

Office of Institutional Equity

2017 Annual Report

Johns Hopkins University is a vibrant and diverse community of students, faculty, and staff, and it is our shared goal to foster an environment where each of us can learn and work free from all forms of harassment and discrimination.

The Office of Institutional Equity (OIE) leads the university's efforts to create and maintain inclusivity and respect by appropriately responding to concerns about discrimination, harassment, sexual misconduct, and retaliation. We also ensure compliance with affirmative action and equal opportunity laws, investigate complaints, and serve as the central resource for those with disabilities and those who require religious accommodation.



This document—the first annual report for our office—provides background and specific data on the university's response to reports of sexual misconduct and other forms of discrimination and harassment. Our aim in this report, which covers the calendar year starting January 1, 2017, is to increase the transparency of our process and our community's understanding of our work, and provide a baseline against which we can measure our progress in years ahead.

OIE has worked hard to establish solid processes and to improve investigation and report preparation techniques consistent with legal guidance and university values. At this point we believe we have made significant improvements in these areas and are modeling many best practices. We also hear the call from the community to identify ways to maintain the high quality of our work and complete the process more expeditiously. In response, OIE has engaged outside support to identify ways to streamline our approach to cases. We are also adding staff to the office in the coming year. We look forward to the ongoing process of improvement and understand the importance of our role as the principal means for members of the university community to seek recourse for their concerns about harassment and discrimination.

I encourage you to review the information included here and to learn more about OIE at www.oie.jhu.edu/.

Sincerely,

Kimberly D. Hewitt, JD
Vice Provost for Institutional Equity

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This section describes the significant increase in total reports to the office over the past two years, by category, and summarizes the accompanying increase in staff at OIE.

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This section describes Johns Hopkins' policies, procedures, and training initiatives related to sexual misconduct and to discrimination and harassment.

3. Status of Reports Received in 2017 **page 6**

This and the following three sections focus on the 410 reports that OIE received in 2017, and how they were handled, as of June 1, 2018. This section depicts the pathways through which the reports were closed.

3a. About Reports Received in 2017

Breaks down the reports by categories of misconduct, and by the affiliations of the complainants and respondents.

3b. Resolution of Reports Received in 2017

Describes how OIE decides whether a report of misconduct will proceed to an assessment or formal investigation, and how reports received in 2017 advanced.

3c. Cases Addressed by OIE From Reports Received in 2017

Focuses on the 154 reports that became cases and were assessed, informally resolved or formally investigated.

4. Outcomes of Cases Closed in 2017 **page 14**

This and the following section focus on the 148 cases OIE closed in 2017, a total that includes 52 initially reported in 2016. This section highlights how those cases were closed, and lists resulting sanctions.

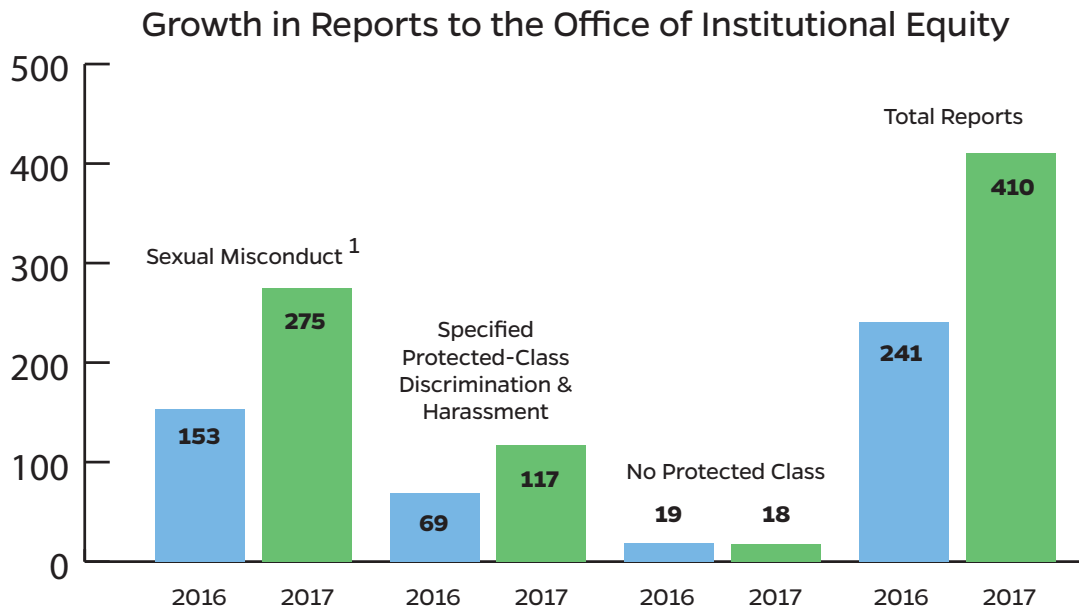
4a. Timelines for Cases Closed in 2017

Provides the average and median time to close cases by resolution process (assessment/informal resolution or formal investigation) and by category of misconduct, and explains why cases may be delayed.

1. Growth at OIE

Over the last two years, we have seen a notable increase in the number of reports to OIE, a trend that is consistent with the experience of our peers. We believe this growth is driven by a greater awareness of OIE’s work, by university education and outreach efforts, and by the decreasing societal stigma around reporting sexual misconduct or discrimination.

In response to the rise in reports, we have increased the OIE staff to 13 full-time employees (up from seven in 2015). We hired Vice Provost Kimberly D. Hewitt to lead the office in March 2017, and we have grown expenditures of the office by 60 percent. More about the staff appears at the end of this report and at oie.jhu.edu.



Sexual Misconduct: Includes sexual harassment, sexual assault, relationship violence, and stalking.

Protected-Class Discrimination and Harassment: Includes discrimination and/or harassment in any university program or activity that is related to a person’s age, color, disability, ethnicity, marital status, national origin, race, religion, sexual orientation, gender identity, gender expression, or veteran status. Also includes nonsexual gender-based discrimination and pregnancy discrimination.

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

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

1. In CY2017 there were 15 reports (5%) of sexual misconduct that involved a report of concurrent protected-class discrimination. Of the 15 reports, 10 (67%) included a report of race-based discrimination/harassment, and six (40%) included a report of national origin-based discrimination/harassment. In order to best represent the number of reports to OIE, these cases are not additionally counted as “protected-class discrimination and harassment” reports in this table.

