SUSTAINING HEALTHY RELATIONSHIPS</b>	
<b>THINKPOSIUM</b>	

*\*See program descriptions in the Appendix*



## Policy on Prohibited Discrimination, Harassment and Related Misconduct, Including Sexual and Gender-Based Harassment, Sexual Violence, Interpersonal Violence and Stalking

Click here to view the [Policy](#).

### Reports

When EOC receives a report, the EOC staff, sometimes in consultation with a response team that may include the Department of Public Safety, the Dean of Students Office, and/or the Office of Human Resources, conducts an inquiry and determines if the report alleges a possible violation of the Policy and whether, consistent with University Policy and applicable law or guidance, further action is warranted based on the alleged conduct. The team determines whether there are immediate measures the University should take to protect individuals and the University community, including but not limited to interim suspension, campus and housing restrictions, or changes to work schedules. EOC is prepared to conduct a thorough investigation of each report it receives alleging a violation of the Policy; however, the Policy values, but cannot always accommodate, reporting parties' preference to simply receive resources and support. Accordingly, the reports EOC receives can be largely classified into two categories: (1) reports that require **formal investigations** or (2) **informal reports**.

If a reporting party who alleges a possible violation of the Policy requests that the EOC pursue an investigation and disciplinary action (or if the EOC determines an investigation is necessary), an EOC investigator will notify the parties of the investigation, interview the parties and witnesses, collect relevant evidence, produce an investigation report, and render a finding as to whether a Policy violation has occurred. The EOC investigator also recommends any needed appropriate sanctions and remedies. This **formal investigation** and adjudication process affords all parties due process and opportunities to present evidence, witnesses, and testimony on their own behalf. Throughout this process, the University offers appropriate support, resources, and accommodations to all parties involved.

### Report is made

EOC & Response  
Team Conduct  
Initial Assessment

EOC Provides Interim Measures\*  
& Information about Resources  
& Processes to Reporting Party

#### Investigation:

- EOC notifies parties of formal investigation
- Investigator conducts interviews, collects evidence, writes a report, issues findings
- EOC provides interim measures and resources to both parties throughout
- Outcome can include sanctions and remedies

#### No Investigation:

- EOC may or may not notify Responding Party of report
- EOC gathers information to determine appropriate response
- Outcome can include interim measures for Reporting Party, education for Responding Party, or other appropriate informal response

\*Interim measures include academic accommodations, changes to housing, and/or no contact orders

Reporting parties sometimes request only needed support and interim protective measures and ask that the University refrain from moving forward with an investigation. Reporting parties often choose

**"Making our campus safer and more secure for students, faculty, staff and visitors is among our University's most important priorities."**

Chancellor Kevin Guskiewicz

this path of resolution because they wish to keep the details of their experiences private rather than involve potential witnesses, do not want the responding party to be made aware they have made a report, and/or otherwise do not want to pursue a formal investigation. EOC evaluates these requests in relation to campus safety and that of the parties involved. In those instances where there is not an apparent larger threat to campus, the University honors the request, and EOC provides information, support, and assistance with interim measures such as academic accommodations, changes to housing, and/or no contact orders, among other actions, with no formal investigation. EOC categorizes these instances as **informal reports**.

The University will make every effort to respect an individual's choice regarding

how to address the alleged conduct. However, when EOC determines that the facts and circumstances reported constitute a threat to the campus community, the University is unable to honor a reporting party's request for informal resolution. To make this determination, the EOC (often with the assistance of response team members) considers multiple factors, including the nature and scope of the alleged conduct, whether the reported misconduct involves allegations of violence or the use of a weapon, and whether the report reveals a pattern of misconduct by the Responding Party. In these cases, EOC works with the reporting party to ensure they are aware of resources and continually informs them as the process moves forward.

**The data in this report capture the number of incidents reported to EOC under the Policy. As a result, the numbers reported may vary from statistics provided in other reports and surveys.<sup>1</sup>**

The tables below delineate reports involving students and reports involving employees. In these tables, the reference to "involving" means that the individual was either a reporting or responding party. Some reports involve a student accusing another student or an employee accusing another employee. Other reports may include a student accusing an employee or an employee accusing a student. Reports that include both employees and students as parties are counted both in the data "involving students" and the data "involving employees."

The Family Educational Rights and Privacy Act (FERPA) generally prohibits the University from disclosing information from student education records. FERPA broadly defines "education records" as records maintained by the University that are "directly related" to a student. Accordingly, education records protected by FERPA include the existence of and student

<sup>1</sup> For example, the University's Annual Security Report, published in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, describes incident information reported to many different departments and law enforcement agencies for specific geographic areas and for specific allegations of criminal acts, whether or not the individuals involved chose to report the incident agreed to speak with the EOC.

