

Office of Institutional Equity

2021 Annual Report



JOHNS HOPKINS
UNIVERSITY



Table of Contents

I.	Introduction.....	3
II.	OIE Team & Resources	5
III.	Definitions of Key Terms in Annual Report	6
IV.	The Year in Review	7
V.	Sources of Reports to OIE.....	9
	Status of Reports Received in 2021	10
	Types of Reports Received in 2021	11
	Reports That Were Closed After Initial Review.....	12
	Reports That Became Cases.....	13
	Outcomes of Cases Closed in 2021	13
	Sanctions Issued in Response to Policy Violations	15
	2021 Time-to-Close	16
VI.	Requests for Accommodations	18
	ADA Workplace Accommodations.....	18
	Religious Accommodations	19
VII.	Appendixes	20
	Appendix A.....	20
	Report Data from 2018 to 2021.....	20
	Appendix B.....	22
	Training Initiatives	22
	Appendix C.....	23
	Affiliation of Parties Involved in Reports Received in 2021.....	23
	Appendix D.....	25
	Responsible Employee Reporting.....	25
	Appendix E	26
	Affiliation of Parties Involved in Cases Received in 2021	26
	Appendix F	28
	Average Timelines for Closing Cases.....	28
	Year Over Year Timelines – Assessments & Informal Resolutions.....	29
	Appendix G.....	31
	Student-Focused Data	31



I. Introduction

Johns Hopkins University Community:

Thank you for your interest in the Office of Institutional Equity's 2021 annual report. We are pleased to provide this detailed insight into the work that we do on behalf of our community. The annual report illustrates our prevention efforts and our active commitment to fostering an environment that is safe, inclusive, and free from discrimination, harassment, and sexual misconduct.

The Office of Institutional Equity (OIE) had another busy year in 2021. We received 697 reports, an increase of over 17% from 2020 when we received 593 reports. You can read more about the types of complaints we received, the various resolutions implemented, and the time frames for investigations in later sections of this report.

As we prepared this report, I made the following observations regarding our 2021 case and accommodation request statistics:

- For the first time in several years of tracking this data, we received an equal number of allegations of sexual misconduct (41% of reports) and allegations of protected-class discrimination or harassment (40% of reports). In contrast, in 2020, protected-class allegations made up 52% of all reports.
- Complaints of disability discrimination rose slightly from 9% of the total reports in 2020 to 12% in 2021.
- Requests for disability-related workplace accommodations and religious accommodations saw a dramatic increase,¹ attributable to the ongoing impact of the COVID-19 pandemic. Most accommodation requests were granted.
- Of the total reports received in OIE, 51% involved student complainants. 59% of reports



MESSAGE FROM:
Shanon Shumpert
Vice Provost
Institutional Equity

¹ Requests for disability-related workplace accommodations rose from 337 in 2020 to 417 in 2021. Requests for religious accommodations increased from 275 in 2020 to 1,011 in 2021.



involving student complainants involved allegations of sexual misconduct.

- While reports come to OIE from several sources, the greatest number of reports in 2021 (50%) originated from responsible employees.

Some other highlights from 2021 include our ongoing commitment to hearing from our students and student-serving organizations. We want to increase awareness of our services and resources. In direct response to their feedback, this report includes a new section which focuses exclusively on student data, broken out from the overall data set. You can find this information in Appendix G.

It is also worthy to note that toward the end of 2021, as the challenges of the COVID-19 pandemic began to dissipate and more students returned to campus, complaints of sexual misconduct quickly increased. Student sexual misconduct cases are increasingly complex, and we are constantly adapting to the new and different challenges presented in this area.

Nevertheless, the OIE team remains dedicated to navigating these matters, and we have sustained the improvements made in recent years to our timelines for completing investigations under the Discrimination and Harassment Policy. The timelines for completion of investigations under the Sexual Misconduct Policy, however, rose slightly in 2021, compared to 2020.² Matters filed under this policy tend to be more complex, involve more parties, and may be subject to Title IX notice and due process requirements that can impact our timelines. Furthermore, these matters may also be subject to a resolution process that occurs outside of OIE. We will continue to look for opportunities to adjust our workflow in the interest of efficiency while maintaining quality.

Please visit our website, oie.jhu.edu, for more information about our office and our policies and procedures. If you have any questions about this annual report, please contact our office at oie@jhu.edu.

² In 2020, the average number of days to completion was 165; in 2021, this figure rose to 180 days.



II. OIE Team & Resources

We have 15 full-time employees on the OIE team. In addition to the vice provost and the assistant vice provost/Title IX coordinator, we have two senior equity compliance investigators, five equity compliance investigators, an ADA compliance officer, a director of case management, and five other key staff members who support the work of our office. Our investigators and our ADA compliance officer are attorneys, licensed to practice law in one or more states. For detailed information on our staff, including our biographies, please visit our website: oie.jhu.edu/contact-us/oie-staff/index.html

OIE's work is also supported by a community of university partners that provide resources and support to students, faculty, and staff who have concerns about sexual misconduct, discrimination, harassment, and retaliation. Our director of case management plays a key role in connecting individuals who come to OIE with supportive resources. Some of these resources are listed below:³

JHU Student Health and Wellness Center

410-516-8270

studentaffairs.jhu.edu/student-health

Provides high-quality, confidential health care to Homewood and Peabody students

JHU Sexual Assault Hotline

410-516-7333

Provides confidential assistance to students affected by sexual assault, relationship violence, and/or stalking

JHU Counseling Center

410-516-8278

Provides emotional support and assistance for mental health needs for Homewood and Peabody students

mySupport

443-997-7000

hr.jhu.edu/benefits-worklife/support-programs/

Provides professional, confidential, short-term counseling to faculty, staff, and their immediate family members

University Health Services (UHS)

410-955-3250

hopkinsmedicine.org/uhs

Provides medical, mental health, and wellness services to students, residents, fellows, trainees, and their immediate family members on the Johns Hopkins East Baltimore campus

Speak2Us/Ethics & Compliance Hotline

<http://johnshopkinsspeak2us.com/>

1-844-SPEAK2US (1-844-773-2528)

24/7 hotline to report concerns about unethical or illegal acts that are detrimental to JHU and harmful to patients, students, faculty, staff, and visitors

Campus Safety & Security

410-516-4600 (Campus Security)

410-516-7777 (Campus Police)

security.jhu.edu

On-campus safety alerts and other safety concerns

Student Assistance Program (JHSAP)

443-287-7000

jhsap.org

Provides support to graduate students by helping to manage life challenges and enhance emotional well-being

Accommodation Requests, Student Disability Services:

oie.jhu.edu/ada-compliance/request-accommodations/

Employee Accommodations:

oie.jhu.edu/ada-compliance/request-accommodations-employees/

Religious Accommodations:

oie.jhu.edu/religious-accommodations/

³ For additional confidential resources—both on and off campus—visit OIE's website: <https://sexualmisconduct.jhu.edu/policies-laws/Confidential-Resources>



III. Definitions of Key Terms in Annual Report

Please refer to the definitions below to help you understand how we are using the terms in this document⁴:

Complainant: The alleged victim of sexual misconduct or other protected-class discrimination and harassment, whether reported by the alleged victim or by a third party.

Respondent: The party about whom a report was made. This refers to the person alleged to have engaged in sexual misconduct or other protected-class discrimination and harassment.

Report: Includes all instances where concerns or information are presented to OIE for the purpose of review and follow-up. Reports include allegations of sexual misconduct and/or protected-class-based discrimination and harassment. Reports also include instances where no sexual misconduct or protected-class-based conduct is alleged, in which case OIE routes the report to the appropriate office or individual for proper handling. OIE counts reports based on the number of individual outcomes that could result. For example, if Person A simultaneously makes allegations against both Person B and Person C, this would be considered two reports, as there will be an outcome for Person A's allegations against Person B and a separate outcome for Person A's allegations against Person C.

Case: A report becomes a case only after it is determined that (1) OIE has authority over the subject matter of the report and the respondent; (2) the complainant is engaged and requests an OIE response, or the information in the report indicates that an OIE response is needed even without a complainant's engagement and participation; and (3) OIE has or is able to gather sufficient additional information to further address the concern via OIE procedures. A case may be resolved in the assessment phase, by informal resolution, or by formal investigation, as described further below.

Sexual Misconduct: This term includes sexual harassment, sexual assault, relationship violence, and stalking. In addition, effective Aug. 14, 2020, "sexual misconduct" was broadened to include sex/gender-based harassment (in addition to sexual harassment).

Protected-Class Discrimination and Harassment: This term includes discrimination and/or harassment in any university program or activity that is related to a person's age, color, disability, ethnicity, gender identity or expression, pregnancy, immigration status, marital status, military status, national origin, race, religion, sex, sexual orientation, veteran status, or other legally protected characteristic.⁵

Assessment: OIE conducts an assessment of each case to determine the appropriate next steps. Some cases are closed in the assessment phase if they do not meet the criteria for a formal OIE investigation and/or if an informal resolution is not appropriate.

⁴ For a visual diagram of this information, please refer to page 10 of this annual report.

⁵ Until Aug. 14, 2020, this term also included nonsexual gender and sex/gender-based harassment, but such harassment is now considered "sexual misconduct." Sex/gender-based discrimination (also known as disparate treatment) continues to be considered protected-class discrimination.



Informal Resolution: If the complainant and respondent agree, certain cases may be resolved informally with OIE’s approval. Cases involving allegations of sexual assault are generally not suitable for informal resolution.

Formal Investigation: A case will typically proceed to a formal investigation when (1) it could constitute a violation of a policy under OIE authority; (2) a complainant is engaged and wishes to proceed with formal investigation (or, in rare cases, when OIE has a responsibility to take further action even without the complainant’s agreement); and (3) OIE has or can obtain sufficient information to proceed with an investigation. The investigation will determine whether there has been a violation of policy.