2. Policies and Training

The **Sexual Misconduct Policy and Procedures** (available at sexualassault.jhu.edu/policies-laws/) set forth a standard for all members of the university community and describe our response to claims of prohibited sexual misconduct (which includes sexual assault, sexual harassment, relationship violence, stalking, and related retaliation). They are the product of a significant overhaul in 2015–16 following a comprehensive and robust universitywide consultation process.

The **Discrimination and Harassment Policy and Procedures** were developed in 2018 as a replacement for the General Anti-Harassment Policy. The revised policy and procedures reinforce the university's strong commitment to preventing and addressing discrimination and harassment, and aim to provide greater clarity around the complaint process, related timelines, confidentiality, and strong protections and supports for all parties. OIE has spent several months soliciting feedback from various stakeholders and will post the final policy before the end of the calendar year.

In 2017, Johns Hopkins University launched an initiative to train our community in Title IX and Harassment Prevention, covering policies and procedures related to sexual misconduct, harassment, and discrimination, and raising awareness about Title IX, Campus SaVE Act, the Violence Against Women Act, and the role of responsible employees. As of October 2018, 64 percent of faculty and 79 percent of staff had completed the training. The number increased over the first months of 2018 after OIE and Human Resources enlisted the help of the school deans to encourage participation and started sending monthly reminders to those who still needed to take part.

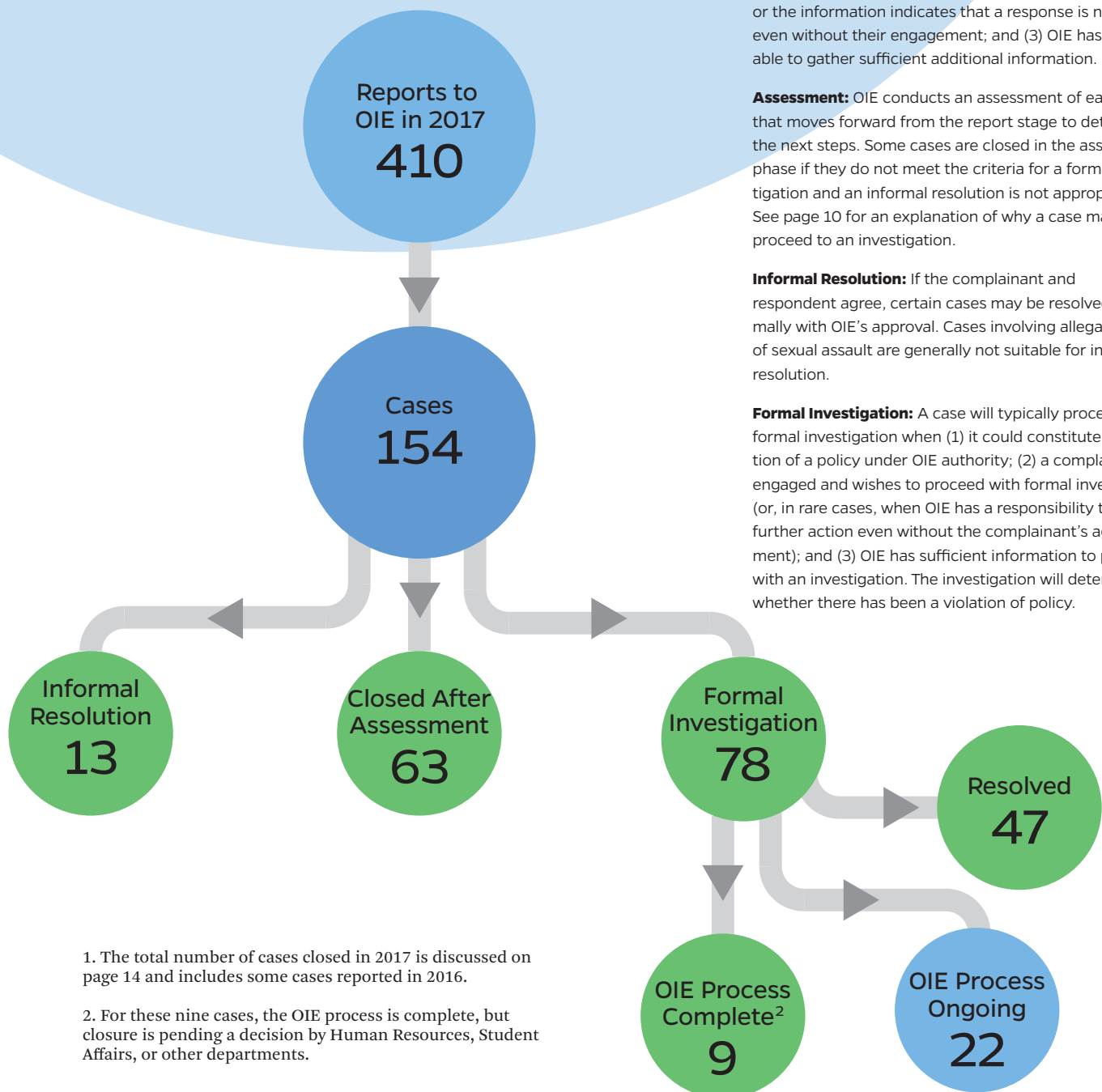
Students receive training in a variety of ways. All incoming undergraduate students are required to complete a sexual misconduct training module before arriving on campus and first year students complete bystander intervention training. OIE also presents a live education session to new students at orientation, and an outside consultant leads a discussion with the students on sexual-violence prevention. In addition, first-year students cannot register for their second-year fall courses until they complete a mandatory workshop on diversity and inclusion.

We will review our training and education efforts related to sexual misconduct in light of results from the 2018 Climate Survey on Sexual Misconduct taken by full-time students, as well as the COACHE survey of faculty and the Gallup employee engagement survey. The latter two will also help us evaluate our online and in-person trainings focused on skills for working collaboratively with diverse co-workers and understanding bias in the workplace.

We continually assess policies, programs, and ongoing education needed to reduce and respond to discrimination and harassment of all kinds. In 2017, we redefined the Americans with Disabilities Act compliance officer position, based in part on feedback from consultants hired to review disability services across the university. We also revised and refined our process for evaluating requests for religious accommodation.

