

Office of Civil Rights & Title IX – Sexual Misconduct & Title IX Overview Presentation (Digital Accessibility Version)

Sexual Misconduct & Title IX Overview (Slide 01 – Title Slide)

- Office of Civil Rights & Title IX

Our Mission (Slide 02)

- “Our goal is—and always will be—to eradicate sexual assault and misconduct on campus and ensure that everyone feels safe, respected and supported as members of our university community. There is simply no other acceptable option—and no other vision for Pitt worth working toward.”
 - Chancellor Gallagher, October 2019

University Sexual Misconduct & Title IX Policies Cover Gender Discrimination, including: (Slide 03)

- Sexual Harassment
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking
- Denial of access to benefits or services based on sex or gender identity
- Disparate treatment based on pregnancy

OCR’s New Regulations (Slide 04)

- Spring 2020, OCR issued new Title IX regulations that will impact the way in which formal investigations may be handled.
- Regulations already implemented at our University:
 - Provide consistent, legal framework for reporting party, the accused, and school
 - Offer clear, accessible options for any person to report sexual harassment
 - Empower the reporting party to make decisions about how the school responds to reported incidents
 - Respond promptly when any employee has notice of sexual harassment
- Pitt’s commitment to responding to reports of sexual misconduct and supporting campus does not change

New Title IX Policy requires: (Slide 05)

- Both parties:
 - Must receive written notice of allegations
 - Be provided an advisor
 - Maintain the right to submit, cross-examine, and challenge evidence at a live hearing
- Shield reporting party from having to come face-to-face with the accused during the hearing and from answering questions posed personally from the accused
 - Reporting parties are also ensured “rape shield” protections and have no requirement to divulge any medical, psychological, or similar privileged records
- Have the flexibility to use technology to conduct Title IX investigations and hearings remotely

Office of Civil Rights & Title IX Jurisdiction (Slide 06)

- Applies to the entire Pitt community
 - Faculty
 - Staff
 - Students

Responsible or Confidential (Slide 07)

- Who is a responsible employee?
 - Most University employees are classified as “responsible employees”
 - Responsible employees have a duty to report any type of sexual misconduct to the Office of Civil Rights and Title IX
 - A staff member will reach out to the reporting party
- Who is a confidential employee?
 - Licensed Professional Counselors
 - Student Health Center
 - Pastoral Counselors
 - *Note: Even confidential employees submit non-identifying reports under the Clery Act*

Responding to a Disclosure (Slide 08)

- Diagram Description (Vertical Chevron List): The figure is a flow chart with five labeled boxes and is presented within the realm of steps to Responding to a Disclosure of Sexual Misconduct. Each box represents a fixed step in the process, such that the chart is unidirectional. The chart begins at a specific box, and at each box, excluding the last, an arrow points forward to one other box, and so forth, until reaching the last box. Here the flow chart is described, starting from the initial box, as a list of each progressive step in the process:

1. Responsible Employee – Early in the conversation, explain that you are obligated to report the incident to Title IX.
 - Forward to Listen
2. Listen – Listen empathetically. You are not an investigator, do not try to investigate.
 - Forward to Support
3. Support – “I’m sorry this happened to you” or “this must be really tough for you.”
 - Forward to Offer Resources
4. Offer Resources – “The University has resources to support you.”
 - Forward to Report
5. Report – Call the Title IX Coordinator (412-648-7860).

Interim Measures & Accommodations (Slide 09)

- The University may impose Interim Measures or Actions in order to address the reported conduct regardless of any formal resolution or legal action.
- Interim Measures & Actions offered may include:
 - Work or Class Schedule Modifications
 - Temporary Housing/ Living Accommodations
 - No Contact Orders
 - Access Restrictions (Pending Resolution)

Overview of Initial Intake (Slide 10)

- When a case comes to our office, no matter the source, we have a standard initial inquiry process:
 1. Title IX Coordinator is notified of complaint
 2. Outreach is offered to affected party
 3. Safety assessment
 4. Discussion of options with party
 5. Interim measures applied
 6. Meet with party to review options and determine resolution path

Standard of Evidence (Slide 11)

- University of Pittsburgh will continue to evenly apply the preponderance of evidence standard during all conduct proceedings for student, staff, and faculty alike.
- Preponderance of the evidence means a particular fact or event was more likely than not to have occurred.

Retaliation (Slide 12)

- The University prohibits retaliation against anyone who makes an incident report or otherwise participates in the investigation process.
- Retaliation should be understood to be adverse action taken as a result of engaging in such protected conduct or an action that would deter a reasonable person from participation.

Making a Report (Slide 13)

- Office of Diversity & Inclusion
 - [Online Bias Incident Report Form](#)
 - diversity@pitt.edu or titleixcoordinator@pitt.edu
 - (412) 648-7860
- Pitt Police
 - [Online Anonymous Tip Form](#)
 - [Rave Guardian App](#)
 - police@pitt.edu
 - (412) 624-2121

Anonymous Reporting

- All reporting mechanisms at the University permit anonymous reporting.
- Alert Line (Non-University Entity)
 - pitt.alertline.com
 - 1-866-858-4456

Regional Campus Civil Rights & Title IX Liaisons (Slide 15)

- Bradford/Titusville
 - Eddie Buggie, ebuggie@pitt.edu
- Greensburg
 - Mary Ann Koleny, msk59@pitt.edu
- Johnstown
 - Amy Buxbaum, buxbaum@pitt.edu

Office of Diversity & Inclusion (Slide 16 – Closing Slide)

- diversity.pitt.edu
- diversity@pitt.edu or titleixcoordinator@pitt.edu
- (412) 648-7860