

# Office of Institutional Equity

2022 Annual Report



JOHNS HOPKINS  
UNIVERSITY



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## I. Introduction

Johns Hopkins University Community:

Thank you for visiting our website and viewing the Office of Institutional Equity's ("OIE") 2022 annual report. The annual report is a compilation of the reports made to OIE and the responsive actions taken to redress harassment, discrimination, sexual misconduct, and related retaliation on our campuses. We remain committed to proactively fostering an environment that is safe, inclusive, respectful, and welcoming to all.

OIE had another busy year in 2022. We received 774 reports, an increase of over 11% from 2021 when we received 697 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.

In addition to addressing the reports that were made to OIE, in 2022, our team was also challenged with incorporating several legal updates into our policies and practices. Specifically, changes to the Violence Against Women Act ("VAWA") Reauthorization Act and changes to Maryland law became effective in October 2022 and impacted the work that is done in OIE. OIE also worked with Athletics to address increased obligations under the NCAA's Campus Sexual Violence policy. We expect to make additional policy changes after the Biden administration's Title IX regulations are released.

Gratefully, the OIE team remains stable with no turnover in nearly 24 months. We have sustained the process improvements made in recent years and we continue to look for opportunities to adjust our workflow in the interest of efficiency while maintaining quality.

Please visit our website, [oie.jhu.edu](https://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](mailto:oie@jhu.edu).



MESSAGE FROM:

**Shanon Shumpert**  
*Vice Provost  
Institutional Equity*





## 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 four other key staff members who support the work of our office. Eleven OIE staff members 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](https://oie.jhu.edu/contact-us/oie-staff/index.html)

The work performed in our office is supported by a community of university partners that provide resources and various forms of 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 internal JHU support services and external resources. Some of these resources are listed below:

### **JHU Student Health and Wellness Center**

410-516-8270

[studentaffairs.jhu.edu/student-health](https://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

### **Johns Hopkins EAP**

888-978-1262

[hr.jhu.edu/benefits-worklife/support-programs/](https://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](https://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.

### **Public Safety**

410-516-4600 (Campus Security)

410-516-7777 (Campus Police)

[publicsafety.jhu.edu](https://publicsafety.jhu.edu)

On-campus safety alerts and other safety concerns

### **Student Assistance Program (JHSAP)**

443-287-7000

[jhsap.org](https://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/](https://oie.jhu.edu/ada-compliance/request-accommodations/)

### **Employee Accommodations:**

[oie.jhu.edu/ada-compliance/request-accommodations-employees/](https://oie.jhu.edu/ada-compliance/request-accommodations-employees/)

### **Religious Accommodations:**

[oie.jhu.edu/religious-accommodations/](https://oie.jhu.edu/religious-accommodations/)



### 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 document:<sup>1</sup>

**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 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 sex-based and sexual harassment, sexual assault, relationship violence, and stalking.

**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.

**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.

**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.

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<sup>1</sup> For a visual diagram of this information, please refer to page 9 of this annual report.



**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 potential 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 sexual misconduct, 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 Employee Assistance Program, the Johns Hopkins Counseling Center, the Johns Hopkins Student 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 specialists, 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, sexual misconduct, and related retaliation. In addition, the Office of Institutional Equity (OIE) is responsible for managing staff and faculty requests for disability-related accommodations<sup>2</sup> and all requests for religious accommodations from students, staff, and faculty.

OIE received 774 reports in 2022. Of these reports, 341 (44%) alleged sexual misconduct, 259 (33%) alleged protected-class discrimination or harassment, and 76 (10%) alleged *both* sexual misconduct and protected-class discrimination/harassment. The remaining 98 (13%) did not allege discrimination, harassment, or sexual misconduct; the majority of these reports were promptly routed to other offices.

Slightly less than half of the 774 reports received in 2022 involved student complainants (362 reports, 47%). Of these, 227 (63%) included allegations of sexual misconduct, an increase of 15 reports compared to 2021. Another 100 reports involving student complainants (28%) raised

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<sup>2</sup> Student requests for disability-related accommodations are handled by Student Disability Services.





allegations of protected-class discrimination or harassment, representing 22 fewer reports compared to 2021. For more information on OIE reports involving students, please see *Appendix G*.

The 774 reports received in 2022 represent an 11% increase in reporting compared to 2021 (697 reports), but is still fewer reports than OIE received in 2019 (924 reports), the last full calendar year that was unaffected by the COVID 19 pandemic. Reports to OIE noticeably decreased in 2020 when remote work and study became the norm, but have been increasing steadily as more students and employees returned campus. Because 2022 saw the greatest number of students and employees consistently on campus since 2019, a continued increase in reporting was not surprising.<sup>3</sup>

In addition to the above-described reports, OIE received 325 requests from individuals<sup>4</sup> for disability-related workplace accommodations in 2022. This number represents a 22% decrease from 2021, when we received 417 requests. As our community has mostly completed its transition back to in-person and hybrid work modalities, the number of workplace accommodations requested has declined. Notably, the figure is still 29% higher than OIE received in 2019 prior to the COVID-19 pandemic (252 requests). Requests for remote or hybrid work accounted for 42% (147 out of 354) of all requests for accommodations, down from 55% in 2021. 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 received 996 religious accommodation requests in 2022, roughly equivalent to the 1011 requests received in 2021, and a substantial increase from the 275 requests received in 2020. This increase stems almost entirely from the COVID-19 and influenza vaccination requirements implemented in spring and fall 2021. Of the 996 requests for religious accommodations OIE received in 2022, 923 (93%) were requests for exceptions to vaccine requirements, down from 98% in 2021.

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 and 2021, the majority of reports we received in 2022 came from “responsible employees” rather than directly from a complainant.<sup>5</sup> Responsible employees include faculty, coaches, resident advisers, human resources personnel, supervisory employees, and others designated by university policy.<sup>6</sup> Notably, 436 of 774 (56%) reports received came from a responsible employee. Of those 436 responsible employee reports, 221 (51%) involved a student

<sup>3</sup> See Appendix A for more data comparing the types of reports received by OIE from 2018 to 2022, including trends in 2020–21 that are likely tied to the impact of the COVID-19 pandemic.

<sup>4</sup> These 325 individuals requested a total of 354 accommodations.

<sup>5</sup> In 2021, of the 697 reports received, 50% (349) originated from responsible employees.

<sup>6</sup> See <https://oie.jhu.edu/responsible-employee-guidance/> for more information about responsible employees at JHU.



complainant.

Once a report is received from a responsible employee, an OIE representative follows up with the complainant to discuss the concern. In 2022, 50 of the 436 complainants who received this OIE outreach following a responsible employee report (11%) 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, 99 (23%) reports received from responsible employees in 2022 became OIE cases and were subject to additional action by OIE.<sup>7</sup>

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<sup>7</sup> See Appendix D for the disposition of all responsible employee reports in 2022.