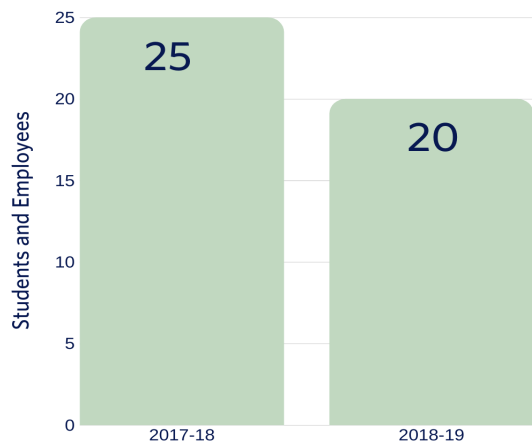
information contained in reports of harassment, discrimination, and related misconduct. FERPA also prohibits the University from disclosing data in cell sizes small enough to permit the disclosure of education record information that would identify individual students. As a result, the University reports statistical data about students only in numbers of six or more. To protect the private information of students this Annual Report provides statistical information consistent with the University’s general practice of reporting aggregate data in numbers of six or more.

## Formal Investigations<sup>2</sup>

The data described below capture the number of **formal investigations** EOC conducted during both the 2017-18 and 2018-19 academic years. **Each investigation may have involved more than one allegation of prohibited conduct under the University’s policy and more than one reporting party and/or responding party.** For example, one investigation may include allegations of sexual assault, sexual harassment, interpersonal violence, and stalking against the same responding party and may involve more than one reporting party. In that instance, the investigation is noted as one investigation in Table 1 and Tables 2a and 2b. Each allegation of misconduct within the one investigation is counted separately in Table 3a below. Reports of all forms of misconduct under the Policy are provided below, including but not limited to discrimination and harassment based on any protected status, sexual assault or sexual violence, and interpersonal violence.

### Total Formal Investigations<sup>3</sup>

Table 1



<sup>2</sup> Several formal investigations entailed multiple allegations involving multiple reporting and/or responding parties that were consolidated into one comprehensive investigation. If tabulated into separate investigations, the formal investigation numbers would be higher.

<sup>3</sup> Each formal investigation may involve one or multiple allegations of prohibited conduct and one or multiple reporting parties and/or responding parties.

**Total Formal Investigations by Status<sup>4</sup> (All Types of Policy Misconduct)**  
Table 2a

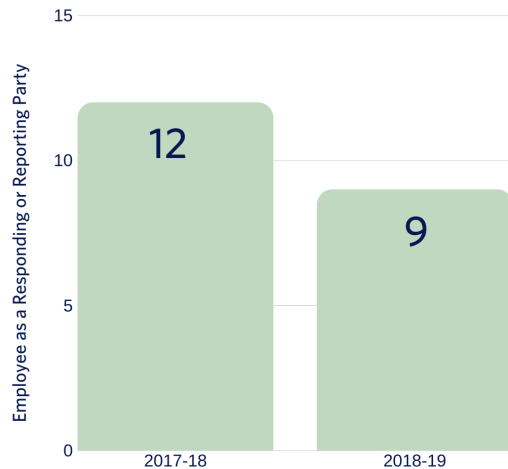
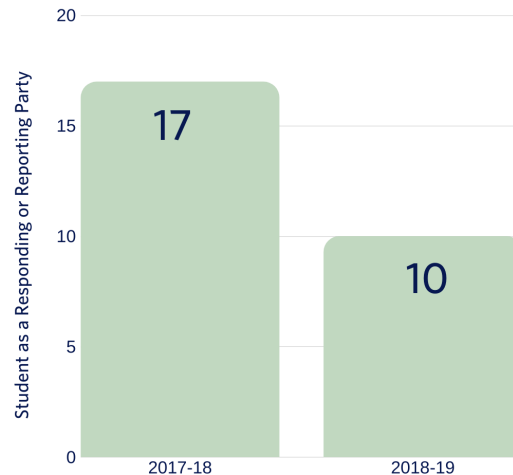


Table 2b



## Process for Investigating Student Misconduct

When EOC conducts a formal investigation for any allegation of misconduct by a student under the Policy, a trained and impartial investigator gathers facts and any available physical or documentary evidence. The investigator assesses the evidence and consults with other staff in the EOC office to determine whether, based on a preponderance of the evidence,<sup>5</sup> a policy violation occurred. In cases where the investigator determines that a policy violation has occurred, the investigator also recommends a remedy and sanction.

Formal investigations for reports in which a student is accused of violating the Policy involve a resolution that results in one of three outcomes for each allegation that is the subject of the investigation: **(1) finding of a policy violation and proposed sanctions; (2) finding of no policy violation; or (3) voluntary resolution<sup>6</sup>.** Where both parties agree to the investigative finding and any recommended sanction, or where neither party requests further review, the outcome becomes final. When the reporting party chooses to appeal the investigative finding, the investigation report is reviewed by a designee of the Vice Chancellor for the Human Resources and Equal Opportunity and Compliance division. The designated reviewer may request additional investigative follow-up, affirm the investigative finding, or reverse the finding. If the responding party chooses to appeal the investigative finding and/or either party chooses to appeal the recommended sanction, the report

<sup>4</sup> If the investigation involved both an employee and student as a reporting or a responding party, the investigation is counted in both Table 2a and 2b. The investigation is not counted twice in Table 1.