Responsible Employee: A “responsible employee” is an employee of the university who is required to inform OIE if they become aware of information or allegations about sexual misconduct, protected-class discrimination or harassment, or retaliation. “Responsible employees” include faculty, coaches, resident advisers, human resources personnel, all supervisory employees, and others designated by university policy.

Confidential Resource: A confidential resource is a formal university designation given to certain university employees/departments exempt from any responsible employee obligations under OIE’s policies. Confidential resources do not have to report discrimination, harassment, or retaliation to the university. Confidential resources include mental health providers and staff, health care providers and staff, pastoral counselors and staff, and any other persons who have a legal obligation to protect confidentiality when acting in a professional capacity unless there is an imminent threat to health or safety, or other basis for disclosure pursuant to law. Confidential resources designated by the university include providers and staff at the Johns Hopkins Counseling Center, the Johns Hopkins Student Assistance Program, the Faculty and Staff Assistance Program, University Mental Health Services, student health centers operated by the university, the associate director of student well-being, the gender violence prevention and education specialist, as well as chaplains and staff at the Bunting Meyerhoff Interfaith and Community Service Center. Confidential resources always serve in that role regardless of setting or specific activity.

IV. The Year in Review

The Johns Hopkins University Office of Institutional Equity is the university’s central resource for addressing complaints of discrimination, harassment, and sexual misconduct. In addition, the Office of Institutional Equity (OIE) is responsible for managing staff and faculty requests for disability-related accommodations⁶ and all requests for religious accommodations from students, staff, and faculty.

OIE received 697 reports in 2021. While this reflects an increase in reporting compared to 2020 (593 reports), it is still far fewer reports than were received in 2019 (924 reports). We believe these trends in reporting can be attributed to the COVID-19 pandemic. The year 2019 was the last full calendar year that was unaffected by the pandemic. In 2020, most Johns Hopkins University community members learned and worked remotely for much of the year, contributing to the notable decrease in

⁶ Student requests for disability-related accommodations are handled by Student Disability Services.



reporting. Because 2021 saw a greater number of students and employees on campus—particularly in the fall—a corresponding increase in reporting was not surprising. For example, OIE received 286 reports from September to December 2021, with 150 (52%) coming from students, while during the same period in 2020, OIE received only 142 reports, with 55 of them (39%) coming from students.⁷

Of the 697 reports received in 2021, 287 (41%) alleged sexual misconduct, 280 (40%) alleged protected-class discrimination or harassment, and 50 (7%) alleged *both* sexual misconduct and protected-class discrimination/harassment. The remaining 80 (12%) did not allege discrimination, harassment, or sexual misconduct; these reports were promptly routed to other offices.

Approximately half of the 697 reports received in 2021 involved student complainants 358 (51%). Of these, 212 (59%) included allegations of sexual misconduct, 122 (34%) raised allegations of protected-class discrimination or harassment, and 24 (7%) did not allege sexual misconduct, discrimination, or harassment and were thus directed to the appropriate office. In response to requests from students and student-serving organizations and offices, we have included a new appendix that focuses exclusively on student data. See *Appendix G*.

In addition to the above reports, OIE received 417 requests for disability-related workplace accommodations in 2021. This number represents a 24% increase over 2020, when we received 337 requests, and it represents a 65% increase over 2019, when we received 252 requests for ADA workplace accommodations. The increase continues a clear trend of more faculty and staff seeking accommodations through OIE. This substantial growth reflects OIE's reasonable accommodation process becoming a chief component of the university's Return to Campus and operations planning since the COVID-19 pandemic, which has led to divisions referring faculty/staff with disabilities or certain medical conditions to OIE in record numbers.

While the increase in accommodation requests is attributable to the COVID-19 pandemic, we expect to continue to see more requests moving forward. University communications throughout the pandemic have referred faculty/staff to OIE to discuss their individual circumstances and seek workplace accommodations, a practice that has led to greater visibility and general awareness of our process. In particular, we expect to see more requests for remote or hybrid work. In fact, such requests now account for 55% (229 out of 417) of all requests for accommodation, and people are seeking such flexibility for a variety of disability-related reasons, such as to help manage a chronic medical condition or while recovering from a temporary mobility impairment.

OIE also sustained a dramatic increase in requests for religious accommodations in 2021, growing from 275 requests (2020) to 1,011 requests (2021)⁸. This increase stems almost entirely from the COVID-19 and influenza vaccination requirements implemented in the spring and fall. Of the 1,011 requests for religious accommodations OIE received in 2021, 990 (98%) were requests for exceptions to vaccine requirements. Despite the rapid increase in accommodation requests received over the past two years, the number of OIE staff assigned to work on requests for accommodations has remained the same since 2019.

⁷ See Appendix A for more data comparing the types of reports received by OIE from 2018 to 2021, including trends in 2020–21 that are likely tied to the impact of the COVID-19 pandemic.

⁸ There were only 44 requests for religious accommodations in 2019.



This information is discussed in greater detail below.

V. Sources of Reports to OIE

Reports to OIE came in from a variety of sources, including, but not limited to, complainants, responsible employees, and witnesses or bystanders who came forward to report concerns that they observed. As in 2020, most reports we received in 2021 came from “responsible employees” rather than directly from a complainant.⁹ Responsible employees include faculty, coaches, resident advisers, human resources personnel, supervisory employees, and others designated by university policy.¹⁰ Notably, 349 of 697 (50%) reports received came from a responsible employee. Of those 349 responsible employee reports, 189 (54%) involved a student complainant.

Once a report is received from a responsible employee, an OIE representative follows up with the complainant to discuss the concern. In 2021, 38 (11%) complainants who received this outreach from OIE declined to move forward with the OIE process—in fact, some chose not to respond at all to the outreach, perhaps because they did not intend for, or expect, OIE to become involved. On the other hand, 106 (30%) reports received from responsible employees in 2020 became OIE cases and were subject to additional action by OIE.¹¹

⁹ In 2020, of the 593 reports received, 54% (323) originated from responsible employees.

¹⁰ See <https://sexualassault.jhu.edu/policies-laws/> for more information about responsible employees at JHU.

¹¹ See Appendix D for the disposition of all responsible employee reports in 2021.

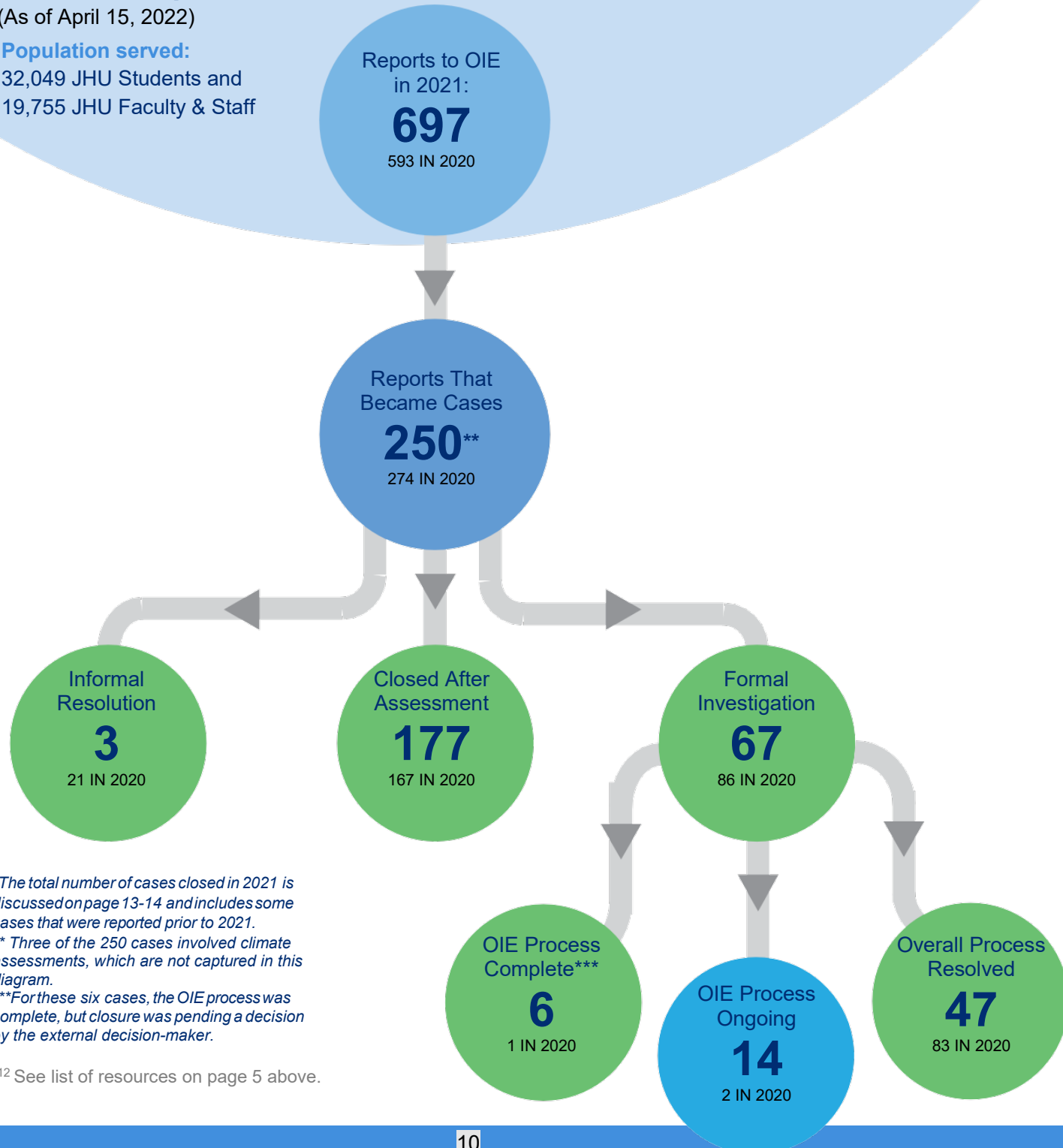
When OIE receives a report of sexual misconduct and/or protected-class discrimination or harassment from complainants or third parties, it reaches out, as it does following such reports from responsible employees, to the person(s) alleged to have experienced the misconduct. We provide information about the complaint process, obtain additional details, offer resources and support,¹² and discuss the options that are available under the circumstances. In addition, we discuss any appropriate interim measures available to help individuals feel safe and supported while OIE conducts its review or investigation.