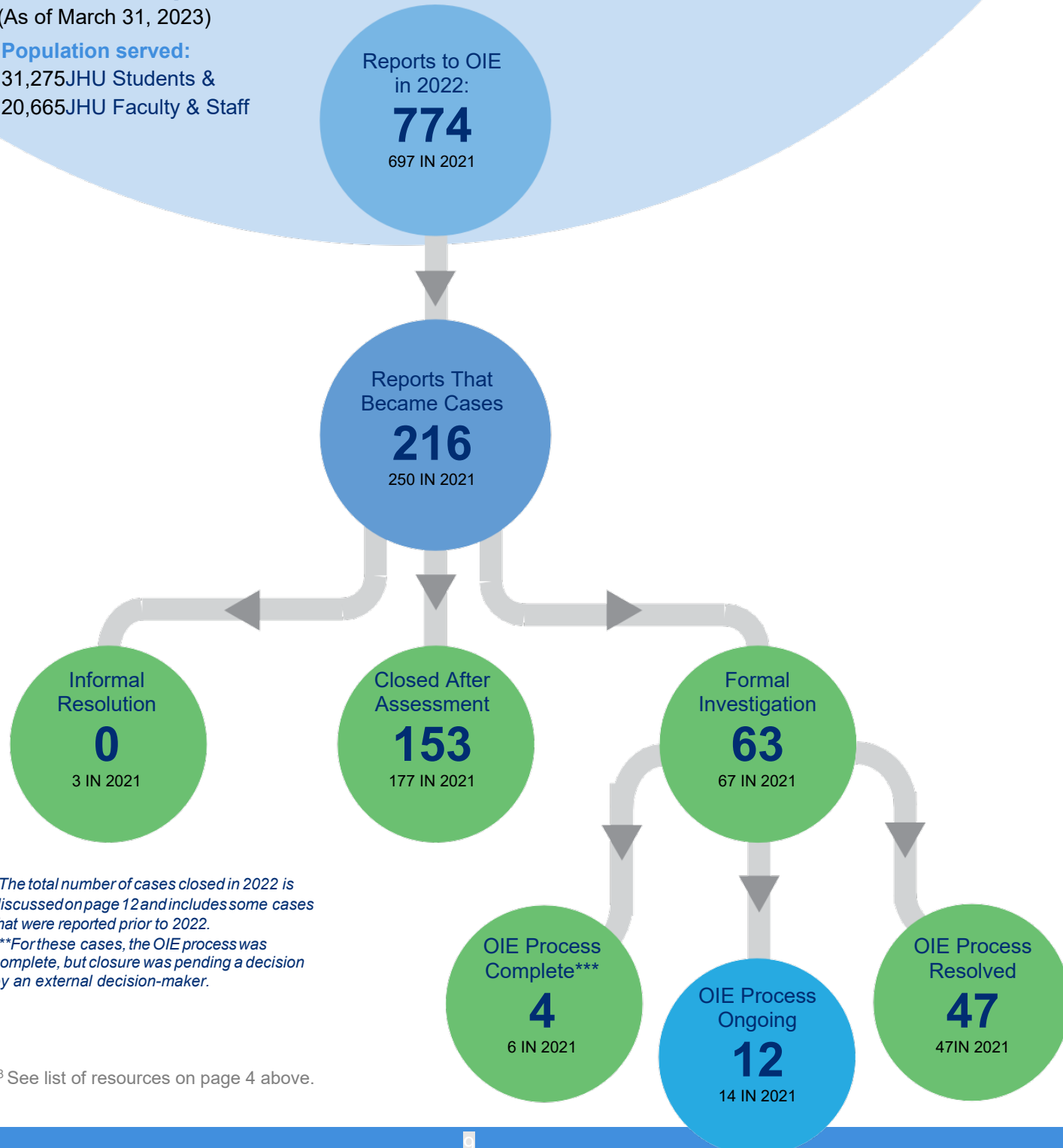
When OIE receives a report of sexual misconduct and/or protected-class discrimination or harassment from complainants or third parties, it reaches out, as it does with responsible employee reports, to the person(s) alleged to have experienced the misconduct. We provide information about the complaint process, obtain additional details, offer resources and support,<sup>8</sup> 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 2022\*

(As of March 31, 2023)

### Population served:

31,275 JHU Students &  
20,665 JHU Faculty & Staff



<sup>8</sup> See list of resources on page 4 above.



## Types of Reports Received in 2022

Of the 259 reports of protected class discrimination/harassment received in 2022, 38% (98) involved multiple protected classes, followed by 20% (53) based on race alone, as illustrated in Table A. However, 77 of the 98 reports involving multiple protected classes included race, meaning that 50% (53+77=130) of the 259 discrimination and harassment reports involved race-based allegations. This prevalence of race-based reporting was also reflected in the 2020 and 2021 annual reports.

**Table A – Categories of Discrimination/Harassment Reports**

<i>Multiple Protected Classes</i>	98	38%
<i>Race</i>	53	20%
<i>Disability</i>	43	17%
<i>National Origin</i>	21	8%
<i>Gender/Sex-Based Discrimination</i>	9	3%
<i>Religion</i>	9	3%
<i>Age</i>	8	3%
<i>Retaliation</i>	7	3%
<i>Ethnicity</i>	4	1.5%
<i>Color</i>	3	1.2%
<i>Sexual Orientation-Based Discrimination</i>	3	1%
<i>Veteran Status</i>	1	0.4%
<b>Total</b>	<b>259</b>	<b>100%</b>

As illustrated below in Table B, of the 417 reports of sexual misconduct, the two most common reports were of sexual harassment alone (38%, 160 reports) and sexual misconduct plus a protected class-based allegation (18%, 76 reports). For the latter, 29 reports of sexual misconduct also included a report of race-based discrimination or harassment. The next largest category of reports involved stalking (14%, 58 reports) followed by sexual assault (10%, 42 reports).<sup>9</sup>

**Table B – Categories of Sexual Misconduct Reports**

<i>Sexual Harassment</i>	160	38%
<i>Sexual Misconduct and Other Protected Class</i>	76	18%
<i>Stalking</i>	58	14%
<i>Sexual Assault</i>	42	10%
<i>Domestic Violence/Dating Violence</i>	34	8%
<i>Multiple Forms of Sexual Misconduct</i>	31	7%
<i>Sex-Based Harassment</i>	11	3%
<i>Retaliation</i>	3	1%
<i>Non-Specific Sexual Misconduct</i>	2	0%
<b>Total</b>	<b>417</b>	<b>100%</b>

<sup>9</sup> Sexual harassment was also the largest category in 2021 (37%), while sexual assault (19%) was the second largest.



## 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.<sup>10</sup> 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., sexual misconduct or behavior based on a protected class);
- 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).<sup>11</sup>

If the report to OIE does not meet the above criteria, the report is closed before it becomes an OIE case. In most such situations, the report is referred to another JHU office or administrator for follow-up—such as the Office of Human Resources or the Office of Student Conduct. OIE also helps to facilitate appropriate connections with supportive resources, such as the Counseling Center and the Johns Hopkins Employee Assistance Program (JHEAP, formerly MySupport).

Of the 774 reports received in 2022, 72% (558) were closed at initial review and did not become OIE cases. Table C illustrates the reasons that reports were closed before becoming cases in 2022.

**Table C – Reports Received in 2022 That Did Not Become Cases**

<i>OIE referred the matter to another department</i>	266	48%
<i>OIE did not have enough information to move forward</i>	154	28%
<i>Complainant did not want to move forward</i>	74	13%
<i>JHU had no authority over the respondent</i>	30	5%
<i>No protected class</i>	19	3%
<i>Complainant did not engage</i>	14	3%
<i>Other</i>	1	0%
<b>Total Reports That Did Not Become Cases</b>	<b>558</b>	<b>100%</b>

OIE's resolution of these 558 reports took an average of 7 days. This reflects increasing efficiency in OIE's intake process; in 2021, OIE took an average of 12 days to close the 447 reports that did not become cases, while in 2020 the average was 22 days for 317 reports.

## Reports That Became Cases

When a report meets the 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

<sup>10</sup> 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.

<sup>11</sup> Under the current Sexual Misconduct Policy and Procedures, which applies to reports of sexual misconduct alleged to have occurred on or after August 14, 2020, there may be additional requirements based on Title IX regulations to commence an investigation of alleged Title IX sexual harassment.



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 774 reports OIE received in 2022, 216 (28%) became OIE cases that were assessed or formally investigated. Of those 216 cases, 123 (57%) included allegations of protected-class discrimination and/or harassment only, while 93 (43%) included allegations of sexual misconduct.<sup>12</sup> The 2021 case breakdown was nearly identical, with 56% of cases involving allegations of discrimination/harassment only, and 44% involving allegations of sexual misconduct. This two-year stability provides an interesting comparison with the 2020 case breakdown – likely impacted by pandemic conditions – of 32% sexual misconduct cases and 68% discrimination/harassment cases.

The following table shows the number and types of reports received and how many of those reports become cases.

**Table D – Types of Reports That Became Cases**

	Reports Received	Percentage of Reports That Became Cases
Sexual Misconduct Only	341	19% (64)
Sexual Misconduct and Other Protected Class	76	38% (29)
Other Protected Class Only	259	47% (122)
TOTAL	774	28% (215)

## Outcomes of Cases Closed in 2022

During 2022, OIE closed 231 cases of sexual misconduct and protected-class discrimination or harassment following an assessment or a formal investigation. Of these, 46 cases were reported in 2021, but since they remained open for some portion of 2022, they are counted in 2022. There were 156 cases (68%) closed via assessment and 75 cases (32%) closed via formal investigation. There were no cases closed via informal resolution in 2022.

