

Year 2 Public Description of Work for Action Collaborative on Preventing Sexual Harassment in Higher Education

University of Southern California Coordinated Care and Response: The Initial Assessment Triage Team (“IATT”)

Relevant Rubric Areas:

Improved Policies; Improved Communication and Increased Transparency; and Addressing Gender Harassment and Other Harmful Behaviors

Description of Work:

On August 14, 2020, like all educational institutions across the United States, the University of Southern California (“USC”) implemented an updated non-discrimination and anti-harassment policy to comply with the new Title IX regulatory requirements. At that time, USC also elected to improve the University’s policies and processes when addressing sexual and gender-based harassment and other forms of protected class discrimination, harassment, and retaliation by creating one umbrella Policy on Prohibited Discrimination, Harassment, and Retaliation (“Policy”). This new Policy and the accompanying resolution processes address not only Prohibited Conduct based on sex in compliance with Title IX, but all protected characteristics, including race, ethnicity, religion, etc. involving USC faculty, staff, students, and third parties.

A key aspect of the new Title IX requirements includes a requirement to provide reasonably available supportive measures (e.g., counseling, academic and work accommodations) whether a Formal Complaint is filed or not. Similarly, feedback from USC community members in response to town halls, listening sessions, and climate surveys in 2019-2020 highlighted the importance of a caring and timely response to all reports of discrimination or harassment based on a protected characteristic, including sexual or gender-based harassment, and related retaliation. Importantly, the Policy also builds in an annual review to allow for a continued and more robust process for community engagement, including an anonymous survey option to collect feedback and comments on the Policy.

To address the new Title IX requirements and community feedback, in August 2020, USC also created a new Office for Equity, Equal Opportunity, and Title IX (EEO-TIX), which consists in part of the merger of two former offices at USC that separately addressed protected class discrimination, harassment, and retaliation (i.e., the Office of Equity and Diversity, which responded to reports involving faculty and staff respondents, and the Title IX Office, which responded to reports involving student respondents). One goal of the merger was to ensure consistent and equitable response, support, and processes for all faculty, staff, and students. The next step involved not simply combining two former offices but also implementing a vision for a new civil rights office that would improve communication to meaningfully address community feedback requesting, among other issues, greater care and transparency. A key aspect of the development of the new EEO-TIX Office resulted in creating a dedicated team and staff resources with primary responsibility for Intake, Outreach, and Support, separate and distinct from the staff resources dedicated to the equally important Investigation and Resolution work of the office. The new Intake, Outreach, and Support team within the EEO-TIX office currently consists of two full-time Deputy Coordinators for Intake, Outreach, and Support and two full-time Intake, Support, and Care

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Managers for the Academic Division and one full-time Deputy EEO-TIX Coordinator and Intake and Administrative Support staff for the Healthcare setting, including the Keck Medical Enterprise (collectively, “the Intake and Support Team”). Additionally, in alignment with USC’s Unifying Value of Open Communication, the EEO-TIX Office brought on a Director of Marketing and Communications to provide dedicated communications support to the unit, building awareness campaigns of the available support and resources, and developing opportunities for community feedback and ongoing dialogue.

In September 2020, the Vice President for EEO-TIX and Title IX Coordinator, with support from the Intake and Support Team, implemented the Initial Assessment Triage Team (“IATT”), which ongoing initiative is described in more detail below. In brief preview, the IATT is designed to increase effective, timely, caring, and coordinated initial assessment of and response to all reports of protected class discrimination, harassment, and retaliation, including reports of all forms of sexual and/or gender-based harassment, in what is otherwise a highly decentralized institution of higher education with affiliated teaching hospitals.¹ The IATT further aligns with recommendations of the 2018 NASEM report that called for greater transparency, accountability, and communication, as well as the development of guides/protocols to assist schools with recognizing behaviors that may constitute sexual and gender-based harassment and/or other harmful behaviors that violate University policies and values. As described below, the standing IATT multidisciplinary committee meets twice weekly, ensuring frequent and immediate communication about reported concerns, in particular sexual and gender-based harassment.

THE INITIAL ASSESSMENT TRIAGE TEAM (“IATT”)

The creation of USC’s IATT in fall 2020 involved several important foundational steps, each described in more detail below.