Status of Reports Received in 2021*

(As of April 15, 2022)

Population served:

32,049 JHU Students and
19,755 JHU Faculty & Staff



*The total number of cases closed in 2021 is discussed on page 13-14 and includes some cases that were reported prior to 2021.

** Three of the 250 cases involved climate assessments, which are not captured in this diagram.

***For these six cases, the OIE process was complete, but closure was pending a decision by the external decision-maker.

¹² See list of resources on page 5 above.



Types of Reports Received in 2021

Of the 280 reports of protected-class discrimination/harassment received in 2021, 31% involved race, followed by 26% based on multiple protected classes as illustrated in Table A. Notably, 47 of the 72 reports involving multiple protected classes included race, meaning that 48% of the 280 discrimination and harassment reports involved race-based allegations. This prevalence of race-based reporting, which was also reflected in the 2020 Annual Report, aligns with the continued prevalence of race-related incidents and concerns both locally and nationally.

Table A – Categories of Discrimination/Harassment Reports

<i>Race</i>	86	31%
<i>Multiple Protected Classes</i>	72	26%
<i>Disability</i>	34	12%
<i>National Origin</i>	24	9%
<i>Gender/Sex-Based Discrimination</i>	20	7%
<i>Religion</i>	19	7%
<i>Retaliation</i>	9	3%
<i>Age</i>	7	3%
<i>Color</i>	2	0.7%
<i>Sexual Orientation-Based Discrimination</i>	2	0.7
<i>Pregnancy</i>	2	0.7%
<i>Ethnicity</i>	1	0.4%
<i>Immigration Status</i>	1	0.4%
<i>Veteran Status</i>	1	0.4%
Total	280	100%

As illustrated below in Table B, of the 337 reports of sexual misconduct, the two most common reports were of sexual harassment (37%, 124 reports) and sexual assault (19%, 64 reports). The next largest category of reports involved both sexual misconduct and protected-class discrimination/harassment (15%, 50 reports).¹³ Notably, 20 of these 50 reports involved allegations of race-based discrimination or harassment.

Table B – Categories of Sexual Misconduct Reports

<i>Sexual Harassment</i>	124	37%
<i>Sexual Assault</i>	64	19%
<i>Sexual Misconduct and Other Protected Class</i>	50	15%
<i>Stalking</i>	29	9%
<i>Multiple Forms of Sexual Misconduct</i>	24	7%
<i>Domestic Violence/Dating Violence</i>	22	7%
<i>Sex-Based Harassment</i>	13	4%
<i>Retaliation</i>	7	2%
<i>Non-Specific Sexual Misconduct</i>	4	1%
Total	337	100%

¹³ Sexual harassment was also the largest category in 2020 (39%), while sexual assault (14%) and stalking (14%) tied for the second largest category.



In 2021, the university continued several sexual misconduct prevention initiatives that had been underway in 2020. The university moved forward with the expansion of peer-to-peer bystander intervention training (BIT) for graduate students, piloting the BIT program at various divisions to further hone the content. In addition, the Center for Health Education and Well-Being (CHEW) created and filled a new university-wide gender violence focused position, Associate Director of Student Well-Being, Gender Violence Prevention, and plans to hire a new Gender Violence Prevention coordinator. The university also launched an [Affirmative Consent campaign](#) and conducted the 2021 Campus Climate Survey on Sexual Misconduct.

Reports That Were Closed After Initial Review

For a variety of reasons, some reports to OIE do not proceed beyond the initial review phase and are closed before becoming OIE cases.¹⁴ In order to proceed beyond the initial review phase, a report must meet the following criteria:

- The report must include allegations that, if found to be true, could violate an OIE policy (i.e., behavior based on a protected class or behavior that is sexual in nature);
- OIE must have access to sufficient information that would enable OIE to further address the concern via OIE procedures; and
- The complainant must be engaged and desire OIE action (in rare situations, OIE has a responsibility to investigate even without a complainant's agreement and participation).¹⁵

If the report to OIE does not meet the above criteria, the report is closed before it becomes an OIE case. In most such cases, the report is referred to another JHU office or administrator for follow-up—such as Human Resources or Student Conduct. OIE also helps to facilitate appropriate connections with supportive resources, such as the Counseling Center and MySupport.

Of the 697 reports received in 2021, 64% (447) were closed at initial review and did not become OIE cases. Table C illustrates the reasons that reports were closed before becoming cases in 2021.

Table C – Reports Received in 2021 That Did Not Become Cases

<i>OIE referred the matter to another department</i>	178	40%
<i>OIE did not have enough information to move forward</i>	137	31%
<i>Complainant did not want to move forward</i>	63	14%
<i>JHU had no authority over the respondent</i>	31	7%
<i>No protected class</i>	25	6%
<i>Other</i>	8	2%
<i>Complainant did not engage</i>	5	1%
<i>Total Reports That Did Not Become Cases</i>	447	100%

¹⁴ Even when a report does not proceed, we preserve the records associated with the report, just in case more information comes in later that enables us to proceed.

¹⁵ Under the current Sexual Misconduct Policy and Procedures, which went into effect on Aug. 14, 2020, and applies to reports of sexual misconduct alleged to have occurred on or after that date, there may be additional requirements based on Title IX regulations to commence an investigation of alleged Title IX sexual harassment.



OIE's resolution of these 447 reports took an average of 12 days. This reflects increased efficiency in OIE's intake process, while being careful not to compromise the quality of our work; in 2020, it took OIE an average of 22 days to close the 317 reports that did not become cases.

Reports That Became Cases

When a report meets our minimum criteria, as articulated above, it becomes an OIE case and is assessed for further action by appropriate OIE staff members. We make every attempt to identify the most efficient and appropriate means to resolve OIE cases. We also explore whether informal resolution is appropriate, or if we need to conduct a formal investigation where we interview parties and witnesses to obtain more information and evidence.

Of the 697 reports OIE received in 2021, 250 (36%) became OIE cases that were assessed, informally resolved, or formally investigated. Of those 250 cases, 110 (44%) were related to sexual misconduct, and 140 (56%) were related to protected-class discrimination and/or harassment. When compared to the 2020 case breakdown of 32% sexual misconduct cases and 68% discrimination/harassment cases, this reflects a significant change in the nature of OIE's work.

Outcomes of Cases Closed in 2021

During 2021, OIE closed 241 cases of sexual misconduct and protected-class discrimination or harassment following an assessment, an informal resolution, or a formal investigation. Of these, 37 cases were reported in 2020, but since they remained open for some portion of 2021, they are counted in 2021. There were 175 cases (73%) closed via assessment, 60 cases (25%) closed via formal investigation, and six cases (2%) closed via informal resolution.

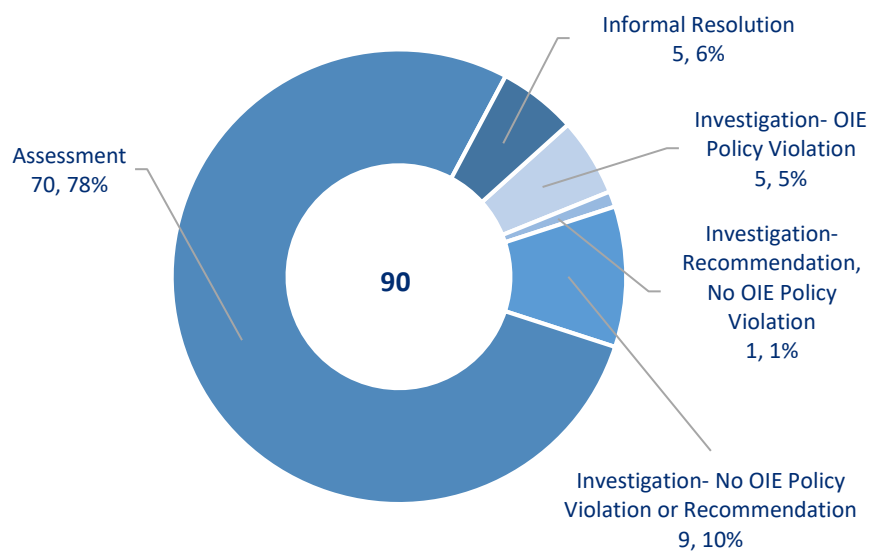
As shown in Table D below, most OIE cases in 2021 did *not* result in a finding of discrimination, harassment, or sexual misconduct. It is important to note here that when OIE investigators uncover conduct that is inappropriate or unacceptable but does not violate JHU's sexual misconduct or discrimination and harassment policies, OIE informs the relevant university department or authority (such as Human Resources, Student Conduct, or a department official/dean) and recommends specific follow-up actions.