As shown in Table E below, 32% of OIE cases (75/231) led to a formal investigation, which is the only mechanism through which a violation of OIE policy may be found. The majority of OIE cases in 2022 did *not* result in an investigation or 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 strongly recommends specific follow-up actions intended to address the misconduct.

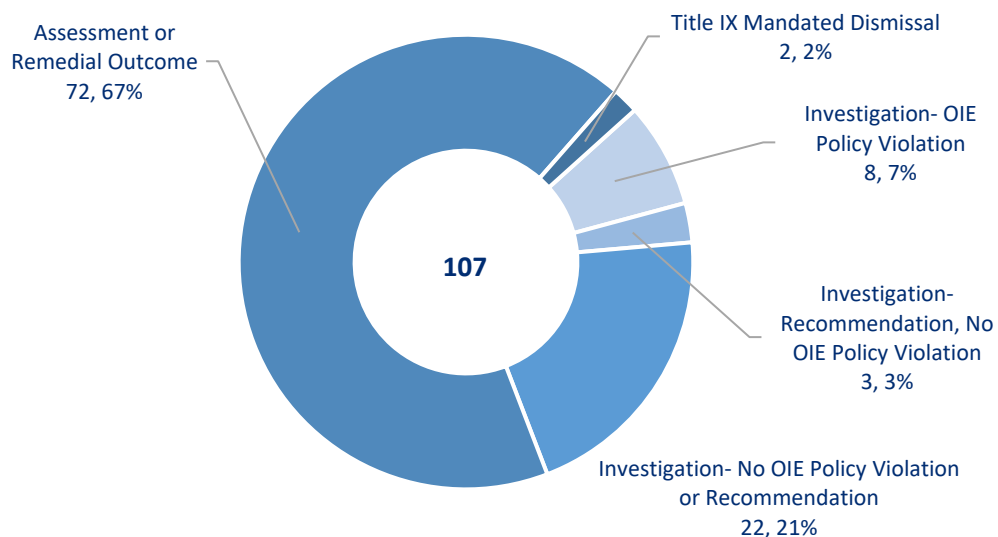
<sup>12</sup> Cases that included allegations of both sexual misconduct and protected-class discrimination/harassment were counted as sexual misconduct cases. Of the 93 such cases, 64 involved *only* sexual misconduct allegations while 29 included allegations of both sexual misconduct and protected-class discrimination/harassment

**Table E – Outcomes of Cases Closed in 2022**

	Total Cases Closed in 2022	Number of Cases Closed with OIE policy violation	Number of Cases Closed with OIE recommendation(s)
Assessment	156	N/A	41
Informal Resolution	0	N/A	N/A
Investigation	75	16	12
<b>TOTAL</b>	<b>231</b>	<b>16</b>	<b>53</b>

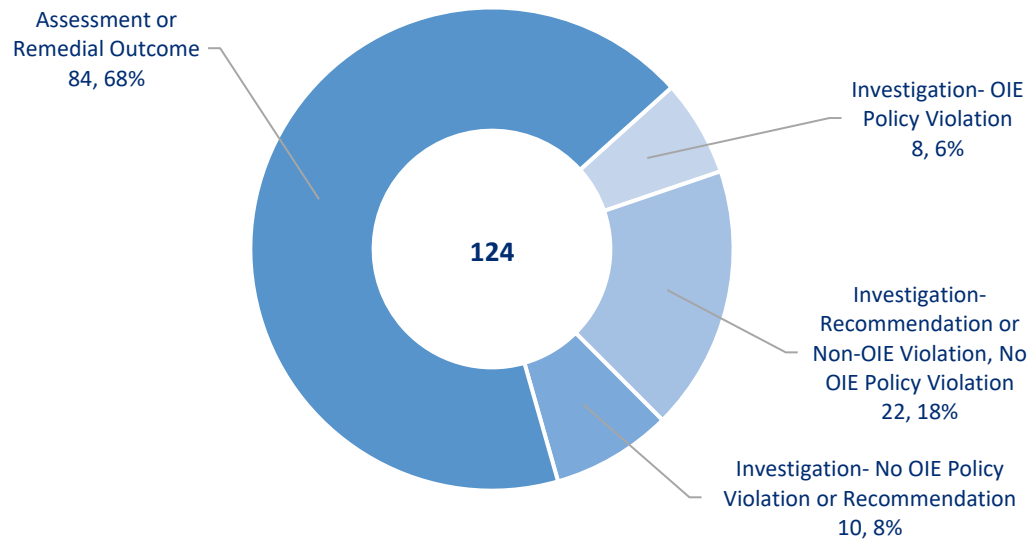
In 69 of the 231 cases closed in 2022 (30%), OIE either made a policy finding or made one or more recommendations. OIE recommendations typically included addressing the problematic conduct under other applicable (HR, conduct, or departmental) policies, mandating diversity or anti-discrimination training, making recommendations as to supervisory structure or management practices, and/or suggesting other forms of training or retraining, coaching, and counseling. OIE facilitated one-on-one educational conversations with the respondent in 33 cases (14%) closed in 2022.

Of the 231 cases closed in 2022, 107 (47%) were related to sexual misconduct, and 124 (54%) were related to protected-class discrimination and harassment. The charts below provide a breakdown of the outcomes in the 107 sexual misconduct cases and the 124 protected-class discrimination and harassment cases.

**Outcomes of Sexual Misconduct Cases Closed in 2022**



## Outcomes of Discrimination/Harassment Cases Closed in 2022



## Sanctions Issued in Response to Policy Violations

In 2022, the following sanctions were applied in instances where OIE conducted an investigation and the university found that a policy violation occurred:<sup>13</sup>

2022 Sanctions for Policy Violations	
Expulsion	No contact order
Suspension	Counseling referral
Deferred suspension	Disciplinary counseling/probation/ meeting
Educational sanction	Campus restriction/ban

The above list does not include sanctions against respondents who were not affiliated with JHU. For instance, in 2022, OIE was involved in the employment decisions or removal of three nonaffiliates (contractor workers) who were reported for engaging in sexual misconduct that impacted the university community. The above list likewise does not include sanctions (including termination and admission revocation) that resulted from information discovered during an OIE process but that did not constitute a violation of OIE policy.

## 2022 Time-to-Close Investigations

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

<sup>13</sup> 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.

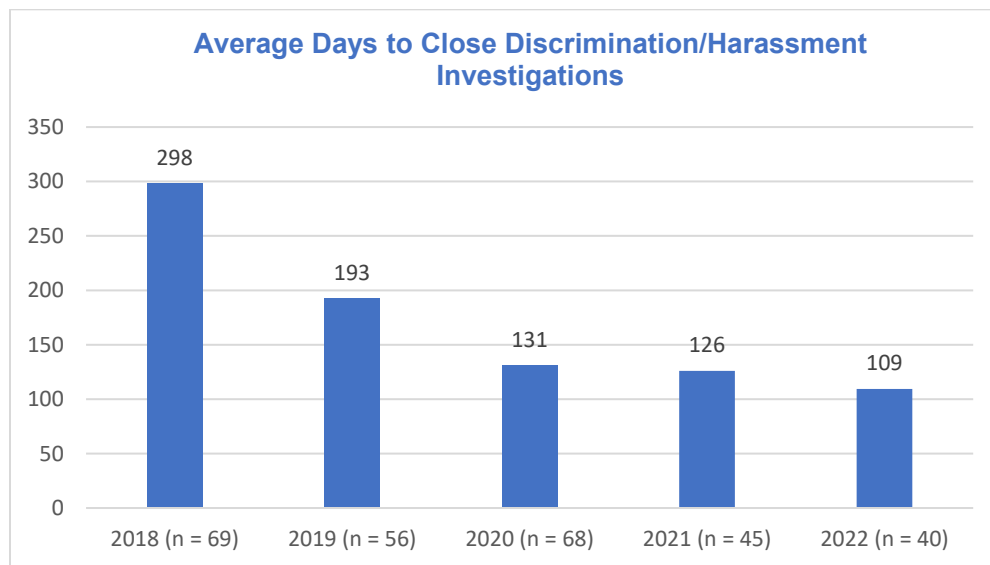


improved case-tracking software, and improving collaborations/partnerships with other JHU departments.