<sup>5</sup> The April 4, 2011 *Dear Colleague Letter* issued by the United States Department of Education's Office for Civil Rights established that a school's grievance procedures for reports of sexual misconduct must use a preponderance of the evidence standard. On September 22, 2017, the Office for Civil Rights issued interim guidance in the form of a new *Dear Colleague Letter* and a Q&A on *Campus Sexual Misconduct*, which rescinded the April 2, 2011 *Dear Colleague Letter* and provided more choices regarding which standard of proof schools may use in cases of sexual violence. However, this interim guidance was issued after the 2016-2017 academic year and is not applicable to the contents of this report. For information regarding the impact of the interim guidance on the Policy and related procedures, go to: <https://eoc.unc.edu/eoc-statement-department-education-guidance/>.

<sup>6</sup> If a formal investigation is pursued initially, a reporting party can request to end the formal investigation and pursue voluntary resolution at any time. The EOC then assesses whether voluntary resolution is an appropriate means of resolution given the allegations involved.



will be forwarded to a Hearing Panel for reconsideration and adjudication and the Hearing Panel will make a decision based on the preponderance of the evidence.<sup>7</sup> If the Hearing Panel affirms that a Policy violation occurred, the sanctions and/or remedies may be the same or different than those proposed by the original investigator.

Within the investigation and adjudication process, the University is federally obligated to assume an unbiased and objective role in evidence gathering, fact finding, and determining, by the preponderance of the available evidence, whether the alleged Policy violation occurred. EOC provides all parties a fair and impartial investigation and due process. Sometimes the information gathered supports a finding of violation of the Policy. In those cases, swift action is taken to address the conduct. Other times, the information is not sufficient to prove, by a preponderance of the evidence,<sup>8</sup> that a violation of the Policy occurred. For all reports, regardless of the outcome, the University makes every effort to provide care, support, and resources to help maximize the success and well-being of our students and employees throughout their tenure at UNC-Chapel Hill.

The tables below reflect the number of formal investigations conducted by EOC that involved a student as either a reporting or responding party in the 2018-19 academic year and the related outcomes of those investigations. **Each formal investigation may involve more than one allegation of prohibited conduct under the University's Policy and more than one reporting party and/or responding party.** The data is disaggregated to illustrate the reports relating to behavior prohibited by Title IX (sex and gender discrimination, including sexual harassment and sexual violence, as well as interpersonal violence, stalking, and related retaliation), and reports relating to discrimination and harassment based on other protected statuses.

Table 3a reflects the Title IX-related reports, including specific types of allegations reported.

Table 3a		Formal Investigations of Conduct Prohibited by Title IX and Related Forms of Misconduct Involving Students in 2018-2019 <sup>9</sup>			
Total Number of Investigations <sup>10</sup>		10			
Total Number of Investigations Resulting in a Policy Violation or Voluntary Resolution		9			
Total Number of Allegations Investigated		19			
Outcomes	Allegations by Type of Misconduct Alleged	Total Allegations	Policy Violations	No Policy Violations	Voluntary Resolutions
	Sexual Assault	8	*	6	*
	Interpersonal Violence	*	*	*	*
	Stalking				
	Sexual Exploitation				
	Sex or Gender Discrimination/Harassment	8	*	*	*
	Related Retaliation and Misconduct				
	Total	19	7	12	*

<sup>7</sup> See footnote 5

<sup>8</sup> See footnote 5

<sup>9</sup>This table includes all formal investigations in which a student was involved as the reporting or the responding party. If the investigation also involved an employee, it is included both in Table 3a and Tables 4a/4b.

<sup>10</sup> Each formal investigation may involve more than one allegation of prohibited conduct under the University's Policy and more than reporting party and/or responding party.

Total Number of <u>Allegations</u> Resulting in a Policy Violation or Voluntary Resolution	9
Number of Students found in Violation of the Policy	7
Sanctions and Corrective Actions Resulting from <b>Students</b> found in Violation	Ranged from sanctions that impacted the student's status at the University, such as indefinite suspension, suspension for a defined period of time, and/or probation for a defined period of time to other corrective measures, such as a campus no trespass order, fulfilling a behavioral education course, and/or a no-contact order (some in combination).
Number of Employees found in Violation of the Policy	1
Sanctions and Corrective Actions Resulting from <b>Employees</b> found in Violation	Sanctions included termination, written warning, and/or training (some in combination).

\* Indicates five or fewer<sup>11</sup>

### Process for Investigating Employee Misconduct

Formal investigations for which an employee is accused of violating the policy involve a resolution that results in one of two outcomes for each allegation that is the subject of the investigation: **(1) a finding of a Policy violation and proposed corrective action, or (2) a finding of no Policy violation.** When an employee is found to have violated the Policy after a formal investigation, EOC makes recommendations for remedies and sanctions. Under the procedures in effect for the 2018-19 academic year, the employee's department or unit has the ultimate authority to determine the appropriate disciplinary action, and the employee may appeal the disciplinary action through a separate grievance process applicable to their employment category (e.g., faculty may appeal through the Faculty Hearings Committee, an SHRA employee may appeal through the SHRA grievance process, an EHRA employee may appeal through the EHRA grievance process). **Again, each formal investigation may involve more than one allegation of prohibited conduct under the University's Policy and more than one reporting party and/or responding party.** Voluntary resolution was not available as a path of resolution in the procedures for reports against employees in the 2018-19 period; however, in some instances, a report may be resolved informally, or an employee may choose to resign or take other corrective measures while an investigation is pending. If an employee chooses to resign while an investigation is pending, EOC will continue the investigation until it is complete.