**Table D - Outcomes of Cases Closed in 2021**

	Total Cases Closed in 2021	Number of Cases Closed with OIE policy violation	Number of Cases Closed with OIE recommendation ¹⁶
Assessment	175	N/A	69
Informal Resolution	6	N/A	3
Investigation	60	18	31
TOTAL	241	18	103

In 121 of the 241 cases closed in 2021 (50%), OIE either made a policy finding or made one or more recommendations. OIE recommendations typically included addressing the problematic conduct under other applicable (HR, Student Conduct, or departmental) policies, mandating diversity or anti-discrimination training, making recommendations as to supervisory structure or management practices, and/or suggesting other forms of training or retraining, coaching, and counseling. OIE facilitated a one-on-one educational conversation with the respondent in 36 cases (15%) closed in 2021.

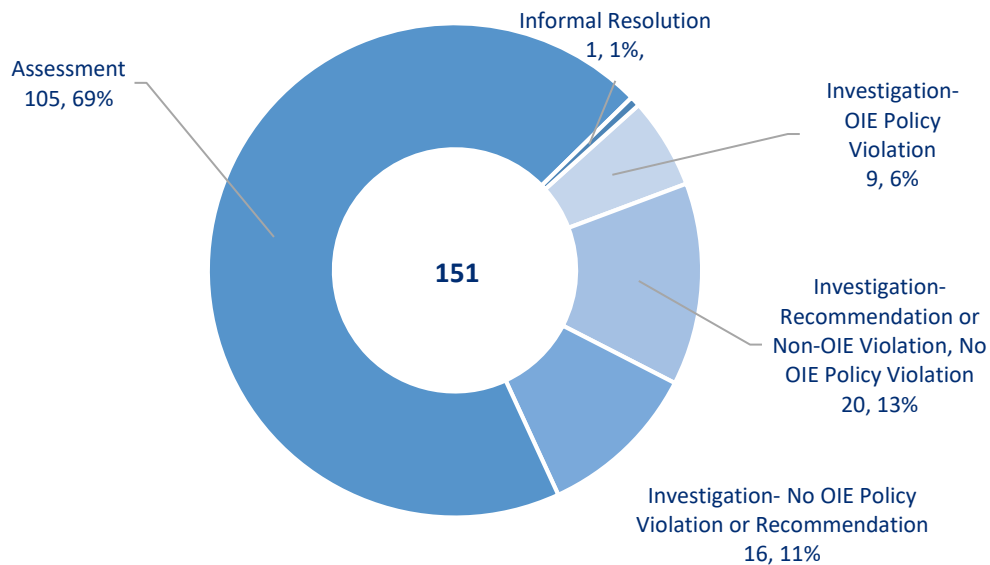
Of the 241 cases closed in 2020, 90 (37%) were related to sexual misconduct, and 151 (63%) were related to protected-class discrimination and harassment. The charts below provide a breakdown of the outcomes in the 90 sexual misconduct cases and the 151 protected-class discrimination and harassment cases.

Outcomes of Sexual Misconduct Cases Closed in 2021

¹⁶ While OIE did not find that Respondents violated OIE policies in these cases, OIE still made recommendations to address the problematic conduct.



Outcomes of Discrimination/Harassment Cases Closed in 2021



Sanctions Issued in Response to Policy Violations

In 2021, the following sanctions were applied in instances where the university made a finding that a policy violation occurred:¹⁷

2021 Sanctions for Policy Violations

Suspension	Formal reprimand or notation in file
Deferred suspension	Disciplinary counseling/probation
Educational sanction	Campus restriction/ban
No contact order	Mandated training/professional coaching
Counseling referral	

The above list does not include sanctions against respondents who were not affiliated with JHU. For instance, in CY2021 OIE additionally was involved in the issuance of access restrictions, reassignment, or removal of seven nonaffiliates who were reported for engaging in sexual misconduct that impacted the university community. The above list likewise does not include sanctions (some very serious) that resulted from concerning information discovered during an OIE process but that did not constitute a violation of *OIE* policy.

¹⁷ Individuals may receive multiple sanctions. An individual accused by multiple complainants is considered to have one OIE case for each complainant and receives sanctions as the result of each case, some of which may be duplicative.



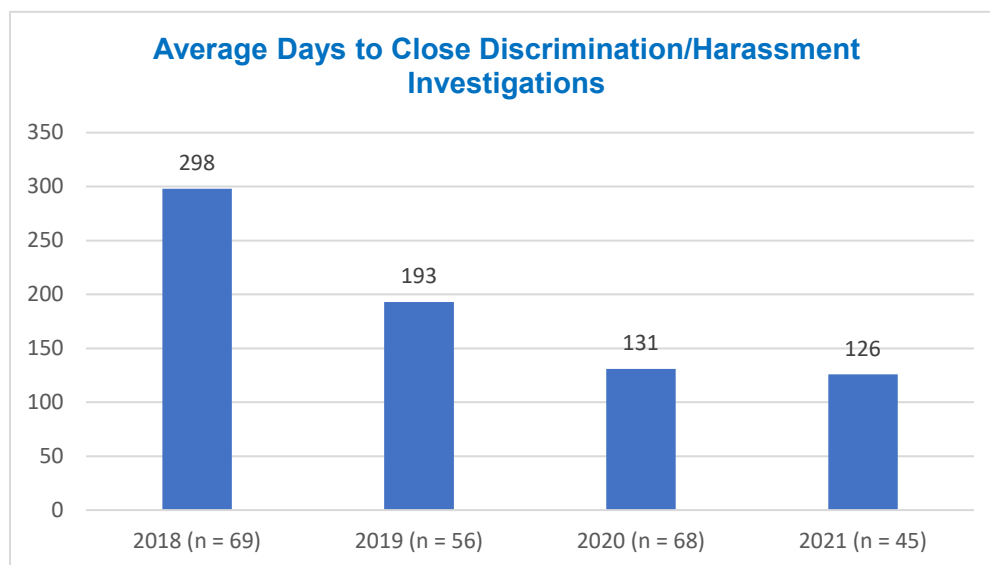
2021 Time-to-Close

Over the past several years, OIE has worked diligently to improve its case resolution time frames. In doing so, we have identified several factors that impact our ability to resolve matters in the most efficient manner. We have addressed many of the factors that fall within our control, such as refining our internal processes, hiring additional highly qualified investigators, implementing the use of improved case-tracking software, and improving collaborations/partnerships with other JHU departments.

There are, however, still other factors that fall outside our control. These factors have a significant impact on our ability to serve the community in the most efficient manner:

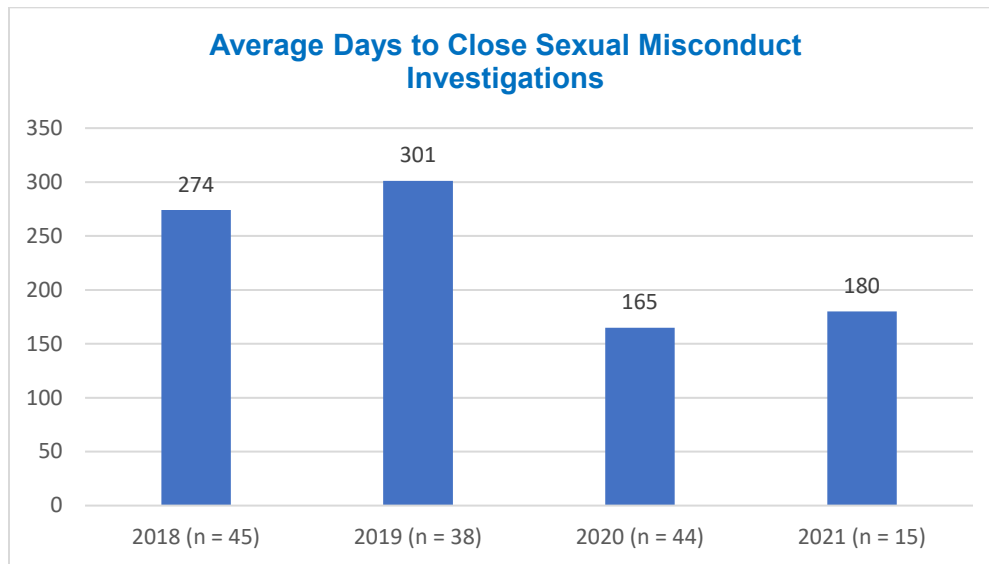
- a. Unavailability of witnesses or delayed participation by parties;
- b. Complexity of cases—multiple and/or new allegations against multiple parties;
- c. Coordination with parties' supporters or attorneys;
- d. Need for translation or interpreter services;
- e. Concurrent law enforcement investigations;
- f. Voluminous records to review, including electronic records such as social media screen shots or text messages;
- g. Academic calendar (i.e., students or faculty requesting to hold off on investigation until exams or break periods end); and
- h. OIE investigator capacity/caseload.

In 2021, OIE continued efforts to streamline our process and find ways to close cases faster, while not compromising the quality of the work. As a result of our efforts, we did accomplish some modest reductions in the time it took to close investigations. See the graph below for an illustration of the time it took to investigate protected-class discrimination/harassment matters in 2021 as compared to prior years.





We had a slight increase in the time it took to close investigations of sexual misconduct matters but overall maintained the significant time reduction accomplished since 2018 and 2019, as shown in the chart below.



It is important to note that the charts above show investigation timelines that stop only after the matter was fully closed and adjudicated. Sexual misconduct investigations are *not* closed immediately after OIE completes its investigation. Although OIE has completed its work at that point, OIE cannot close a formal investigation until the decision-maker considers the information provided, makes a decision, communicates the decision to the parties, and any appeals are fully addressed.

To this end, after OIE completes its investigative report in a sexual misconduct investigation, OIE provides its report and recommendations to the resolution panel (for students) or to the relevant external decision-maker (for staff/faculty). This is referred to as the “post-OIE adjudication process.”