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

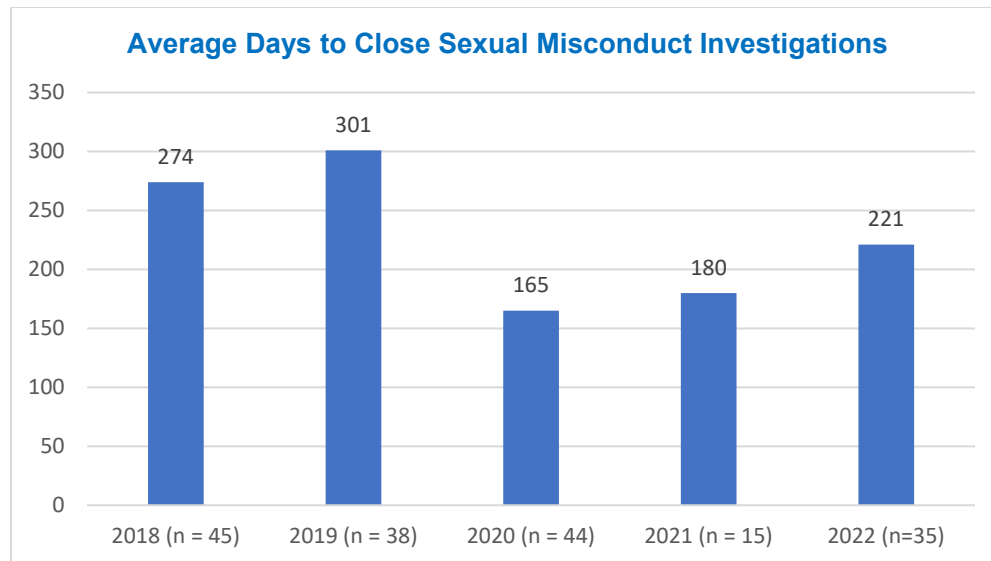
- a. Unavailability of witnesses or delayed participation by parties;
- b. Complexity of cases—multiple and/or new allegations against multiple parties;
- c. Coordination with parties' supporters or attorneys;
- d. Complex federally-mandated grievance procedures for Title IX Sexual Harassment;
- e. Need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

In 2022, 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, the time to close discrimination and harassment investigations continues to decline, as shown in the below chart.



In 2022, OIE closed more than two times the number of sexual misconduct investigations than were closed in 2021—35 investigations in 2022 compared to 15 in 2021. However, as a result of the sudden influx of sexual misconduct cases, as well as the impact of the complex grievance procedures and due process sometimes mandated by Title IX, we saw an increase in the time it took to close investigations of sexual misconduct matters.





It is important to note that the charts above show timelines that encompass far more than the OIE investigation itself. The timeline starts when OIE first receives the report and stops only after the matter is fully adjudicated and closed. For a variety of reasons, a sexual misconduct investigation rarely begins the same day or even the same week that OIE receives the report. For example, in some cases, after learning about the sexual misconduct policy and investigation/adjudication procedures, a complainant requests time to consider their options and seek advice before proceeding.

In addition, sexual misconduct matters are not closed immediately after OIE completes its investigation. OIE cannot close a formal investigation until the decision-maker considers the information provided, makes a decision (in some cases following a live hearing), 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.”

The timelines for closing sexual misconduct cases increased in 2022 because of the increased volume of reports and because many of the cases were more complex, thereby impacting all phases of the process. This increase in time is reflected in Table F 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 F: Timeline for Sexual Misconduct Investigations<sup>14</sup>**

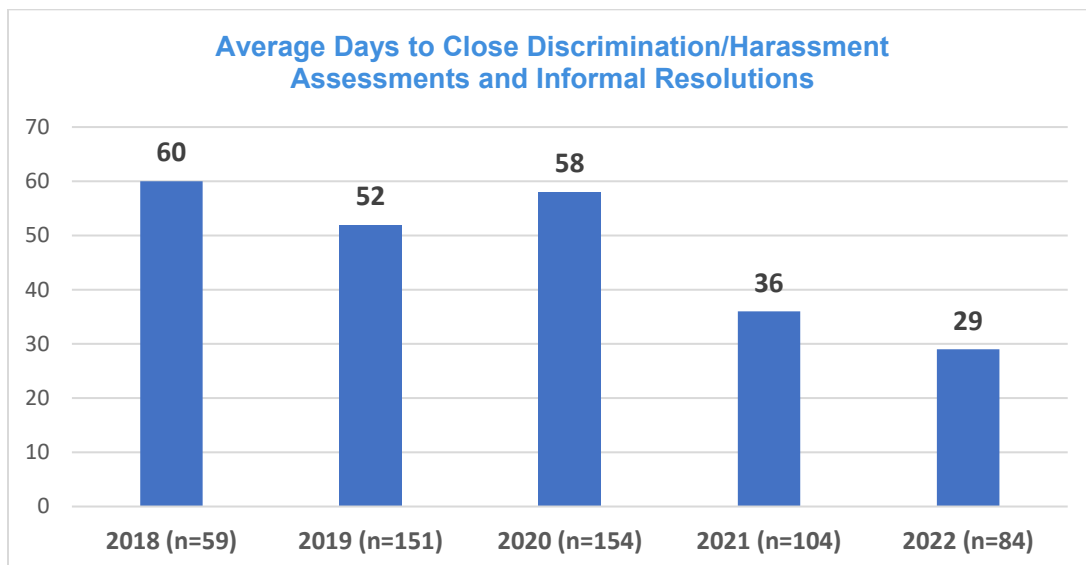
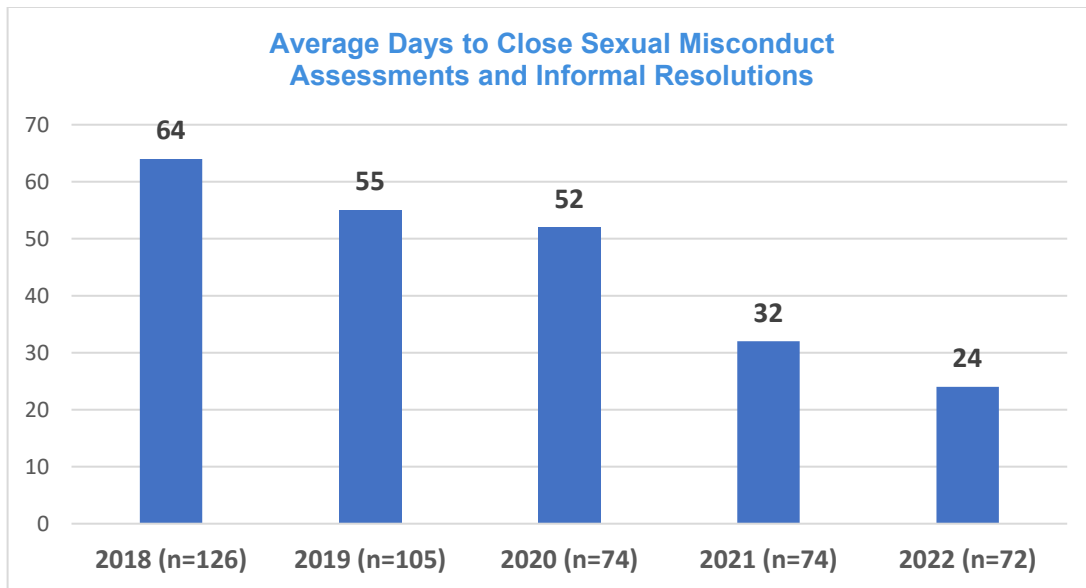
	2018	2019	2020	2021	2022
Average Days in OIE Investigative Process	188	186	97	104	135
Average Days in Post-OIE Adjudication Process (After OIE Investigation is Complete)	65	93	43	55	63
Average Total Days	274	301	165	180	221

## 2022 Time-to-Close Assessments

Assessments and informal resolutions are more frequent than formal investigations and typically take far less time. In 2022, the average time to close 76 sexual misconduct assessments was 24 days, while the average time to close 84 discrimination/harassment assessments was 29 days.<sup>15</sup> The graphs below compare five calendar years of data regarding the average number of days needed to close informal resolutions and assessments. The overall trend for both sexual misconduct matters and discrimination/harassment shows increased efficiency in the assessment and informal resolution processes.