The tables below reflect the number of formal investigations EOC conducted that involved an employee as either a reporting or responding party in the 2018-19 academic year and the related outcomes of those investigations. The data is disaggregated to illustrate the reports relating to behavior prohibited by Title IX (sex and gender discrimination, including sexual harassment and sexual violence, as well as interpersonal violence, stalking, and related retaliation) and reports relating to discrimination and harassment based on other protected statuses. Table 4a reflects the

<sup>11</sup> To protect the private information of students who have submitted reports of harassment, discrimination, and related misconduct to the EOC, this Annual Report provides statistical information consistent with the University's general practice of reporting aggregate data in numbers of six or more. The Family Educational Rights and Privacy Act (FERPA) prohibits the University from disclosing information from student education records except under certain limited circumstances. FERPA broadly defines "education records" as records maintained by the University that are "directly related" to a student. Education records protected by FERPA therefore include information about reports students submit alleging harassment, discrimination, and related misconduct. FERPA also prohibits the University from disclosing data in cell sizes small enough to permit the disclosure of education record information that would identify individual students. As a result, the University reports statistical data about students only in numbers of six or more.

Title IX-related reports, including specific types of allegations reported. Table 4b provides information relating to reports of discrimination based on age, color, disability, national origin, race, veteran status and/or religion.

Table 4a		Formal Investigations of Conduct Prohibited by Title IX and Related Forms of Misconduct Involving Employees in 2018-2019 <sup>12</sup>		
Total Number of Investigations <sup>13</sup>		6		
Total Number of Investigations that Resulted in Finding a Policy Violation		6		
Total Number of Allegations		14		
Outcomes	Allegations by Type of Misconduct Alleged	Total Allegations	Policy Violations	No Policy Violations
	Sexual Assault	0	0	0
	Interpersonal Violence			
	Stalking			
	Sexual Exploitation			
	Sex or Gender Discrimination	*	*	0
	Sexual Harassment	11	7	4
	Related Retaliation and Misconduct	*	0	*
	Total	14	9	5
Total Number of Allegations that Resulted in Finding a Policy Violation		9		
Number of <b>Students</b> found in Violation of the Policy		0 <sup>14</sup>		
Sanctions and Corrective Actions Resulting from Students found in Violation		0		
Number of <b>Employees</b> found in Violation of the Policy		9		
Sanctions and Corrective Actions Resulting from <b>Employees</b> found in Violation		Sanctions included termination, remedial action, written warning, and/or training (some in combination).		

\* Indicates five or fewer (see footnote 11)

<sup>12</sup> This table includes all formal investigations in which an employee was involved as the reporting or the responding party. If the investigation also involved a student, it is counted both in Table 3a and Tables 4a/4b.

<sup>13</sup> Each formal investigation may involve more than one allegation of prohibited conduct under the University's Policy and more than one reporting party and/or responding party.

<sup>14</sup> There were no reports in this category in which an employee accused a student of violating the Policy.

Table 4b		Formal Investigations of Discrimination or Harassment Based on Age, Color, Disability, National Origin, Race, Religion, or Veteran Status as the Protected Status Involving Employees in 2018-2019 (Does Not Include Sex or Gender Discrimination Included in Table 4a)		
Total Number of Investigations <sup>15</sup>		6		
Total Number of Investigations Resulting in a Policy Violation		*		
Total Number of Allegations <sup>16</sup>		6		
Outcomes	Allegations by Type of Misconduct	Total Allegations	Policy Violations	No Policy Violations
	Disability/Failure to Accommodate	0	0	0
	Race	*	*	*
	Color	0	0	0
	National Origin	*	0	*
	Veteran Status	0	0	0
	Age	0	0	0
	Religion	0	0	0
	Related Retaliation and Misconduct	*	0	*
	Total	8	*	*
Total Number of Allegations that Resulted in a Policy Violation		*		
Total Number of No Policy Violations		*		
Number of Employees found in Violation of the Policy		*		
Sanctions and Corrective Actions Resulting from Employees found in Violation		Corrective actions included training and/or adjustment of work duties.		

\* Indicates five or fewer (see footnote 11)

## Sanctions, Corrective Actions, and Remedies

Where EOC determined Policy violations as described in the charts above, students and employees received sanctions and corrective actions, often in combination. Sanctions and corrective actions for students in the 2018-19 academic year included expulsion, indefinite suspension, suspension for a defined period of time, probation, orders of no-contact, restrictions from campus, and behavior management education. In the same academic year, the following sanctions and corrective actions were issued to employees, often in combination: termination, voluntary resignation, written warning, reassignment of duties, and training. Given the broad range of prohibited behaviors under the Policy, sanctions and corrective actions are tailored to the facts and circumstances of each report, the impact of the misconduct on the reporting party and surrounding community, and accountability for the responding party. EOC also identifies remedies to address the effects of the conduct on the reporting party, to restore safety and well-being to the entire University community, and to maximize

<sup>15</sup> Each formal investigation may involve more than one allegation of prohibited conduct under the University's Policy.