While we closed fewer sexual misconduct cases in 2021, many of the cases that were brought to OIE involved increased complexity that extended timelines, particularly in the post-OIE adjudication process. This is reflected in Table E below, which shows the average number of days that a sexual misconduct investigation was in the OIE investigative process as compared to the average number of days that a sexual misconduct investigation was in the post-OIE adjudication process.

Table E: Timeline for Sexual Misconduct Investigations

	2018	2019	2020	2021
Average Days in OIE Investigative Process	209	208	120	129
Average Days in Post-OIE Adjudication Process (After OIE Investigation is Complete)	53	86	42	55
Average Total Days	274	301	165	180



For information concerning our average times to close assessments and informal resolutions in 2021, see Appendix F.

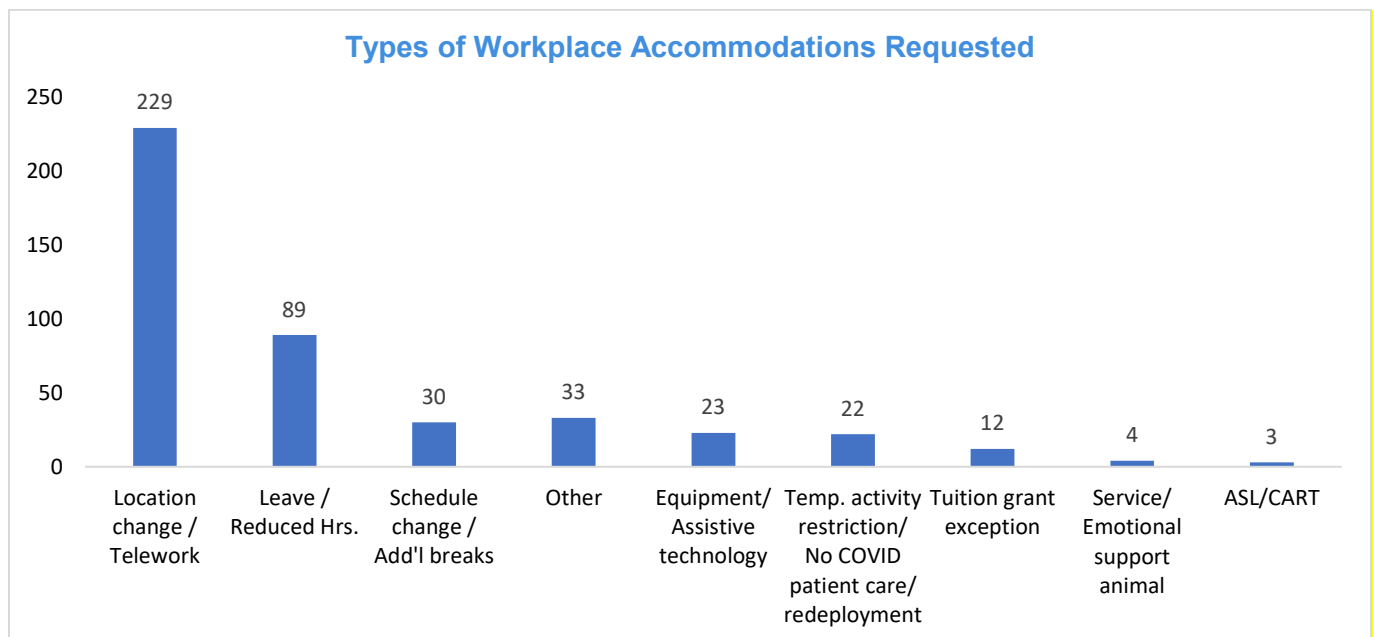
VI. Requests for Accommodations

In addition to investigation of protected-class discrimination and harassment and sexual misconduct matters, OIE is the university's central resource for coordinating requests for workplace accommodations from faculty, staff, postdocs, residents, and other trainees.¹⁸ This includes disability, religious, and pregnancy-based adjustments. OIE also coordinates religious and pregnancy-based adjustments for students. The ADA Compliance Officer provides guidance and serves as a subject matter expert for Student Disability Services ("SDS"). However, student requests for ADA accommodations are handled by SDS, and SDS collects and maintains data on student disability accommodations.

ADA Workplace Accommodations

In 2021, OIE received 417 ADA workplace accommodation requests. OIE approved 261 (63%) of the requested accommodations, while 156 (37%) of the requests were closed owing to the requester's failure to participate in the interactive process, referral to a different office, or withdrawal from the process. Fourteen requests (3%) for accommodation were denied, largely due to an employee's inability to perform essential job functions with the requested accommodation in place.

The requested types of accommodations are depicted in the graph below. Because some employees receive more than one type of accommodation, the total number of accommodations requested (445) is greater than the number of individuals who requested accommodations (417).



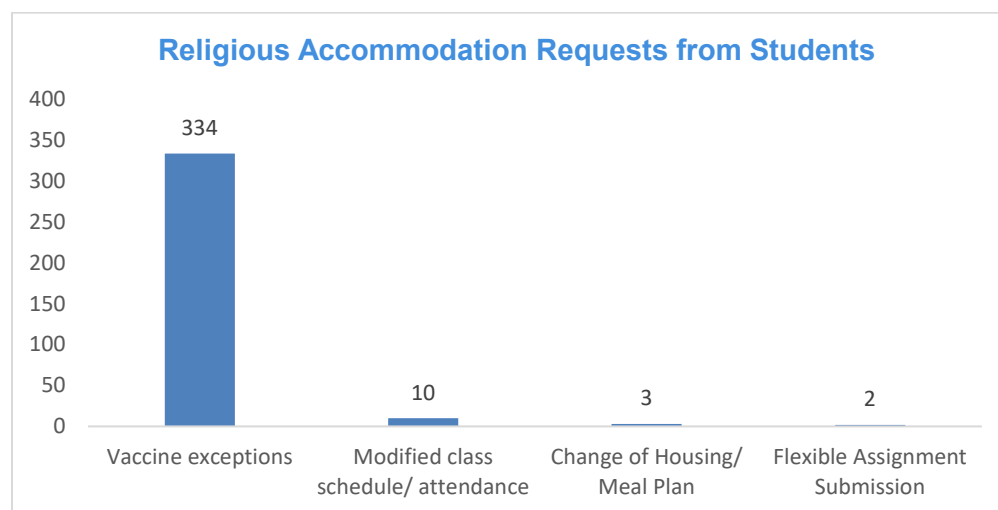
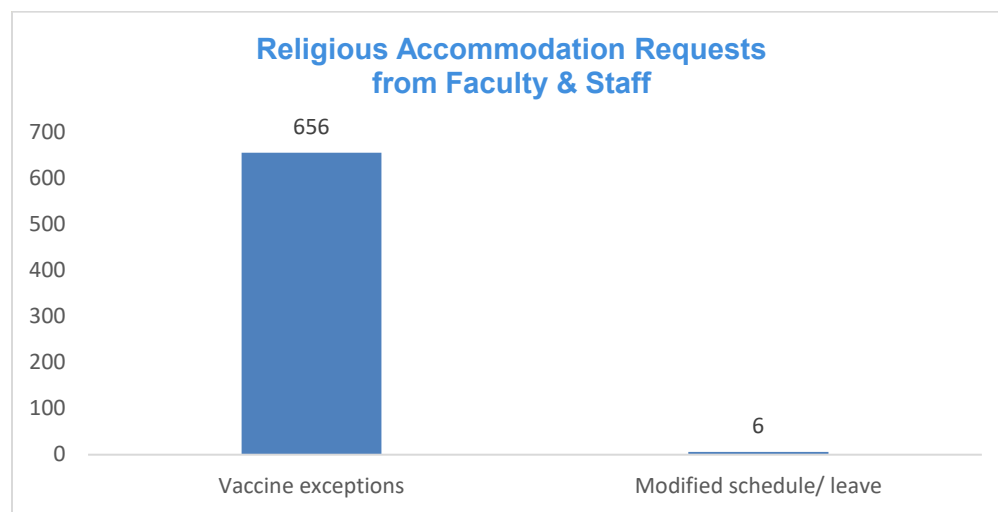
¹⁸ Student requests for ADA accommodations are handled by Student Disability Services, not OIE, and thus are not included in this annual report.



Religious Accommodations

Of the 1,011 total requests for religious accommodations that OIE received in 2021, 662 (65%) came from faculty/staff, while 349 (35%) were from students. Most requests (843, 83%) were approved; 168 requests were not approved owing, in most cases, to the individual not submitting sufficient information to support their request (157, 93%). In addition, 10 individuals withdrew their requests, and one individual was referred to a different office.

The receipt of 1,011 religious accommodations in 2021 represented a significant increase from 150 total requests for religious accommodations received in 2020. In 2021, JHU implemented a COVID-19 vaccination policy and continued an influenza vaccine policy it began in fall 2020, which had applied to many non-SOM faculty/staff for the first time. Of the 843 total religious accommodation requests granted by OIE in 2021, 823 (98%) were requests for exceptions to vaccine requirements, as illustrated in the graphs below.