<sup>14</sup> The average days in the OIE investigative process and the average days in the post-OIE adjudication process **do not** add up to the average total days because OIE **did not** include the average days in pre-investigation, which can vary greatly, on this chart. Furthermore, even when the average days in pre-investigation were included, these numbers did not always add up because some cases were dismissed during the investigation per federal Title IX regulations, or complainants withdrew their complaints after the investigation was completed but before the case was transferred to an external decision-maker.

<sup>15</sup> In 2022, OIE did not close any matters via informal resolution.



## 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.<sup>16</sup> This includes disability, religious, and pregnancy-based adjustments. OIE also coordinates religious and pregnancy-based adjustments for students; however, student requests for ADA accommodations are handled by Student Disability Services.

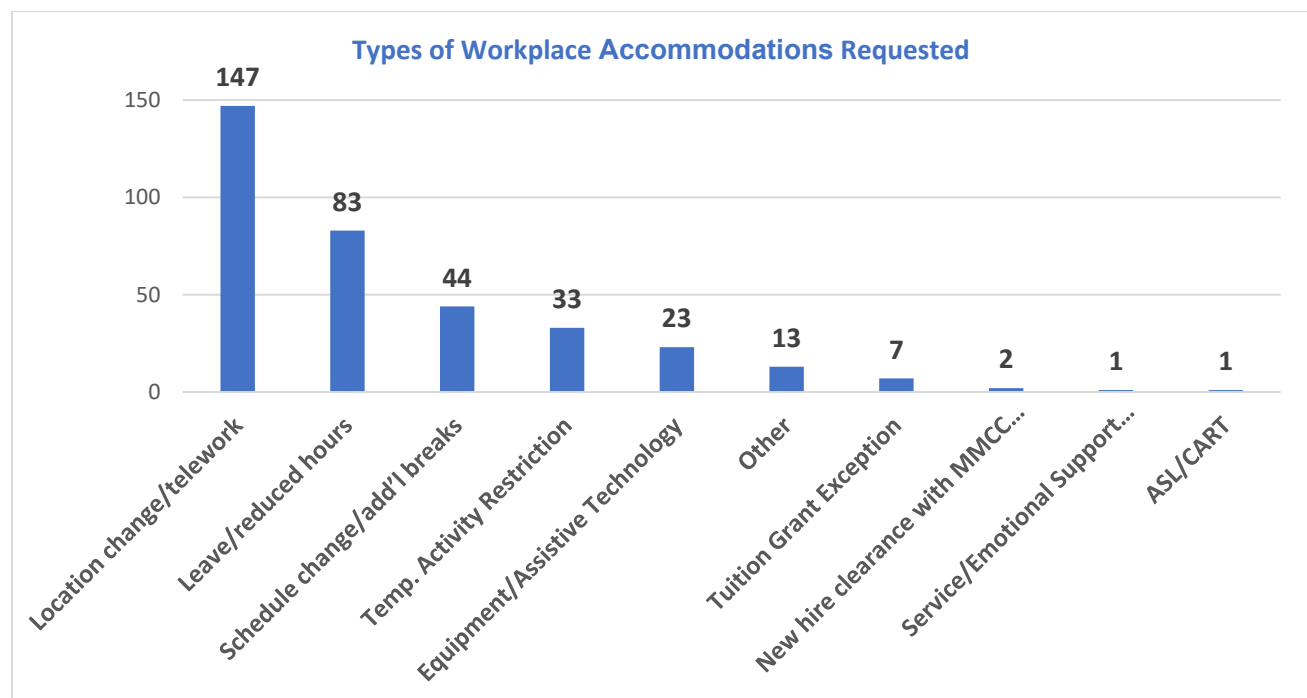
<sup>16</sup> Student requests for ADA accommodations are handled by Student Disability Services, not OIE, and thus are not included in this annual report.



## ADA Workplace Accommodations

In 2022, OIE received 325 ADA workplace accommodation requests. OIE approved 206 (62%) accommodation requests, while 106 (33%) of the requests were closed owing to the requester's failure to participate in the interactive process, referral to a different office, or the requester's voluntary withdrawal from the process. Nineteen requests (6%) of accommodation were denied, largely due to an employee's inability to perform essential job functions with the requested accommodation in place.

The types of accommodations requested are depicted in the below graph. Because some employees request and receive more than one form of accommodation, the total number of accommodations requested (354) is greater than the number of individuals who requested accommodations (325).



## Religious Accommodations

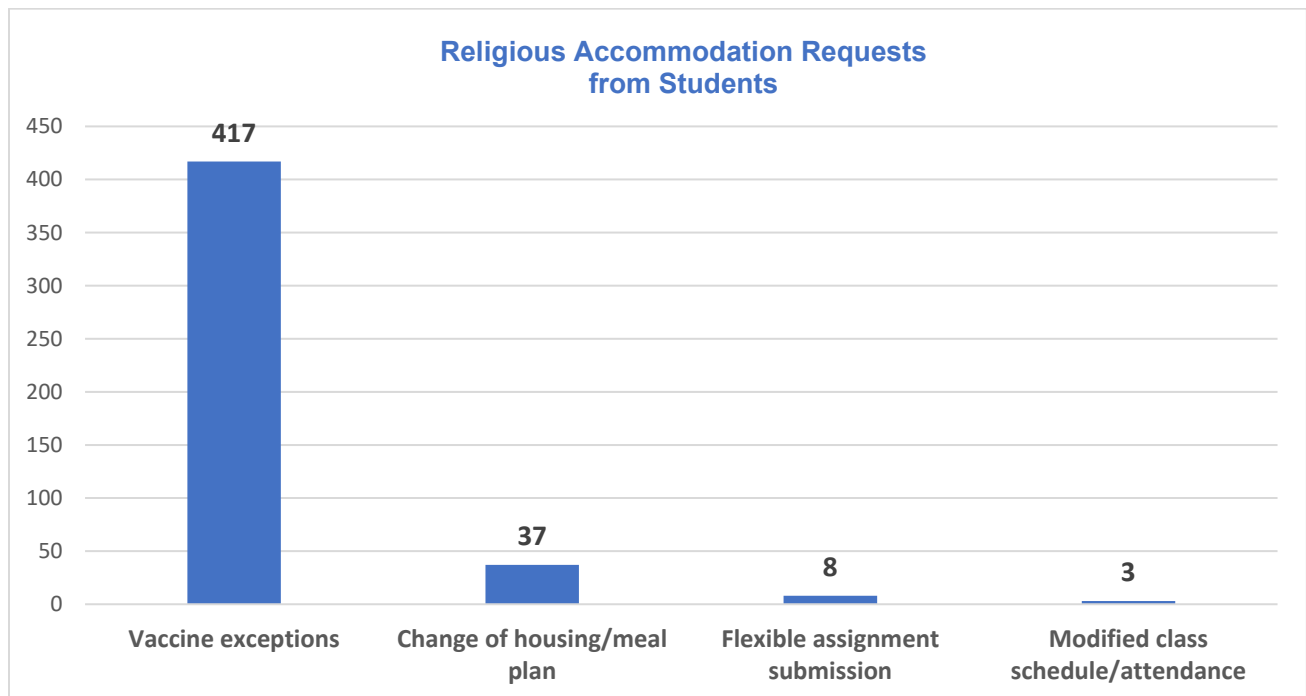
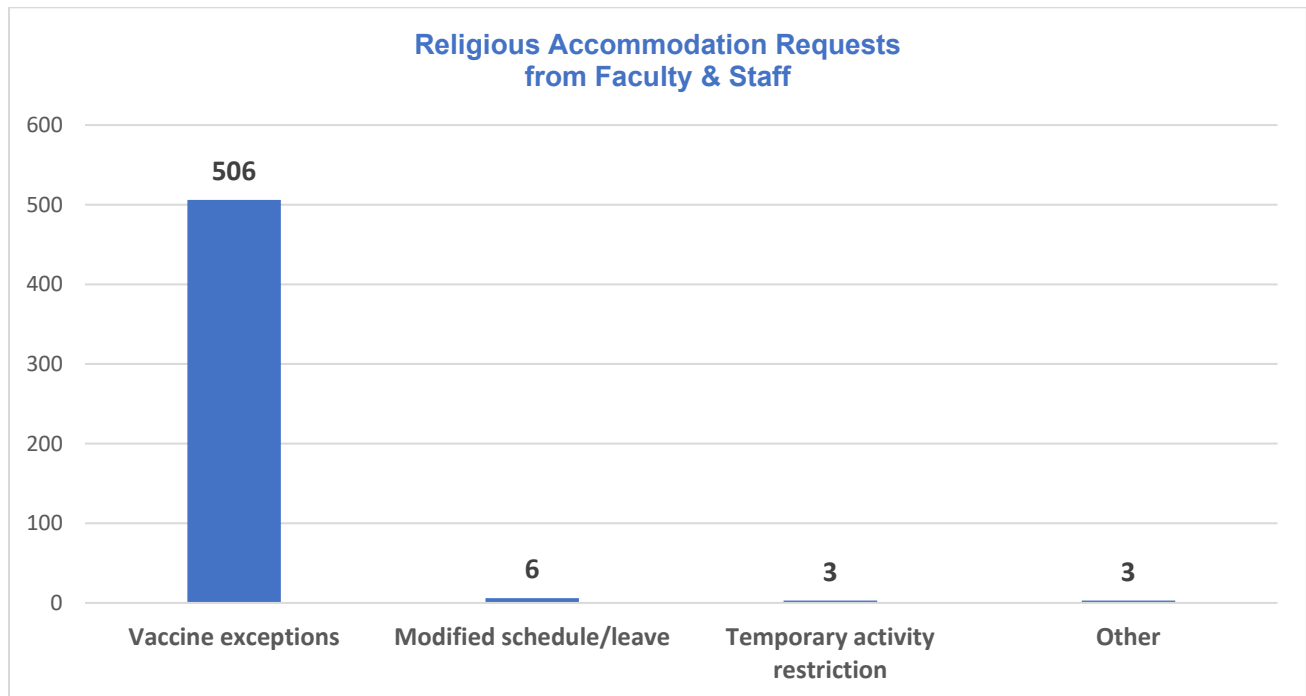
Of the 996 total requests for religious accommodations that OIE received in 2022, 518 (52%) came from faculty/staff, while 473 (47%) were from students.<sup>17</sup> The vast majority of requests (899, 90%) were approved. With regard to the 97 requests that were not approved, 77 of the individuals did not submit sufficient information to support their request. In addition, 12 individuals withdrew their requests and 8 individuals were referred to a different office.