<sup>16</sup> As part of the employee grievance process, one reporting party may select boxes on a grievance form indicating discrimination based on disability, age, race, religion, gender, sex and veteran status by multiple persons allowing reporting parties to allege discrimination against multiple responding parties based on multiple types of protected statuses.



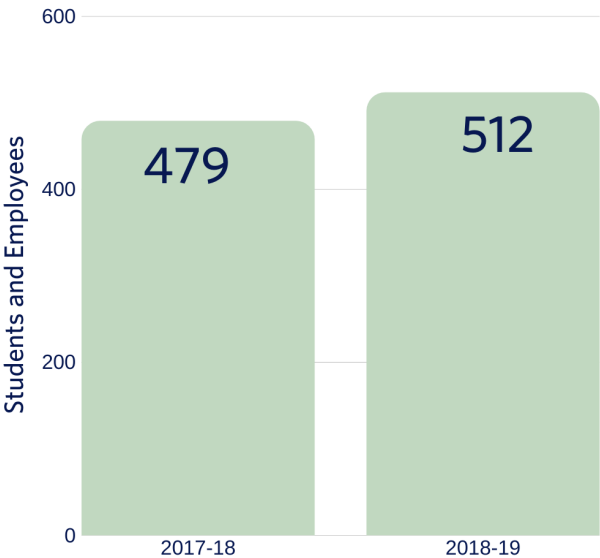
the reporting party’s educational and employment opportunities. Such remedies have included, but are not limited to, academic, housing, and employment accommodations; housing and parking arrangements; reassignment of the responding party’s housing or employment duties; and educational programs or climate assessments targeted to specific groups or departments. In some cases, the University resolved reports between students through voluntary resolution.

**Informal Reports, Resources, and Interim Measures**

The following data capture the number of informal reports EOC received during the 2017-18 and 2018-19 academic years. As stated above, in each instance, the reporting individuals **were informed of, offered, and provided available support and interim measures as needed and appropriate (e.g., academic accommodations, changes to housing, changes to class or work schedules), but requested that the University refrain from moving forward with a formal investigation.** After conducting an assessment and determining that the campus was not at future risk, the University honored the preference of the reporting individual. The University strives to honor the wishes of reporting parties, when possible, because it wants to encourage individuals to seek help and resources by reporting the behavior at issue.

**Informal Reports<sup>17</sup>**

Table 5



<sup>17</sup> Each informal report may involve one or more allegations of prohibited conduct and one or multiple reporting parties and/or responding parties.

**Informal Reports by Status (All Types of Alleged Misconduct)<sup>18</sup>**

Table 6a

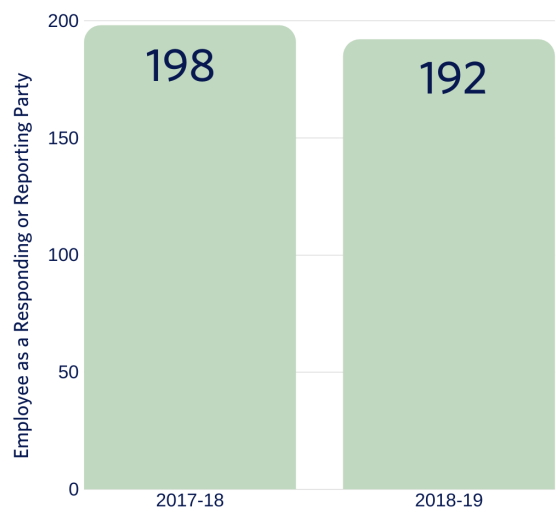
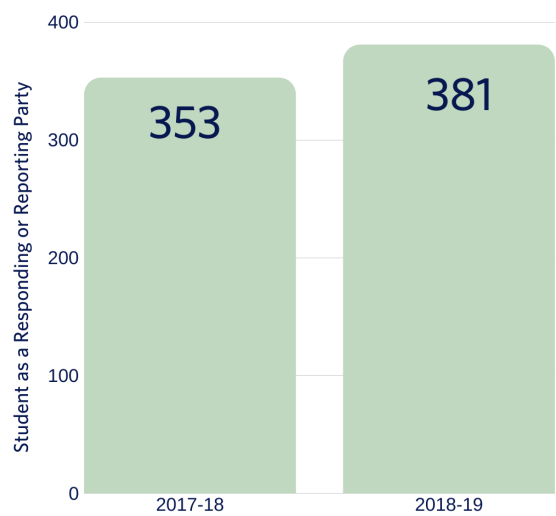


Table 6b



<sup>18</sup> If the informal report involved both an employee and student, the report is included in both Table 6a and Table 6b; however, the report is counted only once in Table 5.