3. Status of Reports Received in 2017 (as of June 1, 2018)¹

Population served:
25,513 JHU students and
24,401 JHU employees



Report: Any information brought to OIE may constitute an allegation of sexual misconduct and/or protected category-based discrimination and harassment, including from a complainant, a designated university responsible employee, or a third party.

Case: A report becomes an OIE case when it is determined that (1) OIE has authority over the subject matter of the report and the respondent; (2) a complainant is engaged and requests some type of university response, or the information indicates that a response is needed even without their engagement; and (3) OIE has or is able to gather sufficient additional information.

Assessment: OIE conducts an assessment of each case that moves forward from the report stage to determine the next steps. Some cases are closed in the assessment phase if they do not meet the criteria for a formal investigation and an informal resolution is not appropriate. See page 10 for an explanation of why a case may not proceed to an investigation.

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.

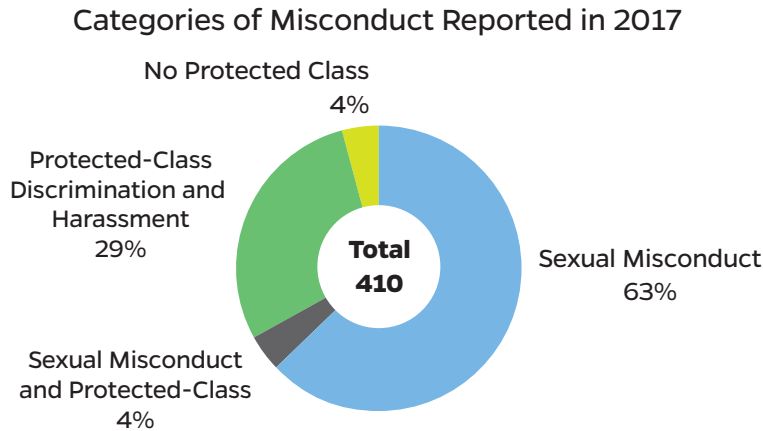
Formal Investigation: A case will typically proceed to a formal investigation when (1) it could constitute a violation of a policy under OIE authority; (2) a complainant is engaged and wishes to proceed with formal investigation (or, in rare cases, when OIE has a responsibility to take further action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

1. The total number of cases closed in 2017 is discussed on page 14 and includes some cases reported in 2016.

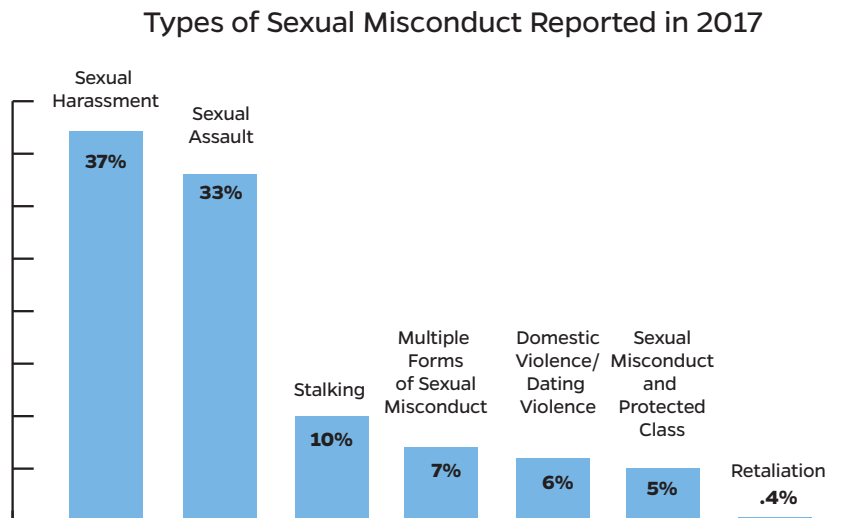
2. For these nine cases, the OIE process is complete, but closure is pending a decision by Human Resources, Student Affairs, or other departments.

3a. About Reports Received in 2017

OIE serves the Johns Hopkins University community of roughly 25,500 students and 24,400 employees across nine divisions and around the globe. This section provides data on the number and type of reports OIE received in calendar year 2017 (n=410), and the university affiliation of those involved in the reports.¹



If a report included allegations of both sexual misconduct and protected-class discrimination or harassment, it has been counted as a sexual misconduct report unless otherwise stated.



Twenty reports of sexual misconduct (7 percent) involved claims of more than one type of sexual misconduct by the same respondent.

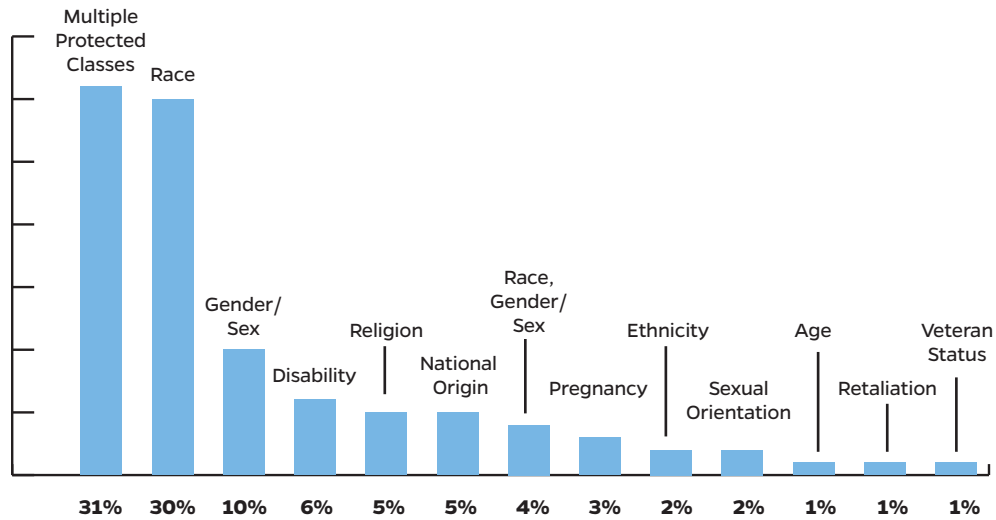
- 15 included a report of stalking
- 12 included a report of sexual harassment

Fifteen sexual misconduct reports (5 percent) included both sexual misconduct and protected-class discrimination and harassment.