The 996 religious accommodation requests received in 2022 was similar to the 1011 religious accommodations received in 2021, and represents 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

<sup>17</sup> Three religious accommodation requests came from contractors and 2 came from volunteers/non-employees.



non-SOM faculty/staff for the first time. 93% (834) of the 899 total religious accommodation requests granted by OIE in 2022 were requests for exceptions to vaccine requirements, as illustrated below in the graphs, down from 98% in 2021.



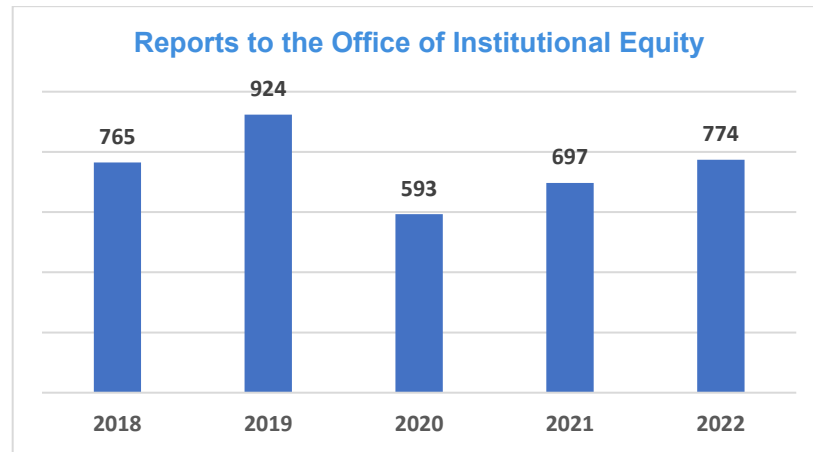


## VII. Appendices

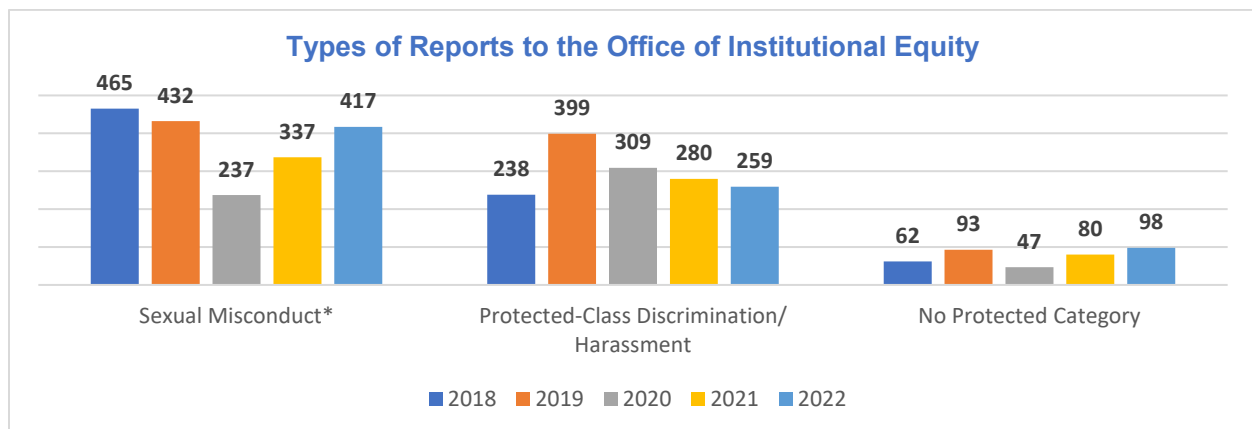
### Appendix A

#### Report Data from 2018 to 2022

After a notable drop in reporting in 2020, which we attribute to the impact of the pandemic, reporting has steadily increased as students and employees returned to campus.

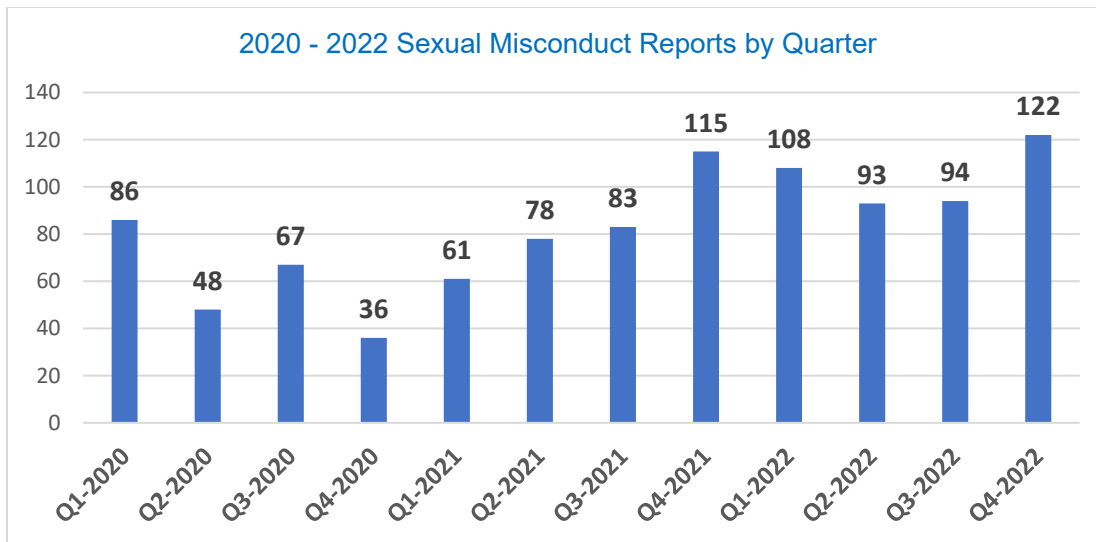


As illustrated below, we have witnessed a continued decrease in discrimination and harassment reports since 2019, with only a modest decrease from 2021 to 2022 (21 fewer reports; 8% decrease). In contrast, after a significant drop in sexual misconduct reports in 2020, we saw a notable increase in 2021 (100 more reports; 42% increase from 2020) and again in 2022 (80 more reports; 24% increase from 2021).