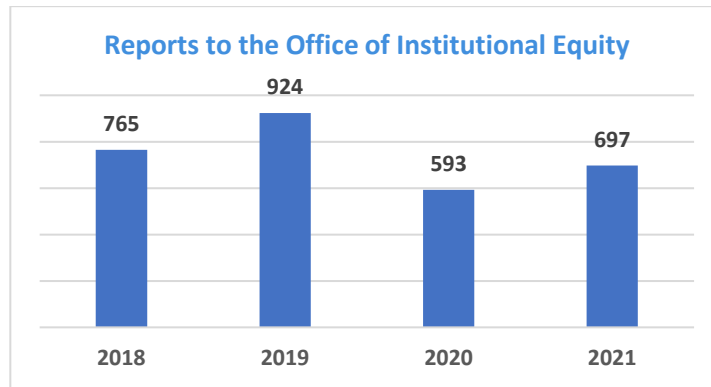


VII. Appendixes

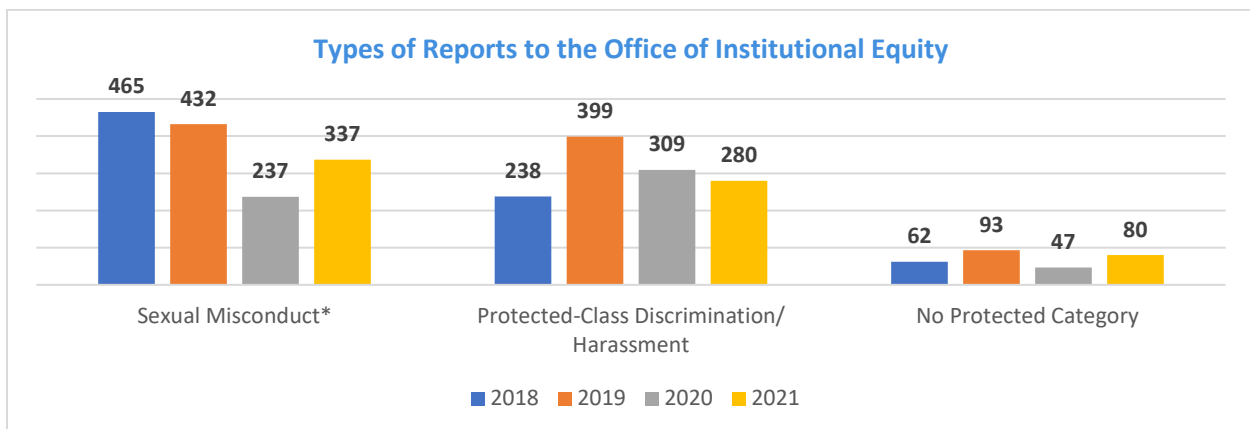
Appendix A

Report Data from 2018 to 2021

After a steady growth in reports for several years, OIE received significantly fewer reports in 2020 followed by a relative increase in reports for 2021.

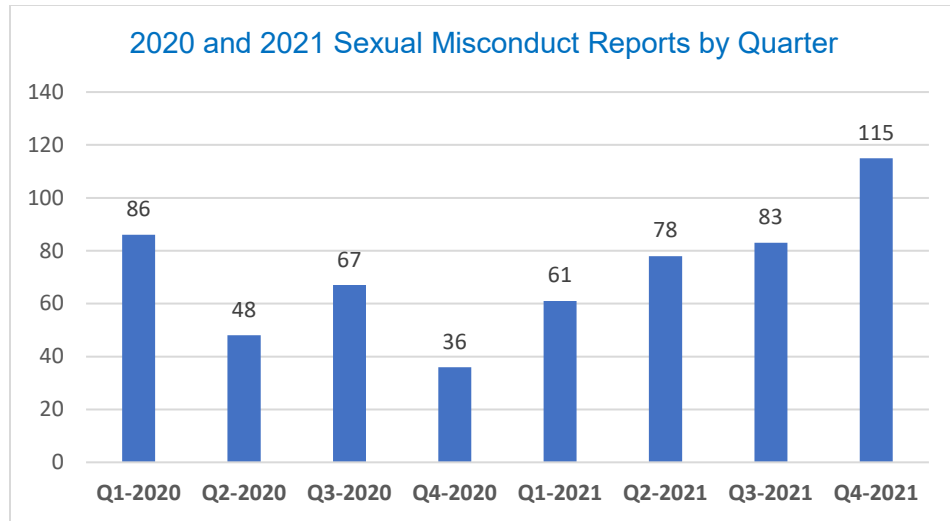


As illustrated below, we witnessed a small decrease in discrimination and harassment reports in 2021 (29 fewer reports; 9% decrease). However, after a significant decrease in sexual misconduct reports in 2020, we saw a notable increase in such reports in 2021 (100 more reports; 42% increase from 2020).

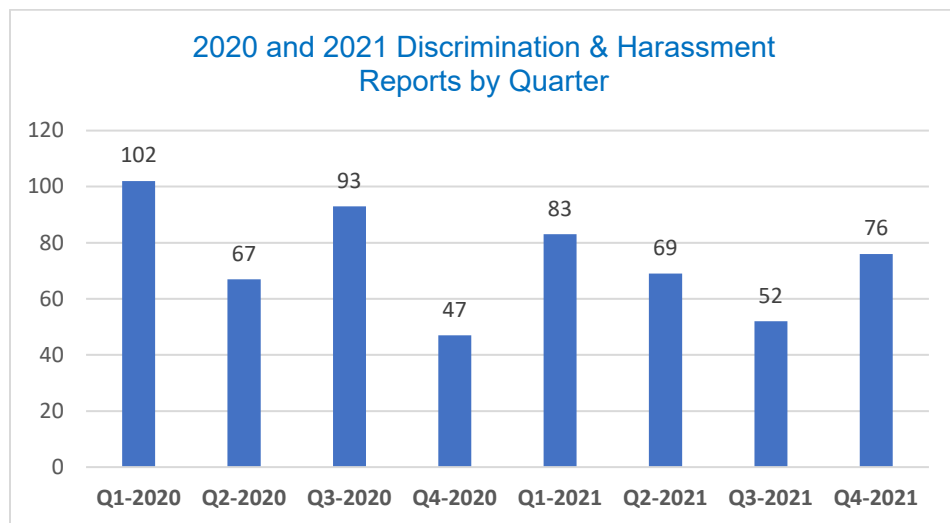


*Reports of sexual misconduct sometimes include a claim of concurrent protected-class discrimination. To best represent the number of reports to OIE and to avoid double-counting, these reports are included only in the counts of sexual misconduct reports. In 2020, 2019, and 2018, there were 20, 40, and 33 such reports (3%, 4%, and 4%), respectively.

As sexual misconduct reports frequently involve in-person interactions (particularly sexual assault and dating/domestic violence), we attribute the growth in sexual misconduct from 2020 to 2021 to the return to campus by students and staff in early 2021, following the lifting of COVID-19 related restrictions. By fall 2021, nearly all students and many employees had returned to campus. The impact of on-campus operations on sexual misconduct reports is illustrated in the chart below.



We did not see the same patterns with respect to reports of protected category-based discrimination and harassment, as shown below.





Appendix B

Training Initiatives

In 2017, JHU launched an initiative to train our community on Title IX and harassment prevention, covering policies and procedures related to sexual misconduct, harassment, and discrimination, and raising awareness about Title IX, the Campus SaVE Act, the Violence Against Women Act, and the role of responsible employees. OIE continues to work with Human Resources and the divisions to require completion of the training for all new and existing employees. In addition, OIE has provided supplemental training to various groups and departments upon request.

Students receive training in a variety of ways. All incoming undergraduate and graduate students are required to complete a sexual misconduct training module that includes bystander intervention content. First-year students also complete mandatory bystander intervention training and cannot register for their second-year fall courses until they complete a mandatory workshop on diversity and inclusion. Bystander intervention training has also been developed specifically for graduate student populations and has been piloted in various divisions. Finally, OIE provides training to student groups upon request, including during orientation.

We regularly review our sexual misconduct training, education, and prevention efforts utilizing information and feedback from the community. The 2019 Campus Climate Survey provided valuable information on student awareness and understanding of university policies and resources related to sexual misconduct, as well as the prevalence of sexual misconduct in our community. Using this information, OIE, Student Affairs, and the Sexual Violence Advisory Committee (SVAC) have expanded bystander intervention training to graduate students, launched a campaign promoting healthy consent and sexual respect, and enhanced support and education resources surrounding sexual misconduct with two new confidential positions in the Center for Health Education and Wellness. The results of our fall 2021 Campus Climate Survey are still being analyzed and will be shared as soon as possible. This new data will further guide our prevention, support, and accountability efforts.



Appendix C

Affiliation of Parties Involved in Reports Received in 2021

The tables below provide information about the university affiliation of parties involved in OIE reports received in 2021. Of the 337 sexual misconduct reports, 62% (210) involved students as complainants, 16% (54) involved staff complainants, and only 3% (9) involved a faculty complainant. Overall, sexual misconduct reports most frequently involved a student complainant and a student respondent (25%, 85), followed closely by a student complainant and a nonaffiliate/unknown respondent (23%, 76), and then by a student complainant versus a faculty respondent (9%, 32).

2021 Sexual Misconduct Reports (n = 337): Affiliation of Parties

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliation Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	85	13	32	4	76	210
	Staff Complainant	4	26	2	0	22	54
	Faculty Complainant	1	1	5	0	2	9
	Multiple Affiliations Complainant	0	0	1	0	1	2
	Nonaffiliate/Unknown Complainant	18	5	12	2	25	62
TOTAL		108	45	52	6	126	337

For discrimination and harassment reports, students again were the most frequent complainants (43%, 121), closely followed by staff (35%, 97). While students filed complaints against a variety of parties including other students (27), staff members (14), faculty (49) and nonaffiliates (30), staff members primarily filed complaints against other staff members. Overall, discrimination/harassment reports most frequently involved a staff complainant and staff respondent (27%, 75), followed by a student complainant and a faculty respondent (18%, 49), and then by a student complainant and a nonaffiliate respondent (11%, 30).