- 10 included a report of race-based discrimination/harassment
- 6 included a report of national origin-based discrimination/harassment

1. Charts throughout this document use percentages that were rounded, and as a result totals may not add up to 100 percent.

Types of Protected-Class Discrimination and Harassment Reported in 2017

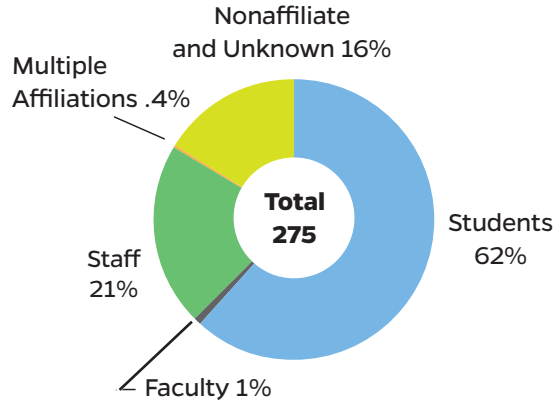


Thirty-six reports of protected-class discrimination and harassment (31 percent) involved multiple protected classes.

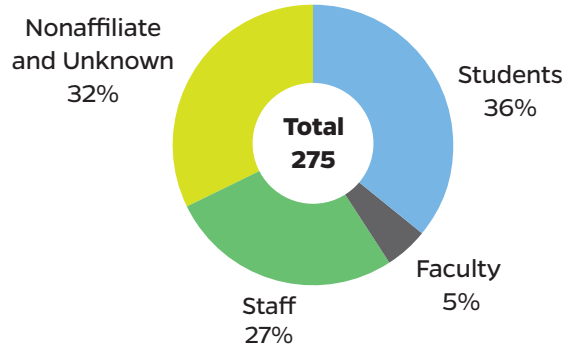
- 20 included a report of race-based discrimination/harassment
- 13 included a report of retaliation
- 11 included a report of age-based discrimination/harassment
- 11 included a report of disability-based discrimination/harassment

Reports of Sexual Misconduct in 2017

Complainants' University Affiliation

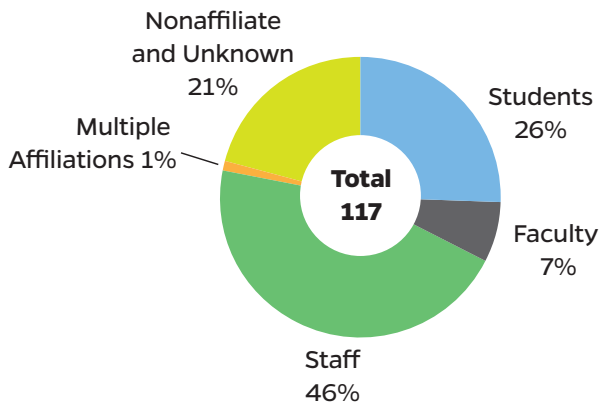


Respondents' University Affiliation

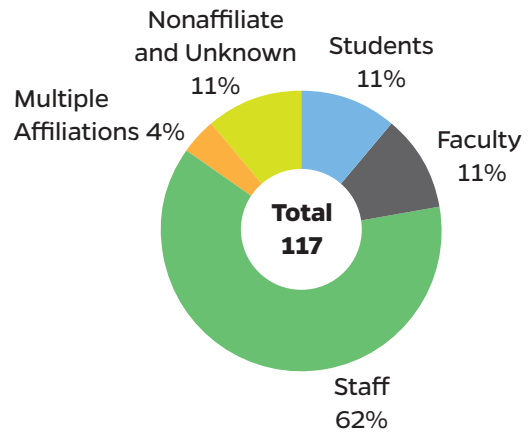


Reports of Protected-Class Discrimination and Harassment in 2017

Complainants' University Affiliation



Respondents' University Affiliation

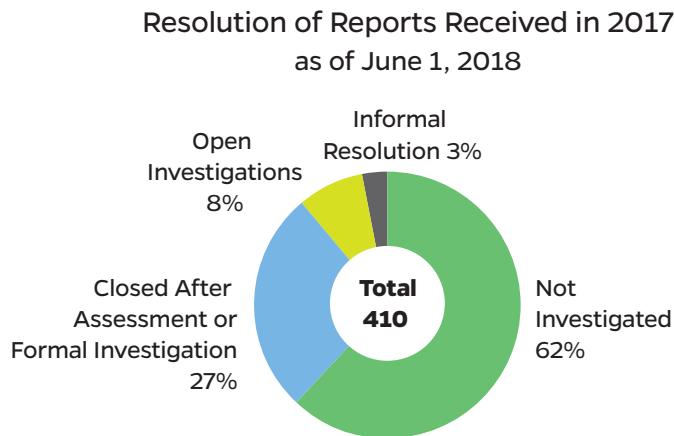


3b. Resolution of Reports Received in 2017

When OIE receives a report of sexual misconduct and/or other protected-class discrimination or harassment, staff members reach out to the person making the complaint—whether they are directly involved or reporting for someone else—to provide resources and information about the complaint process, obtain additional details, and discuss options, including interim measures available to help all individuals feel safe and supported while OIE reviews the matter.

Some reports do not proceed for a number of reasons noted below. Even when a report does not proceed, OIE preserves the records of that report. When a complainant is known, we continue to offer resources and support. Reports that do not proceed generally may be reopened at any time based on new information and/or a request by the complainant for further assessment.

If a report proceeds, it becomes a **case** and is assessed by appropriate OIE staff members, who may interview witnesses and review evidence. If it is determined that the reported facts could violate university policy, then the case is formally investigated, except in some cases where the wishes of the complainant lead OIE to close a matter without the formal investigation. If the facts do not indicate a violation of policy, the case is closed. The average time to resolve a report was 58 days and the median time was 28 days.



Of the 410 reports, 256 were closed without becoming active cases:

37 reports involved an unengaged complainant, who could not be reached. In these cases, OIE did not have enough information from the report to take further action.