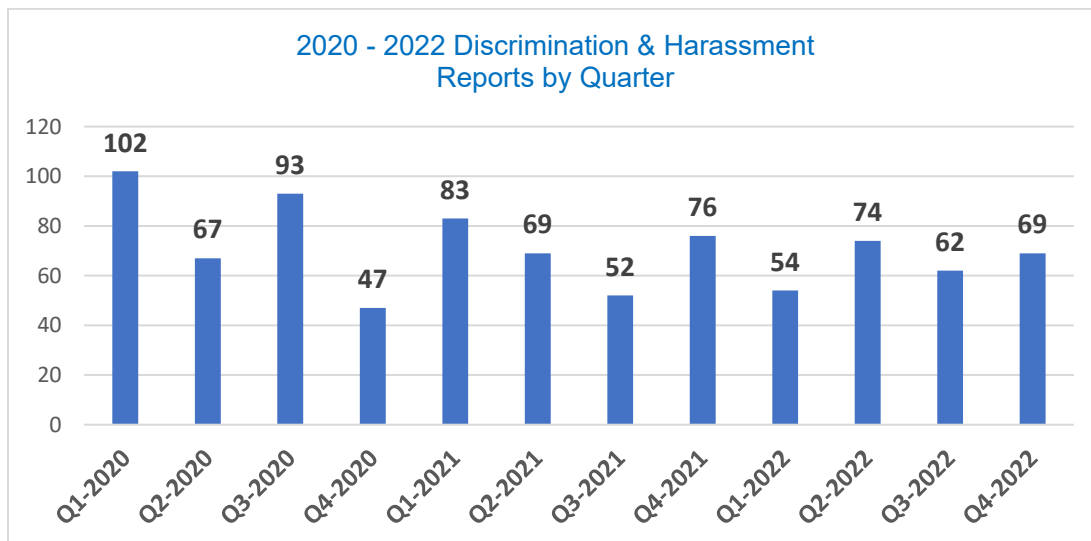


\*Reports of sexual misconduct sometimes include a claim of concurrent protected-class discrimination. To best represent the number of reports to OIE and to avoid double-counting, these reports are included only in the counts of sexual misconduct reports. In 2022, there were 76 such reports (10%) and in 2021 there were 50 (7%).

As sexual misconduct reports frequently involve in-person interactions (particularly sexual assault and dating/domestic violence), we attribute the growth in sexual misconduct reports in 2021 and 2022 to the increase in students and staff on-campus in early 2021. By fall 2021, nearly all students and many employees had returned to campus, and this has continued throughout 2022. 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 class-based discrimination and harassment, as shown below.







## Appendix B

### Prevention and Support 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 participate in a live, 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 prevention and education efforts utilizing information and feedback from the community. The 2018, 2019 and 2021 Student Sexual Misconduct Surveys<sup>18</sup> provided valuable information on student awareness and understanding of university policies and resources related to sexual misconduct, as well as the prevalence and nature of sexual misconduct in our community. As a result of these data, the Provost's Sexual Violence Advisory Committee (SVAC)<sup>19</sup> has suggested and spearheaded various initiatives including:

- Enhanced support and education resources surrounding sexual misconduct with two new confidential positions in the Center for Health Education and Wellness;
- Expansion of bystander intervention training to graduate students;
- Creation and promotion of an award-winning campaign promoting healthy consent and sexual respect; and
- Still underway, partnership with the Center for Communication Programs (CCP) in the Bloomberg School of Public Health to address the issue of low knowledge/usage of JHU sexual misconduct related resources by creating a student-focused, evidence-based communications campaign to be launched in 2023.

The university will be conducting another survey on student sexual misconduct in academic year 2023-24, and will utilize the data to evaluate our current efforts and develop new initiatives.

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<sup>18</sup> The Report on the 2021 Climate Survey on Student Sexual Misconduct is available online at <https://oie.jhu.edu/oie-annual-reports/>.

<sup>19</sup> The SVAC has a broad membership, including students, staff and faculty from throughout the university, including individuals from OIE, Student Health and Well-being – Gender Based Violence Prevention, Student Affairs, Athletics, and Public Safety.



## Appendix C

### Affiliation of Parties Involved in Reports Received in 2022

The tables below provide information about the university affiliation of parties involved in OIE reports received in 2022. Of the 417 sexual misconduct reports, 54% (224) involved students as complainants, 20% (84) involved staff complainants, 19% (81) involved complainants who had no affiliation with the university, and only 6% (25) involved a faculty complainant. Overall, sexual misconduct reports most frequently involved a student complainant and a student respondent (25%, 103); this percentage was the same in 2021 but represented fewer reports (85 of 337 reports). Likewise, reports involving a student complainant and a nonaffiliate/unknown respondent were the second most frequent in both 2022 (22%, 90) and 2021 (23%, 76).

#### 2022 Sexual Misconduct Reports (n = 417): Affiliation of Parties

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliation Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	103	17	14	0	90	224
	Staff Complainant	6	47	7	0	24	84
	Faculty Complainant	3	2	12	1	7	25
	Multiple Affiliations Complainant	0	1	1	0	1	3
	Nonaffiliate/Unknown Complainant	13	17	15	0	36	81
TOTAL		125	84	49	1	158	417

For discrimination and harassment reports, staff were the most frequent complainants (39%, 101), closely followed by students (38%, 98). While staff members primarily filed complaints against other staff members (87), students filed complaints against various parties including other students (21), staff members (18), faculty (46) and nonaffiliates (13). Overall, discrimination/harassment reports most frequently involved a staff complainant and staff respondent (34%, 87), followed by a student complainant and a faculty respondent (18%, 46), and then by a student complainant and a student respondent (8%, 21).



**2022 Protected-Class Discrimination/Harassment Reports (n = 259):  
Affiliation of Parties**

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliations Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	21	18	46	0	13	98
	Staff Complainant	2	87	8	0	4	101
	Faculty Complainant	0	3	12	1	3	19
	Multiple Affiliations Complainant	0	0	2	0	0	2
	Nonaffiliate/Unknown Complainant	4	25	4	0	6	39
TOTAL		28	132	72	1	26	259



## 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. Notably, 436 of 774 reports (56%) came to OIE from a responsible employee rather than directly from the complainant reporting to OIE. The table below shows the outcomes of these responsible employee reports.

#### Resolution of Reports Received from Responsible Employees in 2022 (n = 436)

99 Responsible Employee Reports (23%) Became Cases	Closed after Assessment or Formal Investigation	92	21%
	Informal Resolution	0	0%
	Open	7	2%
337 Responsible Employee Reports (77%) Were Closed Without Becoming Cases	OIE referred the matter to another department	157	36%
	OIE did not have enough information to move forward	100	23%
	Complainant did not want to move forward	46	11%
	JHU had no authority over the respondent	23	5%
	No protected class	6	1%
	Complainant did not engage	4	1%
	Other	1	0%
Total Responsible Employee Reports		436	100%



## Appendix E

### Affiliation of Parties Involved in Cases Received in 2022

The tables below provide information about the university affiliation of parties involved in OIE cases that resulted from the reports received in 2022. Of the 93 sexual misconduct cases, 53% (49) involved student complainants, and 26% (24) involved staff complainants.

Overall, in 2022 sexual misconduct cases most frequently involved a student complainant and student respondent (31%, 29) followed by a staff complainant and a staff respondent (19%, 18).

#### 2022 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	29	7	7	0	6	49
	Staff Complainant	3	18	2	0	1	24
	Faculty Complainant	0	1	6	0	0	7
	Multiple Affiliations Complainant	0	0	1	0	0	1
	Nonaffiliate/Unknown Complainant	3	4	5	0	0	12
TOTAL		35	30	21	0	7	93

For discrimination and harassment cases, staff were the most frequent complainants (41%, 51), followed by students (25%, 31). This represents a change from 2021, when students were the most frequent complainants. Overall, discrimination/harassment cases most frequently involved a staff complainant and staff respondent (39%, 48), followed by a non-affiliate complainant and a staff respondent (15%, 19).