Table 7 Informal Reports by Specific Type of Allegation of Misconduct <sup>19</sup>						
Table 7a	Employees as Reporting or Responding Parties	2018-2019		Table 7b	Students as Reporting or Responding Parties	2018-2019
Types of Alleged Policy Misconduct				Types of Alleged Policy Misconduct		
Sexual Assault				Sexual Assault		
				124		
Sexual Harassment				Sexual Harassment		
				137		
Sex or Gender Discrimination				Sex or Gender Discrimination		
				18		
Interpersonal Violence				Interpersonal Violence		
				39		
Stalking				Stalking		
				53		
Sexual Exploitation				Sexual Exploitation		
				0		
Discrimination or harassment based on age, color, disability, national origin, race, or religion as the protected status				Discrimination or harassment based on age, color, disability, national origin, race, or religion as the protected status		
				68		
Other types of conduct not based on protected status				Other types of conduct not based on protected status		
				12		

\* Indicates five or fewer (see footnote 11)

The Policy emphasizes providing for the care and well-being of students and employees through interim protective measures and confidential support resource. Interim protective measures (e.g., academic accommodations, changes to housing, changes to class or work schedules), may provide critical assistance to those who report having experienced discrimination, harassment, retaliation, and/or violence. EOC's Report and Response Coordinators facilitate interim measures and can describe and connect students and employees to any of the resources below.

The University and surrounding community have many resources dedicated to supporting the campus community's safety and well-being, as well as fulfilling the University's Equal Opportunity and Title IX responsibilities. Each resource described below (and set forth in the University's Policy) meets a unique need. Individuals may use or request as many or as few of these options as needed.

#### **Law Enforcement: Criminal Investigation**

At any time, students and employees can call 911 for protection and to initiate a criminal investigation. When 911 is dialed from campus, UNC Police responds. UNC Police informs the necessary University staff of relevant incidents. Similarly, University staff work closely with local law enforcement agencies to support individuals who report that they have experienced violence or criminal conduct off campus and want to report to law enforcement.

#### **University Reporting: Campus Protective Measures and Proceedings**

Reporting to the University involves exploring all reporting and support options, including the option to seek a formal investigation and adjudication process under the University's Policy and/or

<sup>19</sup> If the informal report involved both an employee and a student, it is included in both Table 7a and Table 7b. Also, each report may have involved one or more allegations and therefore the numbers in Table 7a and 7b do not match the overall numbers in Tables 5 and Table 6a/b.

accessing or utilizing any available interim protective measures such as academic accommodations, changes to housing, and changes to class or work schedules. Individuals are encouraged to make reports to the Report and Response Coordinators, Title IX Compliance Coordinator, or the Director of EOC. These individuals and staff within EOC are well trained on how to respond to reports, document incidents, and conduct investigations.

**Confidential Medical Support: Care and Evidence Collection**

Campus Health Services and the Emergency Department at UNC Hospitals can provide evidence collection, treatment of injuries, and medication for sexually transmitted infections and pregnancy prevention. Forensic exams can be obtained up to five days after an assault.

**Confidential Support: Emotional and Psychological Support**

The ComPsych Employee Assistance Program (for employees), Counseling and Psychological Services (CAPS) (for students), the Gender Violence Services Coordinators (for students and employees), and the University Ombuds Office (for students and employees) are confidential resources that offer emotional and/or psychological support. Confidential community resources, such as the Orange County Rape Crisis Center and Compass Center for Women and Families, are also available, and University staff members can connect individuals to these resources.

Students and employees may obtain confidential support whether or not they report an incident to the University or to law enforcement.

## Ongoing Policy Initiatives and Next Steps

**OCR Resolution Agreement:** In June of 2018, UNC reached an [agreement](#) with the U.S. Department of Education's Office for Civil Rights (OCR) that resolved OCR's five-year investigation of the University's Title IX program. During the 2018-2019 academic year, EOC staff worked with OCR to seek approval on required elements of the agreement, including revisions to policy and procedures, maintaining records of reports of sexual harassment and misconduct, and updating certain trainings.

**AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct:** In the fall of 2019, the Association of American Universities (AAU) released aggregate results from the Campus Climate Survey. UNC was one of 33 universities nationwide that participated. The confidential survey examined student thoughts about the campus climate and experiences with sexual assault, sexual harassment, interpersonal violence, and stalking. The study found that prevalence rates for sexual assault continues to affect our campus community with rates increasing since 2015. As a result, UNC plans to increase prevention efforts, forming a coalition of faculty, staff and students to develop strategies for awareness and prevention on campus.

**Digital Accessibility Office:** UNC's new Digital Accessibility Office (DAO) formed within ITS in July 2019. The office is responsible for helping the University meet standards and become more inclusive and diverse with respect to access to University resources. The office offers trainings. Consulting and assessment services.

**Count Me In Campaign:** In the spring of 2019, the Count Me In Campaign was unveiled as a way to promote the self-identification of disabilities. Since the launch, the EOC office has given out information relating to the campaign at a number of meetings and trainings, has sent out mass emails to the broader campus community and has promoted the campaign at tabling events across



campus. Since its creation, the campaign has raised the number of employees who have self-identified from 654 to 868.

***Reverse Job Fair:*** In December 2019, the EOC office held its first Reverse Job Fair. An initiative of the Count Me In Campaign, the fair brought together more than 70 people, with the goal of helping match people with disabilities with temporary job opportunities at employers such as UNC. Those in attendance included hiring managers and human resource representatives from UNC, as well as community organizations such as Vocational Rehabilitation, UNC Center for Excellence in Community Mental Health, Project SEARCH, OE Enterprises, Inc., TEACCH Employment Services, and B3 Coffee. These organizations provide training in employable skills to individuals with disabilities to aid them in obtaining temporary positions.