75 reports involved a situation where OIE had no authority over the respondent. They may have been unknown or not a member of the university community. OIE still offers resources to the complainants in these cases and may implement interim measures.

60 reports involved a complainant who did not want to move forward.

60 reports did not provide enough information to identify the parties and/or the alleged conduct.

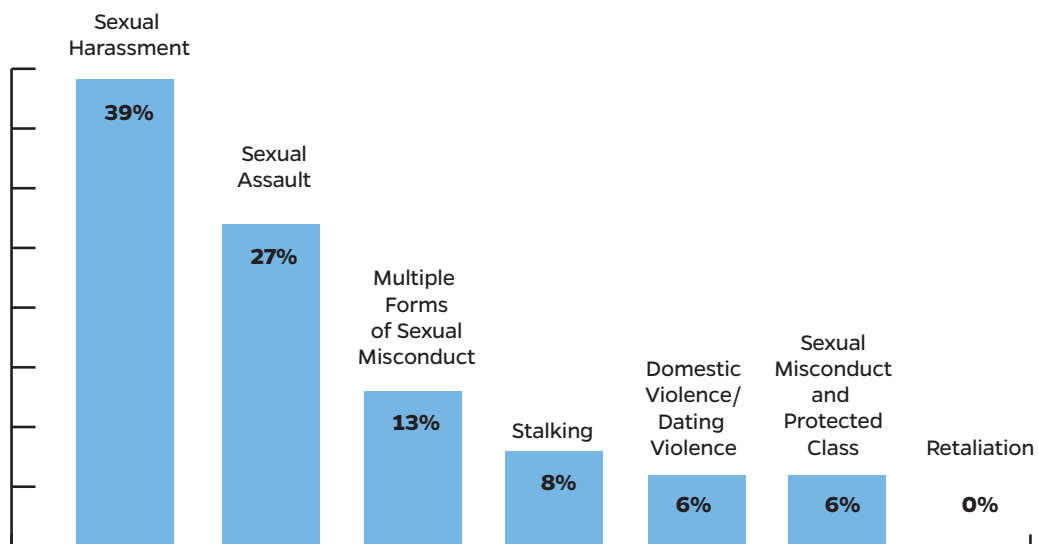
24 reports were referred to another university department for appropriate action under non-OIE policies, for example, the Student Conduct Code.

3c. Cases Addressed by OIE From Reports Received in 2017

Of the 410 reports OIE received in 2017, 154 became cases that moved on to assessment or formal investigation in 2017. Of those, 84 were related to sexual misconduct, and 70 were related to protected-class discrimination and/or harassment.

At the end of its assessment or investigation of a case, OIE prepares an assessment summary or investigative report. After a formal investigation, OIE's final report provides either a finding on whether there has been a violation of university policy (in cases of protected-class discrimination or harassment) or a recommendation of such a finding (in cases of sexual misconduct). The report is given to a three-person resolution panel organized by Student Affairs, the respondent academic division, or Human Resources—depending on whether the respondent is a student, member of the faculty, or staff—with a recommendation for action, if needed. The relevant entity then reviews and makes any decision on sanctions. Even where OIE does not find a policy violation, the office may recommend a particular action, for example, training for an individual or group.

Types of Cases Related to Sexual Misconduct in 2017 (84 total)



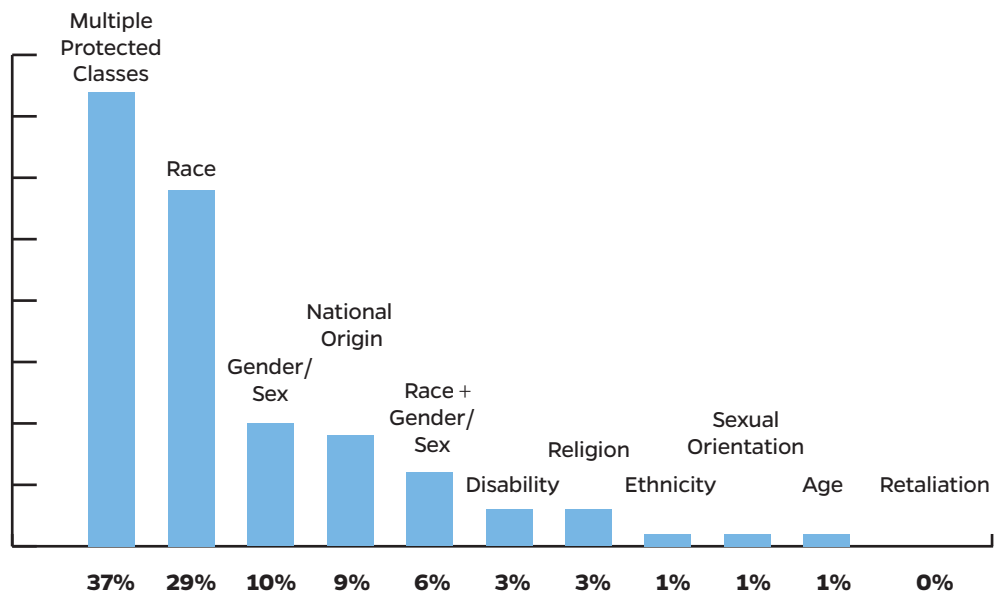
Eleven sexual misconduct cases (13 percent) involved claims of more than one type of sexual misconduct by the same respondent.

- 9 included a report of stalking
- 5 included a report of sexual harassment

Five sexual misconduct cases (6 percent) included both sexual misconduct and protected-class discrimination and harassment.

- 3 included a report of gender-based discrimination/harassment
- 2 included a report of race-based discrimination/harassment
- 2 included a report of national origin-based discrimination/harassment

Types of Cases Related to Protected-Class Discrimination and Harassment in 2017 (70 total)

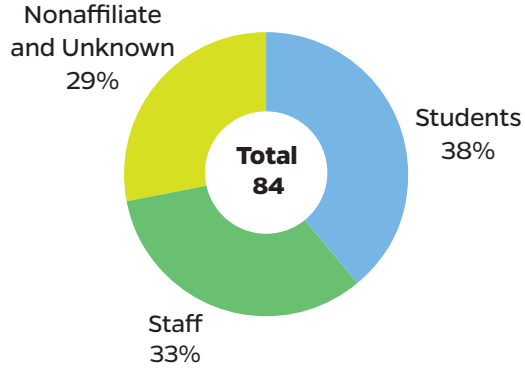


Twenty-six cases of protected-class discrimination and harassment (37 percent) involved multiple protected classes.