**2021 Protected-Class Discrimination/Harassment Reports (n = 280):
Affiliation of Parties**

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliations Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	27	14	49	1	30	121
	Staff Complainant	0	75	12	0	10	97
	Faculty Complainant	1	1	15	1	0	18
	Multiple Affiliations Complainant	0	0	1	0	0	1
	Nonaffiliate/Unknown Complainant	4	13	8	0	18	43
TOTAL		32	103	85	2	58	280



Appendix D

Responsible Employee Reporting

As noted previously, a “responsible employee” is an employee of the university who is required to inform OIE if they learn information or allegations about sexual misconduct, protected-class discrimination or harassment, or retaliation. Of 697 reports received in 2021, 349 (50%) came to OIE from a responsible employee rather than directly from the complainant. The table below shows the outcomes of these responsible employee reports.

Resolution of Reports Received from Responsible Employees in 2021 (n = 349)

106 Responsible Employee Reports (30%) Became Cases	Closed after Assessment or Formal Investigation	98	28%
	Informal Resolution	1	0%
	Open	7	2%
243 Responsible Employee Reports (70%) Were Closed Without Becoming Cases	OIE referred the matter to another department	89	26%
	OIE did not have enough information to move forward	80	23%
	Complainant did not want to move forward	36	10%
	JHU had no authority over the respondent	24	7%
	No protected class	7	2%
	Other	5	1%
	Complainant did not engage	2	1%
Total Responsible Employee Reports		349	100%



Appendix E

Affiliation of Parties Involved in Cases Received in 2021

The tables below provide information about the university affiliation of parties involved in OIE cases that resulted from the reports received in 2021. Of the 110 sexual misconduct cases, 69% (76) involved student complainants, and 15% (17) involved staff complainants. This represents a notable change from 2020, during which 44% of cases involved student complainants and 34% involved staff complainants.

Overall, in 2021 sexual misconduct cases most frequently involved a student complainant and student respondent (35%, 38) followed by a student complainant and a faculty respondent (15%, 16). Notably, the number of sexual misconduct cases brought by a student against a faculty member more than tripled, from five in 2020 to 16 in 2021.

2021 Sexual Misconduct Cases (n = 110): Affiliation of Parties

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliations Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	38	9	16	2	11	76
	Staff Complainant	2	7	1	0	7	17
	Faculty Complainant	0	0	1	0	0	1
	Multiple Affiliations Complainant	0	0	1	0	1	2
	Nonaffiliate/Unknown Complainant	7	0	5	1	1	14
TOTAL		47	16	24	3	20	110

For discrimination and harassment cases, students were the most frequent complainants (47%, 66), followed by staff (34%, 47). This represents another change from 2020, when staff were the most frequent complainants. Overall, discrimination/harassment cases most frequently involved a staff complainant and staff respondent (28%, 39), followed by a student complainant and a faculty respondent (20%, 30), and then by a student complainant versus a student respondent (14%, 19).



**2021 Protected-Class Discrimination/Harassment Cases (n = 140):
Affiliation of Parties**

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliations Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	19	9	30	0	10	66
	Staff Complainant	0	39	4	0	4	47
	Faculty Complainant	1	0	13	0	0	14
	Multiple Affiliations Complainant	0	0	1	0	0	1
	Nonaffiliate/Unknown Complainant	2	7	2	0	1	12
TOTAL		22	55	48	0	15	140

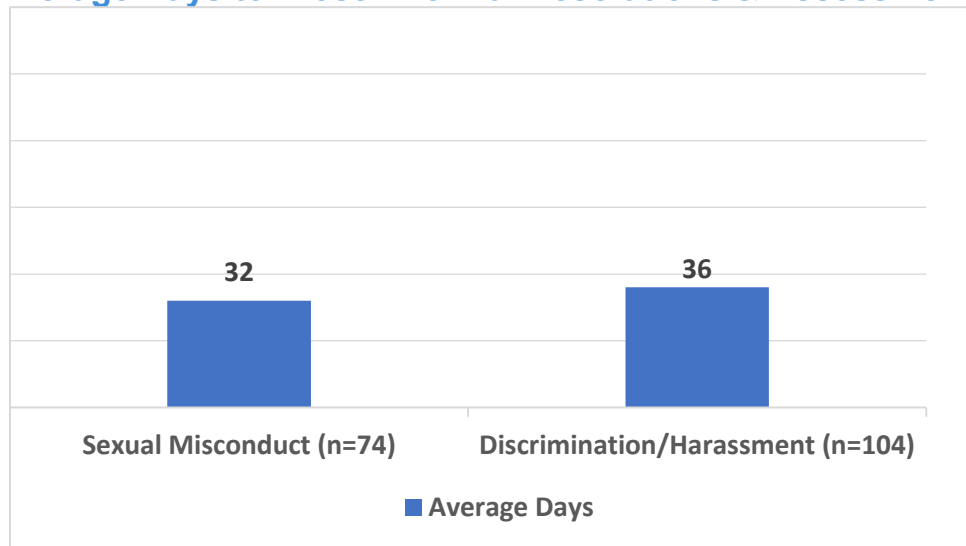


Appendix F

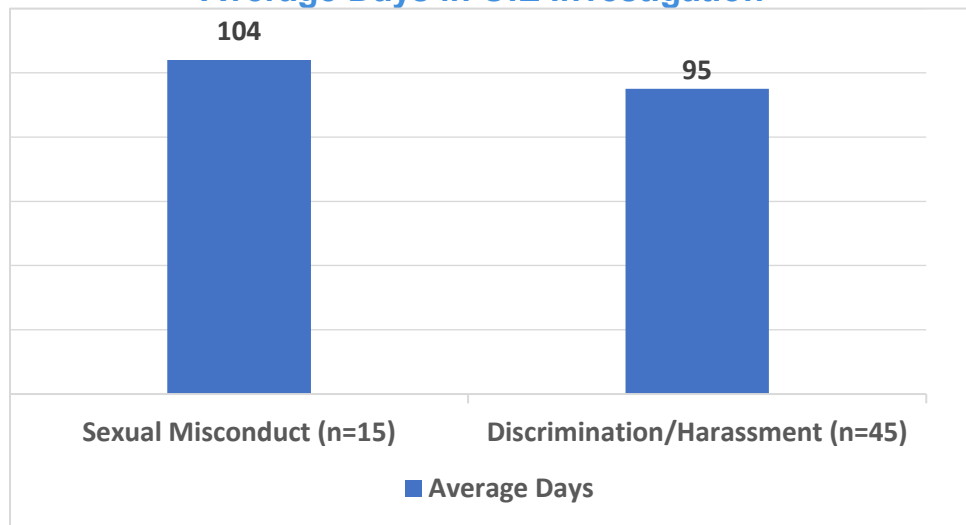
Average Timelines for Closing Cases

In 2021, OIE continued efforts to streamline our processes to close cases faster without compromising the quality of our work.

Average Days to Close Informal Resolutions & Assessments



Average Days in OIE Investigation¹⁹

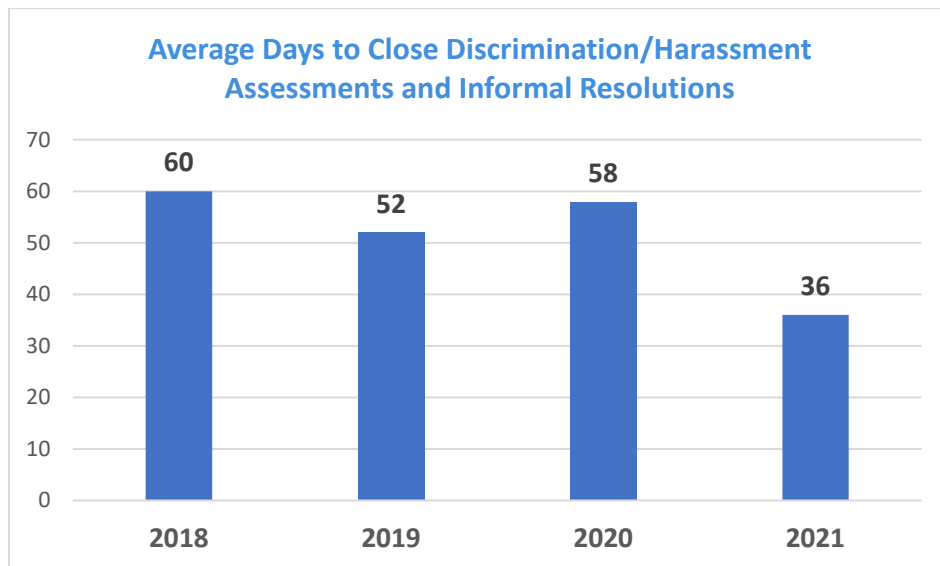
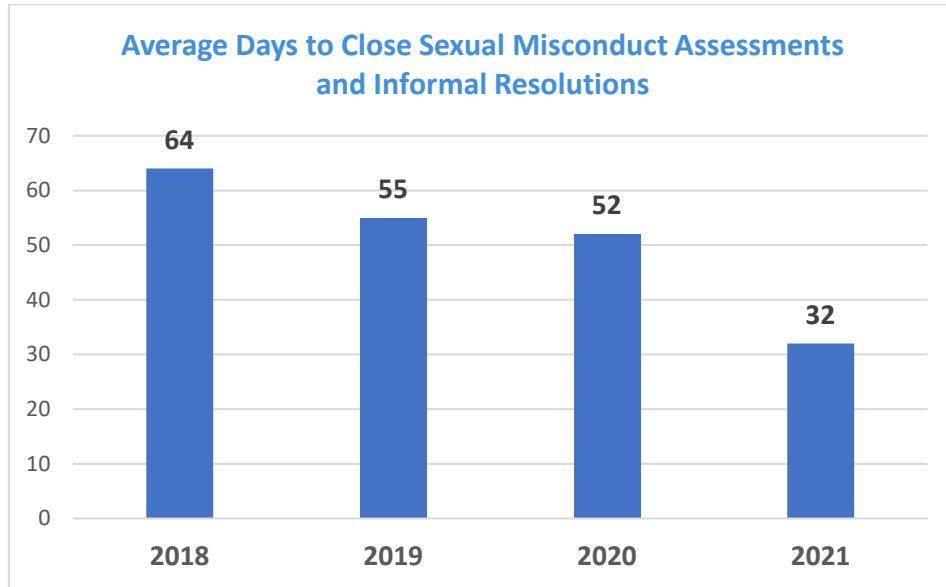


¹⁹ This graph captures the time (in days) from the date on which OIE formally commenced an investigation, to the date on which OIE provides its investigative summary to applicable decision-makers. In sexual misconduct matters, OIE's investigation summary makes a recommendation regarding whether the policy was violated, but the post-OIE process determines the final outcome. In discrimination/harassment matters, OIE's investigation summary makes a final decision about whether the policy was violated, but the decision-makers determine appropriate next steps/consequences, if applicable.