DOCUMENTATION: The IATT provides a robust process for ensuring that the EEO-TIX Office has current, accurate and complete information to make important decisions in a timely manner after receiving any reports of protected class discrimination, harassment, and retaliation. A critical step related to IATT was the concurrent creation of a new proprietary, comprehensive data system, which is built on a Salesforce platform, that tracks and documents all reports and operationalizes a rubric that is utilized in real-time during the IATT meetings to capture key intake and assessment information (i.e., conduct and criminal history of the parties, assessment of risk factors outlined in the Policy, preferences of the Reporting Party (i.e., Complainant), Clery assessment, necessary or requested supportive measures, next steps, etc.).

During the first five months of implementation of the IATT process, the new data system had not yet been launched. However, it was important from the outset to ensure accurate and comprehensive documentation of the IATT meetings and the information gathered pursuant to the IATT meetings. Significantly, the IATT was designed to assist EEO-TIX with conducting effective initial assessment and intake processes, including: consultation with need-to-know University officials to assess whether the reported conduct falls within the jurisdiction and scope of the Policy (and, if not, where to refer the report); an individualized analysis of safety and risk to determine whether an individual’s presence in

¹ The IATT was modeled, in part, off of the University of Virginia’s Evaluation Panel process, which was created by UVA in May 2015 to comply with Commonwealth of Virginia legal requirements regarding response to reports of sexual misconduct.

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the University's programs or activities poses an immediate health or safety risk that may justify emergency removal or administrative leave; consultation with the University's threat assessment team as necessary and appropriate; evaluation for relevant evidence of a pattern or other similar conduct by the Respondent; assessment of risk factors outlined in the Policy to determine whether the VP for EEO-TIX and Title IX Coordinator would file a Formal Complaint on behalf of any individual; identification of necessary interim protective measures and/or supportive measures; Clery assessment; and consideration of the Reporting Party's preferences for the manner of resolution.

Prior to the creation of the new data system, the Intake and Support Team created a fillable pdf document that listed the categories of information needed to be gathered to assist with the initial assessment and intake process described above. The IATT pdf was instrumental in the development of specific aspects of the new data system to ensure it would capture all of the necessary data fields. Since the launch of the data system in February 2021, the Intake and Support Team when hosting the IATT meetings, which are held virtually, is able to screen share with the IATT group the docket and report entries and can document vital information and next steps in real-time.

COLLABORATION/COMMUNICATION: The IATT is a collaborative, and multi-disciplinary stakeholder team. Standing committee members include the Title IX Coordinator and other EEO-TIX team members, Threat Assessment, Student Affairs, Campus Support and Intervention, Clery Coordinator, Counseling, Student Health Services, the Department of Public Safety, Employee Relations, and the Office of General Counsel. Additional stakeholders also may be invited to a particular IATT meeting, as necessary and appropriate.

COORDINATION: A contributing factor to the success of the IATT initiative has been continuity and consistency. This has been achieved, in part, by setting standing meetings twice per week on Mondays and Thursdays for 90 minutes each. If a standing member is not able to attend, they are asked to send a representative of their unit/office.

PREPARATION: Another contributing factor to IATT's success has been advance notice and planning. Using the data system, the EEO-TIX Intake and Support team—which chairs and leads the IATT meetings—meets regularly to curate the docket, which is tracked in the data system. They then share information about the agenda and the docket in advance of the IATT meetings, which in turn allows other stakeholders to prepare, such as searching for relevant conduct history for the involved parties. This then helps streamline the group discussions at the actual meetings.

NEXT STEPS: EXPANSION AND EVALUATION OF IATT

Healthcare matters are currently reviewed pursuant to the general IATT process. However, in recognition of unique and intersecting obligations in the healthcare setting, plans are underway to create a separate collaborative, initial assessment triage process dedicated to reports regarding the healthcare setting. In September 2021, after the IATT process has been implemented for a full year, EEO-TIX plans to do a comprehensive evaluation of the IATT process, including seeking valuable feedback from the participating stakeholders.

Website for further information (if applicable): <https://eotix.usc.edu>

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