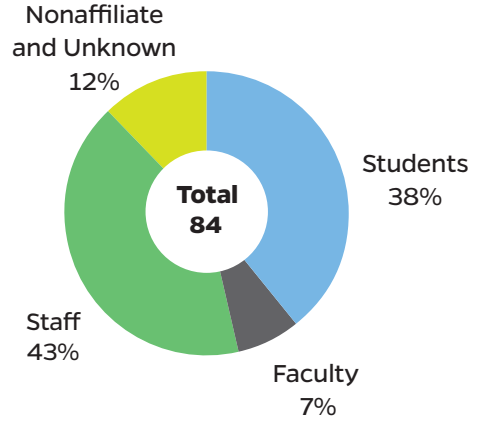
- 19 included a report of race-based discrimination/harassment
- 10 included a report of retaliation
- 9 included a report of age-based discrimination/harassment
- 7 included a report of disability-based discrimination/harassment

Cases Involving Sexual Misconduct in 2017

Complainants' University Affiliation

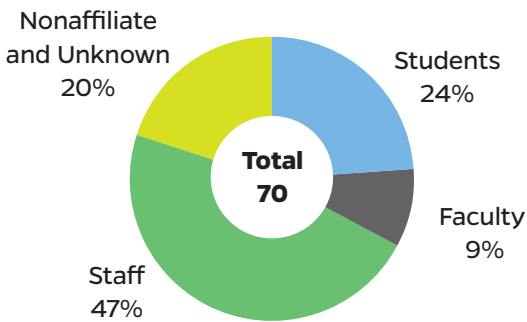


Respondents' University Affiliation

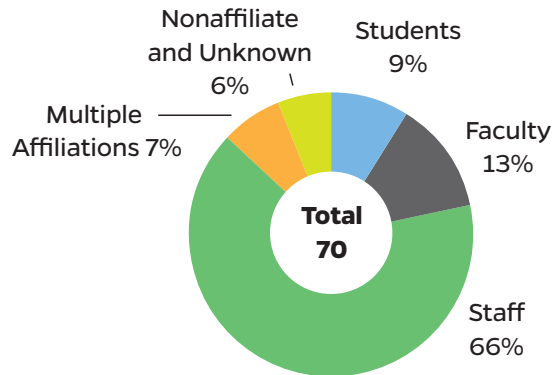


Cases Involving Protected-Class Discrimination and Harassment in 2017

Complainants' University Affiliation



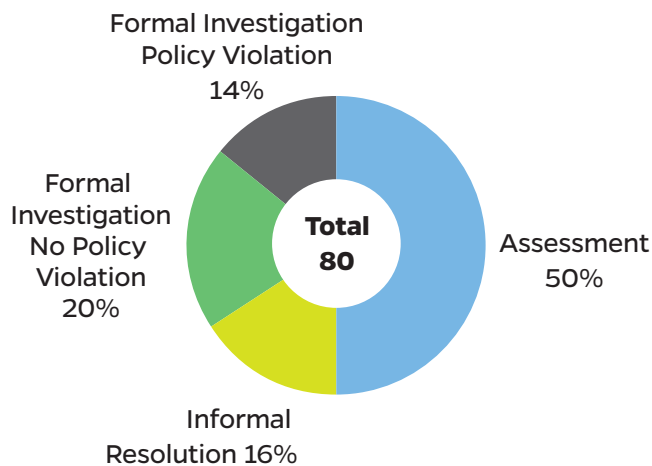
Respondents' University Affiliation



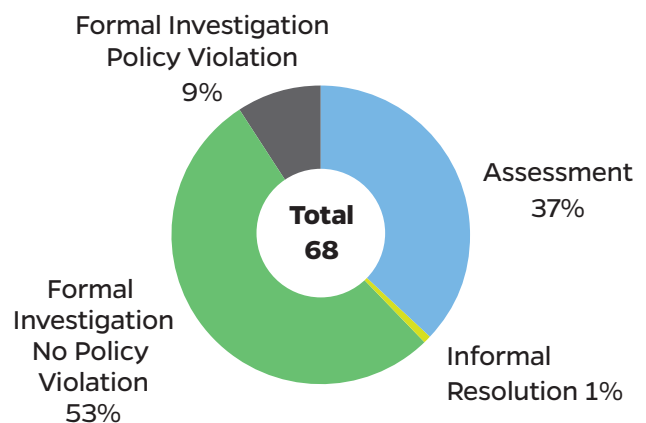
4. Outcomes of Cases Closed in 2017

During 2017, OIE closed 148 cases of sexual misconduct and protected-class discrimination and harassment following an assessment, an informal resolution, or a formal investigation. Eighty of the cases were related to sexual misconduct, and 68 were related to protected-class discrimination and harassment. Of these 148 cases, 52 were received in 2016 and continued into 2017.

Outcomes of Sexual Misconduct Cases Closed in 2017



Outcomes of Protected-Class Discrimination and Harassment Cases Closed in 2017



Some respondents in the sexual misconduct cases closed in 2017 experienced the following sanctions:

1 expulsion	4 deferred suspensions	3 access restrictions
2 terminations or removals from their position	3 disciplinary probations	5 no contact orders
1 suspension	3 disciplinary actions	1 note in formal record
	1 required counseling	1 suspension without pay
	7 educational sanctions	1 social probation

Some respondents in the protected-class discrimination and harassment cases closed in 2017 experienced the following sanctions:

2 terminations or removals from their position	1 suspension without pay	2 formal reprimands
2 disciplinary actions	1 negotiated departure	3 educational sanctions
	1 inappropriate conduct noted	1 required counseling

Individuals may have received multiple sanctions. These lists do not include sanctions against nonaffiliate respondents: For those instances, OIE will often work with external contractors and employers to address the behavior and end its recurrence without initiating a formal investigation. Disciplinary actions include, but are not limited to, written warnings, suspensions without pay, removal of supervisory authority, and file notifications. Definitions for additional sanctions are available in the Student Conduct Code at <https://studentaffairs.jhu.edu/policies-guidelines/student-code> and in the Sexual Misconduct Policy and Procedures at <http://sexualassault.jhu.edu/policies-laws/index.html>.