Year Over Year Timelines – Assessments & Informal Resolutions

The graphs below compare four calendar years of data regarding the average number of days needed to close informal resolutions and assessments.





The average number of days for assessment and informal resolution of discrimination/harassment and sexual misconduct cases significantly declined from 2020 to 2021. As a direct result of the efficiency measures previously described in this report, OIE assessed or informally resolved discrimination/harassment cases in an average of 20 fewer days in 2021. Similarly, OIE assessed or informally resolved sexual misconduct cases in an average of 22 fewer days. OIE hopes to continue this positive trend moving forward.

Number of Informal Resolutions/Assessments by Year and Type		
	Discrimination/Harassment	Sexual Misconduct
2017	29	62
2018	59	126
2019	151	105
2020	154	74
2021	104	74

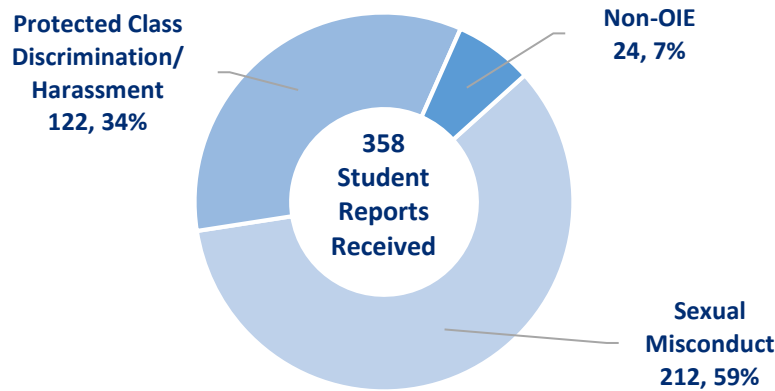


Appendix G

Student-Focused Data

Student Complainant Reports Received in 2021

Of the 697 total reports that OIE received in 2021, 358 (51%) involved student complainants. As shown in the chart below, most of the reports involved allegations of sexual misconduct.

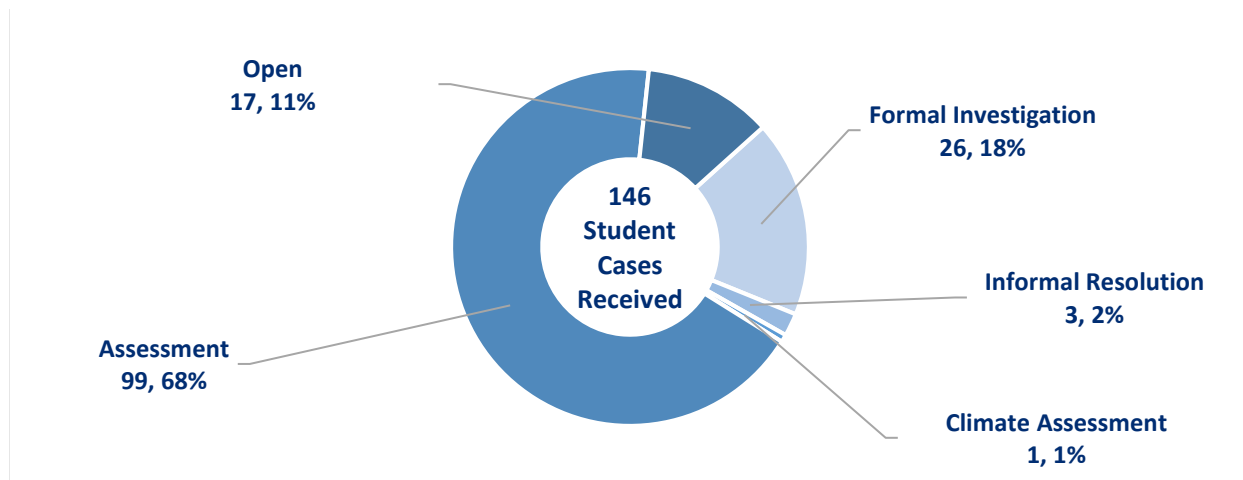


Of these 358 reports involving student complainants, 59% (212) were closed at initial review and did not become OIE cases. The table below shows the reasons these reports were closed.

Student Reports Received in 2021 That Did Not Become Cases

<i>OIE did not have enough information to move forward</i>	77	36%
<i>OIE referred the matter to another department</i>	72	34%
<i>Complainant did not want to move forward</i>	34	16%
<i>JHU had no authority over the respondent</i>	19	9%
<i>No protected class</i>	5	2%
<i>Other</i>	4	2%
<i>Complainant did not engage</i>	1	0%
Total	212	100%

The remaining 146 reports (41%) became OIE cases. Compared to the breakdown of reports, the allegations raised in the cases were more evenly split between sexual misconduct (54%, 79 cases) and protected class discrimination/harassment (46%, 67 cases). The chart below shows how OIE resolved these cases.



Student Complainant Cases Closed in 2021

During 2021, OIE closed 128 cases involving student complainants. Of these 128 cases, 59 (46%) included allegations of sexual misconduct and 69 (54%) alleged only protected-class discrimination/harassment. Sexual misconduct cases included the following types of allegations, with many cases involving more than one type of allegation.

Types of Sexual Misconduct Allegations in Student Cases Closed in 2021

<i>Sexual Harassment</i>	26
<i>Sex/gender-based Harassment</i>	19
<i>Sexual Assault</i>	11
<i>Stalking</i>	8
<i>Interpersonal Violence</i>	3
<i>Retaliation</i>	2

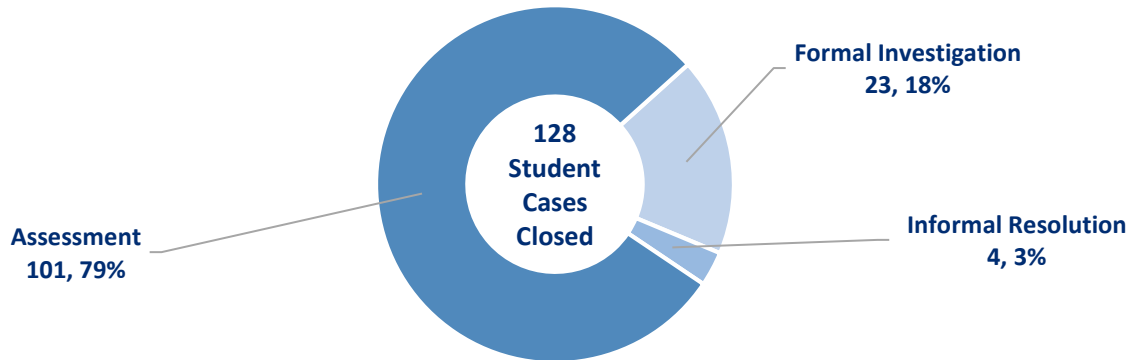
The protected class discrimination/harassment cases involved the following types of allegations, again with many cases involving more than one type of allegation.

Types of Protected Class Discrimination/Harassment Allegations in Student Cases Closed in 2021

<i>Race</i>	24
<i>Disability</i>	19
<i>National Origin</i>	15
<i>Sex/gender-based discrimination</i>	10
<i>Religion</i>	8
<i>Color</i>	3
<i>Retaliation</i>	2
<i>Age</i>	2
<i>Immigration Status</i>	1



The majority of the 128 cases closed via assessment, as shown below.



OIE conducted 13 formal investigations of protected class discrimination/harassment. In five cases, the respondents were found responsible for engaging in some form of discrimination or harassment. Four of these respondents were employees while the identity of the fifth respondent was not determined. The sanctions imposed included removal from teaching, prohibition on engaging with students, and mandatory training/education.

OIE conducted 10 formal investigations of sexual misconduct involving student complainants. Four such investigations led to the respondents—all of whom were also students—being found responsible for engaging in sexual assault. The sanctions imposed included suspensions, deferred suspensions, disciplinary probation, campus ban, no contact orders, training, assessment, and counseling.

On average, student sexual misconduct investigations took slightly longer to close in 2021 than did staff/faculty sexual misconduct investigations. For the 10 student sexual misconduct cases that closed in 2021, the average time from the first moment the report comes to OIE through investigation, adjudication, and appeal was 192 days. As shown below, when compared to overall timelines for sexual misconduct investigations, the source of the increased time for *student* sexual misconduct investigations is the post-OIE adjudication process. This is not surprising as the Student Resolution Panel process is more involved than the post-adjudication processes for faculty and staff.

Timeline for Student Sexual Misconduct Investigations Closed in 2021

	All SM Investigations (n = 15)	Student SM Investigations (n = 10)
Average Days in OIE Investigative Process	129	128
Average Days in Post-OIE Adjudication Process (After OIE Investigation is Complete)	55	67
Average Total Days	180	192