***OCR Resolution Agreement:*** In November of 2019, UNC reached an agreement with U.S. Department of Education's Office for Civil Rights (OCR) that resolves a complaint filed in April following the "Conflict over Gaza: People, Politics and Possibilities" conference. As part of the agreement, the University is conducting a review of our harassment and discrimination prevention training module and will hold a listening session in 2020 so that students, faculty and staff can discuss with administrators any concerns about harassment. We will offer another session during the 2020-2021 academic year as part of our long-term commitment to addressing these issues.

## Appendix

### EOC Sponsored Programs with Descriptions

***Americans with Disabilities Training:*** This session is offered by EOC and is designed to provide an overview of the Americans with Disabilities Act of 1990 (ADA) and ADA Amendments Acts of 2008. The session also increases awareness of the University's Reasonable Accommodations in Employment Policy and familiarizes employees and supervisors with their responsibilities and available resources. Accessibility Resources & Service (ARS) also offers customized training programs throughout the year upon request to departments and organizations regarding reasonable accommodations, resources, and services for undergraduate and graduate/professional students with disabilities.

***Blueprint for Engaged Supervision Training (BEST):*** EOC partners with the Office of Human Resources to provide BEST, which is a training session required for all first line supervisors of SHRA employees. The session provides in-depth education about harassment and discrimination, covering hostile environment and quid pro quo harassment. The program also identifies inappropriate workplace behaviors, requirements for religious holidays and other religious accommodations, and reasonable accommodations for disabilities under the ADA. Participants discuss employee and supervisory responsibilities in these areas, receive guidance on how to maintain an inclusive and respectful work environment, and learn information about reporting options and support resources.

***Equal Employment Opportunity and Diversity Fundamentals (EEO/DF):*** This comprehensive 7-hour program provides UNC-Chapel Hill and external State of North Carolina management staff with knowledge of equal employment opportunity laws and hands on experience understanding managerial roles and responsibilities in identifying and eliminating discrimination and harassment in the workplace. The training also provides an overview of the services and resources EOC offers, as well as other reporting options and support resources.

***HAVEN (Helping Advocates for Violence Ending Now):*** HAVEN is a collaboration between EOC, the Carolina Women's Center, the Office of the Dean of Students, and Student Wellness. This training

provides students, faculty, and staff with tools to be an ally to someone who has experienced sexual or interpersonal violence or stalking. The three-hour training emphasizes the importance of listening, responding compassionately, and connecting those affected by violence to resources on campus and in the community.

***New Student Orientation:*** EOC's session during New Student and Family Program's Orientation program emphasizes the expectation that members of the Carolina community conduct themselves in a manner that promotes honor, integrity, safety, and respect and welfare of others. New students learn that discrimination, harassment, and related forms of misconduct are strictly prohibited at Carolina. Students also learn about the definition of "consent" under the Policy, campus resources, and how to help a friend in need.

***Human Resources Office Onboarding:*** This program is designed for new human resources representatives and part of the program includes an overview of the services and resources EOC offers to the campus community. The session also provides definitions of harassment and discrimination, identifies inappropriate workplace behaviors, defines employee and supervisory responsibilities when made aware of alleged discrimination and harassment in the workplace, and provides information about reporting options and support resources.

#### ***Lunch and Learn Sessions***

Open to all students and employees, this program provides an overview of the services and resources EOC offers and explores the types of conduct that constitute harassment and discrimination. The courses covered sexual harassment awareness and response, the Americans with Disabilities Act, race and religious discrimination and harassment prevention as well as the Policy on Prohibited Discrimination, Harassment and Related Misconduct.

***Preventing Unlawful Discrimination and Harassment:*** Available for all university employees, this session increases awareness about and provides guidance regarding the types of behavior that constitute harassment and discrimination. The session provides an overview of what characteristics or "protected statuses" are covered by the Policy and relevant law, identifies inappropriate workplace behaviors, defines employee and supervisory responsibilities when made aware of alleged discrimination and harassment in the workplace, and provides information about reporting options and support resources. EOC also offers a session focused solely on sexual and gender-based harassment and discrimination and a session dedicated to information about harassment and discrimination based on religion, race, color and national origin.

***Responsible Employee Training:*** The University conducts mandatory annual training for "Responsible Employees" under the Policy. Employees with administrative or supervisory responsibilities on campus or who have been designated as Campus Security Authorities are Responsible Employees. See the [Policy](#) for more information.

***Search Committee Training:*** This training session provides search committees with relevant information regarding the search committee's function and responsibility for ensuring a fair and inclusive employee recruitment process. It includes a discussion about the University's Equal Opportunity Plan as well as information about implicit bias and how it may impact recruitment and hiring decisions.

***Harassment and Discrimination Prevention Training:*** Tailored for supervisors and non-supervisors, the module raises awareness about harassment and discrimination by providing insights on how to appropriately respond and report misconduct, provides practical tips for safe and positive bystander intervention, and walks learners through interactive scenarios and strategies for promoting a harassment-free workplace. The module also covers how to identify and report sexual and

interpersonal misconduct, including sexual assault, domestic and dating violence, and stalking, where either students or employees are impacted.