4a. Timelines for Cases Closed in 2017

For the 148 cases closed in 2017—including those first reported in 2016—the average time to close was 128 days, with a median time of 105 days. Although more than half our cases are closed in four months or less, we recognize the need to streamline the process—including simplifying our reports and adding staff to address concerns about timeliness—while continuing our thorough and deliberate approach.

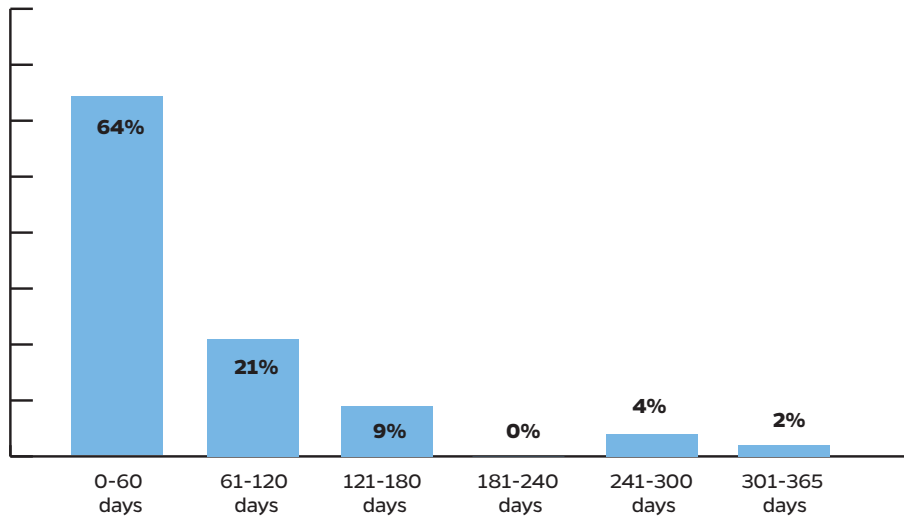
The 148 cases closed in 2017 included 79 closed after assessment or informal resolution. The average time to close those cases was 70 days, with a median time of 46 days. The other 69 cases were formally investigated. The average time to close those cases was 194 days, with a median time of 172 days.

Common reasons OIE had to extend its investigations were:

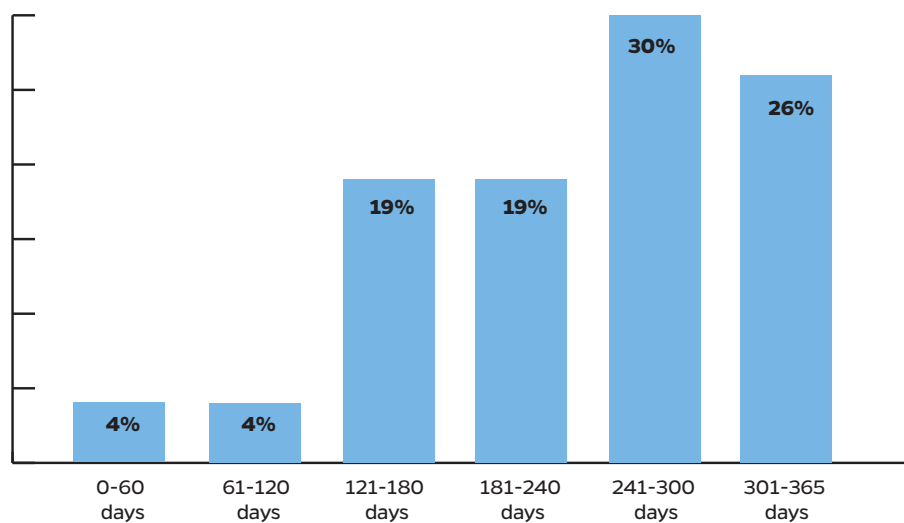
- Complainant or respondent availability
- Delayed participation by parties
- Complexity of cases (nature and scope of allegations)
- Extensive documentation review
- Academic calendar (e.g., exam periods, breaks, etc.)
- Additional witnesses needed
- Witness participation
- Number of witnesses involved
- Translation services
- Investigator caseload
- Evidence gathering in a concurrent law enforcement investigation
(The university will not delay its process to await the conclusion of a concurrent criminal investigation beyond the evidence-gathering phase.)

Eighty of the cases closed in 2017 were related to sexual misconduct. Of those, 53 were closed after an assessment or informal resolution. The average time between OIE’s receipt of a report and the final outcome of an assessment or informal resolution was 59 days, and the median time was 33 days. OIE closed another 27 cases of sexual misconduct in 2017 after a formal investigation, with an average time of 264 days and a median time of 244 days.

Days to Close Cases Involving Sexual Misconduct Following an Assessment or Informal Resolution