**2022 Protected-Class Discrimination/Harassment Cases (n = 122):  
Affiliation of Parties**

		Respondent Affiliation					TOTAL
		Student Respondent	Staff Respondent	Faculty Respondent	Multiple Affiliations Respondent	Nonaffiliate/Unknown Respondent	
Complainant Affiliation	Student Complainant	4	10	16	0	1	31
	Staff Complainant	1	48	2	0	0	51
	Faculty Complainant	0	2	12	1	0	15
	Multiple Affiliations Complainant	0	0	2	0	0	2
	Nonaffiliate/Unknown Complainant	2	19	2	0	1	24
TOTAL		8	78	34	1	2	123

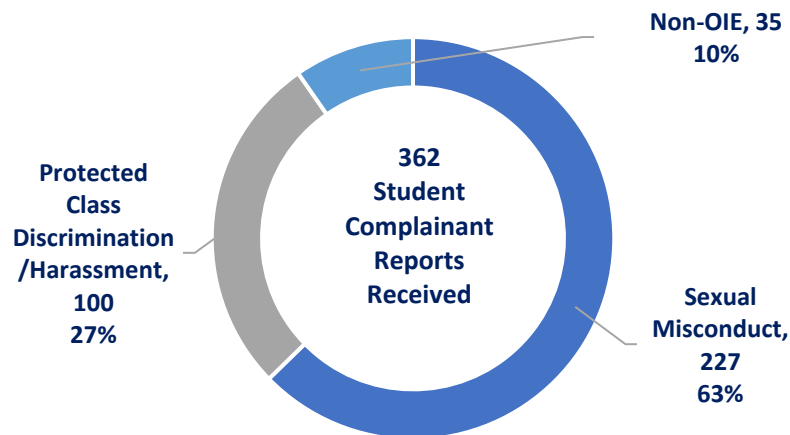


## Appendix F

### Student-Focused Data

#### Student Complainant Reports Received in 2022

Of the 774 total reports that OIE received in 2021, 362 (47%) involved student complainants<sup>20</sup>. As shown in the chart below, most of the reports involved allegations of sexual misconduct.



These student complainants primarily reported misconduct by other students (38%, 138) or by non-affiliates (31%, 114), but also included reports against faculty (20%, 73) and staff (10%, 37). Of these 362 reports involving student complainants, 77% (279) 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 2022 That Did Not Become Cases

<i>OIE did not have enough information to move forward</i>	99	28%
<i>OIE referred the matter to another department</i>	97	27%
<i>Complainant did not want to move forward</i>	45	12%
<i>JHU had no authority over the respondent</i>	17	5%
<i>No protected class</i>	10	3%
<i>Complainant did not engage</i>	6	2%
<i>Other</i>	5	1%
<b>Total</b>	<b>279</b>	<b>100%</b>

The remaining 83 reports (23%) became OIE cases. Consistent with the breakdown of reports, there were more cases involving sexual misconduct (60%, 50 cases) than protected-class discrimination/harassment (40%, 33 cases). The table below shows how OIE resolved these cases.

#### Resolution of Student Complainant Cases Reported in 2022

<sup>20</sup> These 362 complainant reports included 5 reports that involved students who also held other University affiliations (i.e. an individual who was both enrolled as a student *and* working as a staff member).





	Sexual Misconduct	Other Protected Class Discrimination/ Harassment	Total
Formal Investigation	9	3	12
Assessment	10	23	33
Remedial Outcome	19	5	24
Open	12	2	14
Total	50	33	83

### Reports Received in 2022 Against Student Respondents

As noted above, student complainants filed 138 reports against other students – data about these reports are captured in the above section. However, OIE also received 32 additional complaints against JHU students that were filed against them by anonymous complainants or non-affiliates of the University (18), JHU faculty (5), or JHU staff (9).

Of these 32 reports brought by non-students against students, 10 became cases. Of those cases, 1 was formally investigated, 3 were assessed, and 6 led to a remedial outcome. OIE also facilitated educational conversations with 4 student respondents in response to a non-student report.

### Student Respondent Cases Closed in 2022

During 2022, OIE closed 56 cases involving student respondents. Of these 56 cases, 47 (84%) included allegations of sexual misconduct and 9 (16%) 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 2022

<i>Sexual Harassment</i>	18
<i>Sexual Assault</i>	14
<i>Multiple Forms of Sexual Misconduct</i>	6
<i>Sexual Misconduct and Other Protected Classes</i>	4
<i>Stalking</i>	4
<i>Intimate Partner Violence</i>	1

\*Includes harassment based on sexual orientation and gender identity/expression

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

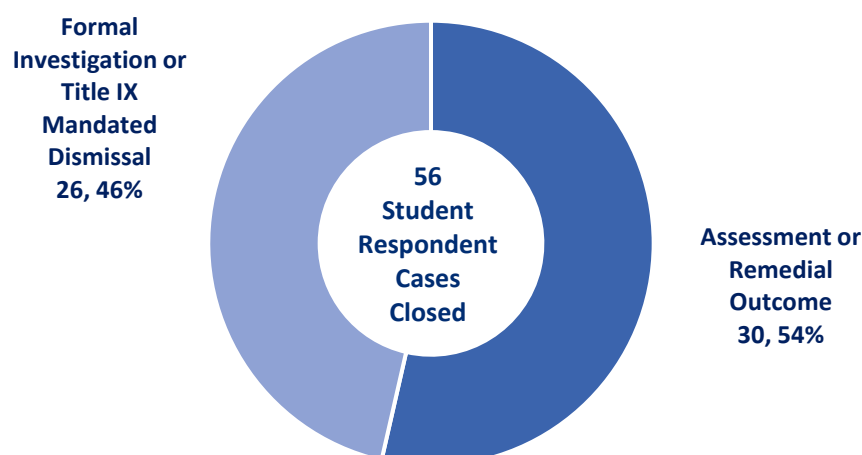
#### Types of Protected Class Discrimination/Harassment Allegations in Student Cases Closed in 2022

<i>Multiple Protected Classes</i>	5
<i>Race</i>	4

The manner in which these 56 cases closed was split fairly evenly between assessment and formal



investigation, as shown below.



OIE conducted 26 formal investigations of sexual misconduct involving student respondents. In 7 (27%) of these investigations the student respondent was found responsible for engaging in sexual misconduct. This included 4 findings of sexual assault, 2 findings of stalking, and 1 finding of sexual harassment. In addition, one investigation led to a student respondent being found responsible for violating other university policies. The sanctions imposed included expulsion, suspensions, deferred suspensions, disciplinary probation, written reprimands, no contact orders, training, and required administrative meetings.<sup>21</sup>

On average, student sexual misconduct investigations took approximately the same time to close in 2022 than staff/faculty sexual misconduct investigations. For the 26 student sexual misconduct cases that closed in 2022, the average time from the moment the report comes to OIE through investigation, adjudication, and appeal was 223 days. As shown below, when compared to overall timelines for sexual misconduct investigations, the data show slightly increased time for *student* sexual misconduct investigations due to a slightly longer post-OIE adjudication process. This slight increase in time is not surprising as the Student Resolution Panel process can be more involved than the post-adjudication processes for faculty and staff.

<sup>21</sup> In 2022, OIE did not conduct any formal investigations of protected-class discrimination/harassment allegations against student respondents.



### Timeline for Student-Complainant Sexual Misconduct Investigations Closed in 2022<sup>22</sup>

	All SM Investigations (n = 35)	Student Respondent SM Investigations(n = 26)
Average Days in OIE Investigative Process	135	127
Average Days in Post-OIE Adjudication Process (After OIE Investigation is Complete)	63	64
Average Total Days	<b>221</b>	<b>223</b>

<sup>22</sup> As in Table F, the average days in the OIE investigative process and the average days in the post-OIE adjudication process **do not** add up to the average total days because OIE did not include the average days in pre-investigation, which can vary greatly, on this chart. Furthermore, these numbers did not always add up – even when the average days in pre-investigation were included – because cases were dismissed per federal Title IX regulations, or complainants withdrew their complaints after the investigation was completed but before the case was transferred to an external decision-maker.



JOHNS HOPKINS  
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