**Custom Training:** EOC and many of the other departments referenced above also coordinate and direct custom training and consulting services for groups and units on or connected to campus. These programs include, but are not limited to, targeted outreach to student-athletes and coaches, the Greek community, and residence hall directors and communities. Custom training also includes the “Lunch and Learn” topical sessions discussed above, *Discrimination and Harassment Prevention in the Workplace* and *Preventing Unlawful Discrimination and Harassment*.

### **Campus Partner Programs with Descriptions**

**Diversity in the Classroom:** The Office for Diversity and Inclusion (D&I) offers this workshop, which provides emerging educators with strategies and tools for recognizing diversity, understanding culture and its influence on classroom dynamics, and advancing discourse around diversity issues within a classroom.

**Diversity and Leadership:** This workshop, offered by D&I, provides resources and strategies for inclusive leadership. The program focuses on ways for diverse teams to encourage transformational workplaces. The session uses a strengths-based approach to explore identity, skills and talents, and provides participants with resources to address barriers and challenges that can arise in multicultural environments.

**Diversity in the Workplace Workshop:** D&I offers this workshop to help units and groups understand University policies and procedures related to diversity. This workshop also addresses diversity and its intersections, influence on identity and work performance, climate, and overall team dynamics.

**Sexual Assault Prevention for Undergraduates and Student Athletes:** Student Wellness provides a mandatory online training for incoming students to learn about important prevention skills for sexual assault and relationship violence. Athletics provides a mandatory online training with the same content tailored for incoming student athletes.

**Green Zone:** Green Zone is training offered by the Office of the Dean of Students for faculty and staff who wish to learn more about the military-affiliated student experience. Its goals are to train members of the Carolina community about the challenges and concerns faced by military-affiliated students and to identify individuals who are available to assist this population.

**Men’s Project:** Coordinated by Student Wellness and the Carolina Women’s Center, this program is an initiative that seeks to create opportunities for students to learn, listen, reflect, and work together to increase men’s involvement in gender equity and violence prevention efforts. The UNC Men’s Project works to promote positive, healthy, inclusive, and non-violent masculinities.

**One ACT and One ACT for Greeks:** One ACT is a skills training program offered by Student Wellness for students who are interested in preventing violence and learning about bystander intervention. Peer educators and a full-time or graduate student staff member lead the program. One ACT for Greeks is specially tailored for members of Greek organizations.

**Recognizing the Need for Cultural Competency in Our Everyday Lives:** This workshop, offered by D&I, provides discussion about culture, power, and privilege within organizations and workplaces. By attending this workshop, attendees learn about microaggressions, bias, and strategies to increase self-awareness and self-reflection in work and life.

**Safe Zone:** Safe Zone is a four-hour training program offered by the LGBTQ Center that is designed to create a network of allies for people who may be marginalized on the basis of their sexual orientation, gender identity, or gender expression. The desired goal for the Safe Zone program is to make the University community a safer and more supportive place for people of all sexual orientations, gender identities, and gender expressions.

**Sustaining Healthy Relationships:** This six-lesson online module offered by the LGBTQ Center and Student Wellness introduces participants to healthy relationship ideas and addresses the dynamics of interpersonal violence and bystander intervention.

**THINKPosium:** This annual program is led by D&I to help build capacity and cultural competency for inclusive teaching and learning practices among staff and faculty.

### **Awareness and Outreach**

In addition to training and education programs, the University has continued to focus on growing and improving the awareness of campus resources among students and expanding the network of people and offices who can distribute information, lend expertise, and aid in efforts related to both service delivery and prevention. These efforts include:

**Delta Advocates:** EOC, the Carolina Women's Center, the Office of Fraternity & Sorority Life and Community Involvement, and Student Wellness partner to organize the Delta Advocates program. Delta Advocates are women-identified students in the Greek community who are trained to provide an empathetic and informed response to survivors of sexual and interpersonal violence. Delta Advocates support an environment where their peers can freely discuss their experiences and learn about support and reporting resources on campus and in the community. Delta Advocates collaborate with campus and community partners to engage the Greek community in campus prevention efforts. They strive to create space for open and meaningful dialogue around interpersonal and sexual violence and empower members to be active participants in creating a safer and more supportive Greek community at Carolina.

**Empowering Carolina:** EOC and ARS formally launched the Empowering Carolina program in spring 2016 to raise awareness of resources, services, policies, and programs on campus for individuals with disabilities

**Heels United for a Safe Carolina:** An awareness campaign that supports the University's commitment to a safe and welcoming Carolina – a campus that is free from discrimination and harassment, sexual assault, interpersonal violence, and stalking. The campaign raises awareness of these issues and provides information about prevention efforts, available resources, and University policies.

**Safe.unc.edu Website:** The University continues to provide up to date content on the [safe.unc.edu](https://safe.unc.edu) website, which is the main online portal for University students, faculty, staff, and visitors to learn about resources and reporting options related to discrimination, harassment, sexual violence, interpersonal violence, and stalking. The website is designed to help streamline resource, reporting, and program information for students and employees.

**Tar Heel Tribute:** An annual program hosted by the EOC office, the Office of the Dean of Students, and the Office of Human Resources that celebrates Carolina's veterans and active duty military members. The program provides information about campus resources and policies for student and employee veterans.