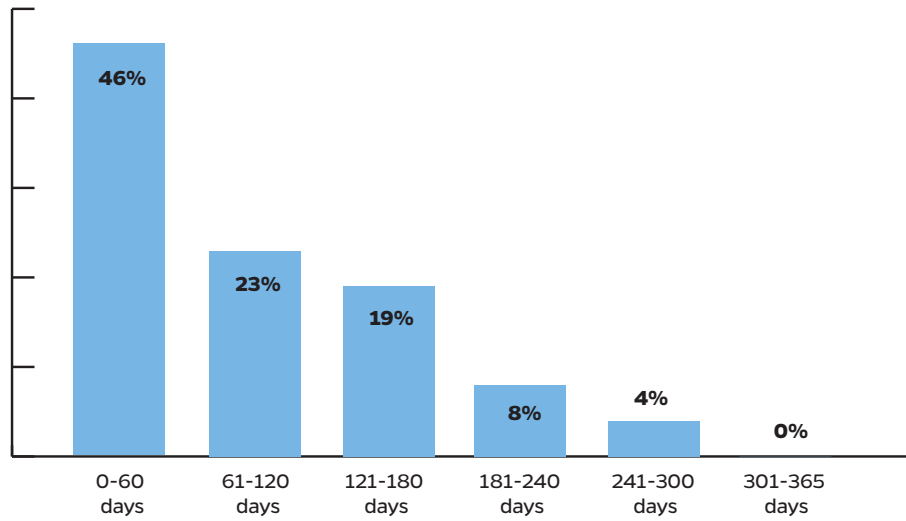


Days to Close Cases Involving Sexual Misconduct Following a Formal Investigation

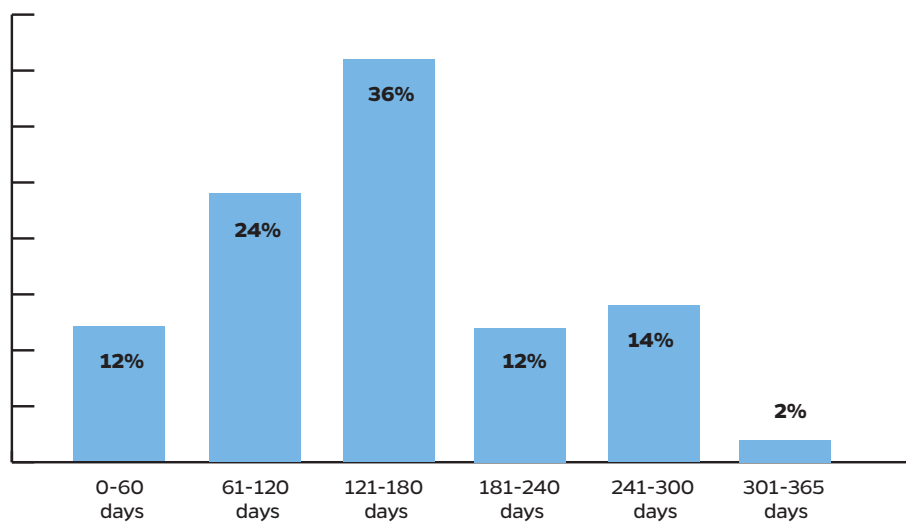


Sixty-eight of the cases closed in 2017 were related to protected-class discrimination and harassment. Of those, 26 were closed after an assessment or informal resolution; this took an average of 91 days to closure and a median of 66 days. OIE closed 42 protected-class cases in 2017 after a formal investigation; this took an average of 149 days to closure and a median of 151 days.

Days to Close Cases Involving Protected-Class Discrimination and Harassment Following an Assessment or Informal Resolution



Days to Close Cases Involving Protected-Class Discrimination and Harassment following a Formal Investigation



Resources

Office of Institutional Equity

410-516-8075, <http://oie.jhu.edu>

OIE offers information and assistance to all members of the Johns Hopkins community. Vice Provost Kimberly D. Hewitt, JD, was recruited to lead OIE in 2017 (the year covered in this report), bringing significant experience in higher education and the handling of discrimination and harassment matters. Our assistant vice provost and Title IX coordinator is Joy Gaslevic.

The OIE team, which has grown in number in recent years, includes 11 other full-time employees: a deputy Title IX coordinator, five equity compliance investigators, a case manager, an investigator/resolution panel assistant, an ADA compliance officer, and two support staff. During periods of peak reporting, we have referred cases to outside counsel and we use outside lawyers when needed.

OIE's work is supported by a community of university partners that also provide resources and support to students, faculty, and staff who have concerns about sexual misconduct, discrimination, harassment, and retaliation. They include:



JHU Student Health and Wellness Center

410-516-8270

<https://studentaffairs.jhu.edu/student-health/>

Provides high-quality, confidential health care to students

Services:

Acute and chronic illness care
Physical exams and immunizations
Weight and nutrition
Reproductive health care
Alcohol and drug problem assessments

Available to:

KSAS, WSE, Peabody, Post-doctoral Fellows at KSAS, WSE, SOE and Sheridan Libraries

Level of Confidentiality:

Confidential

JHU Sexual Assault Hotline

410-516-7333

<http://sexualassault.jhu.edu>

Provides confidential assistance to those affected by sexual assault and relationship violence

Services:

Information
Support and discussion of options for medical care
Counseling and reporting with professional counselors

Available to:

All JHU students

Level of Confidentiality:

Confidential

JHU Counseling Center

410-516-8278

<http://jhu.edu/counselingcenter>

Provides emotional support and assistance for mental health needs

Services:

Individual therapy
Group therapy and couples therapy
Various workshops

Self-help and assessments

Available to:

KSAS, WSE, Peabody

Level of Confidentiality:

Confidential

Faculty and Staff Assistance Program (FASAP)

443-997-7000

<http://fasap.org>

Provides professional, confidential, short-term counseling to faculty and staff

Services:

Short-term counseling
Resources to help a colleague
Resources for management
Crisis Response Services
Financial Assistance Program (FAP)

Available to:

University faculty and staff (and their immediate family members)

Level of Confidentiality:

Confidential

University Health Services (UHS)

410-955-3250

<http://hopkinsmedicine.org/uhs>

Promotes an environment that supports physical, emotional, intellectual, interpersonal, community, and financial wellness

Services:

Provide medical, mental health, and wellness services

Available to:

BSPH, SOM, SON

Level of Confidentiality:

Confidential

Safe at Hopkins

443-997-7000

<http://www.safeathopkins.org>

Raises awareness of and helps prevent disrespectful behaviors including workplace bullying, workplace violence, and emotional distress

Services:

Consultation
Disruptive behavior assessment
Risk assessment
Training and education

Available to:

Johns Hopkins community

Level of Confidentiality:

Discreet, not confidential

Campus Safety and Security

410-516-4600 (Campus Security)

410-516-7777 (Campus Police)

<http://security.jhu.edu>

Ensures on-campus safety
Alerts the JHU community in the event of a safety concern

Services:

Neighborhood walks
Escort program
Rape aggression defense
LiveSafe app

Available to:

Johns Hopkins community

Level of Confidentiality:

Discreet, not confidential

Student Assistance Program

443-287-7000

<http://jhsap.org>

Provides support to students dealing with pressures and problems they encounter during their academic careers

Services:

Short-term counseling
Crisis response
Healthy relationship support
School-life coaching and adjustment
Educational workshops
Dean, faculty, staff, and student consultations

Available to:

BSPH, SOM, SON, Carey, SOE, KSAS, SAIS, Engineering for Professionals

Level of Confidentiality:

Confidential

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