



STUDENT CIVIL RIGHTS AT THE UNIVERSITY OF SOUTHERN CALIFORNIA



USC University of
Southern California

USC'S OFFICE FOR EQUITY, EQUAL OPPORTUNITY,
AND TITLE IX (EEO-TIX)

December 2020

We acknowledge that we are on the traditional land of the Tongva people. For thousands of years, the Tongva people lived on this land we occupy today and were considered the most powerful indigenous peoples to inhabit the Los Angeles basin. Along with the Tongva, we also recognize the Chumash, Tataviam, Serrano, Cahuilla, Juaneno, and Luiseno People, for the land that USC also occupies around Southern California. We pay respects to their elders past and present. Please take a moment to consider the many legacies of violence, displacement, migration, and settlement that bring us here today. And please join us in uncovering such truths at any and all events.

Key Responsibilities of the EEO-TIX Office

Educate

- Support and centralize ongoing prevention, education, and training efforts to promote and protect the civil rights of University community members (students, faculty, and staff)

Advance

- Partner to promote and lead initiatives that support and advance diversity, equity, and inclusion across all aspects of campus life.

Respond

- Promptly and appropriately respond to all reports of protected class discrimination, harassment, and related retaliation through supportive measures, as well as, when appropriate, alternative and formal resolution options.

What We Will Cover



- What is Prohibited Conduct at USC
- Where to go for Help
 - Reporting Options
 - Supportive Measures
 - Accountability Measures
- How to be an Upstander



USC's Policy on Prohibited Discrimination, Harassment, and Retaliation

IMPORTANT: REQUIRED ONLINE TRAINING

- All incoming students are required to take ***Sexual Assault Prevention*** (access through MyUSC)
- The online training will give you more in-depth information about USC's Policy on Prohibited Discrimination, Harassment, and Retaliation, confidential resources, and reporting options.

Q: What happens if you fail to take this training by the deadline?

A: Your registration will be blocked!

To Whom the Policy Applies

SCOPE:



Students



Staff (including Healthcare staff)



Faculty



Third Parties

- Race
- Color
- Ethnicity
- Religion (including religious dress and grooming practices)
- Creed
- Sex
- Age (40 years and over in the employment context)
- Marital status
- National origin
- Citizenship status
- Employment status
- Income status
- Shared ancestry and ethnic characteristics

- Partnership status
- Medical condition (including cancer and genetic characteristics)
- Pregnancy (including childbirth, breastfeeding, or related medical conditions)
- Disability
- Political belief or affiliation
- Domestic violence victim status
- Military or veteran status
- Sexual orientation
- Gender
- Gender identity
- Gender expression
- Genetic information

- A University employee conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (e.g., *quid pro quo* or "this for that")
- Unwelcome conduct by a USC student, faculty member, or staff determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity
- Other defined conduct: Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Retaliation by a USC student, faculty member, or staff.

What is “Prohibited Conduct” Under the Policy?

- Violation of a University directive (e.g., Avoidance of Contact directive)
- Discrimination based on a protected characteristic
- Harassment based on a protected characteristic
 - Title IX sexual harassment (defined by U.S. Department of Education)
 - Sexual & gender-based harassment (broader scope)
 - Other protected characteristic harassment (e.g., race, disability, etc.)
- Sexual assault
- Dating & domestic violence
 - Physical violence
 - Non-physical conduct that would cause a reasonable person to fear for their safety
- Stalking
- Nonconsensual viewing, recording, and dissemination
- Exposure
- Retaliation
- Complicity

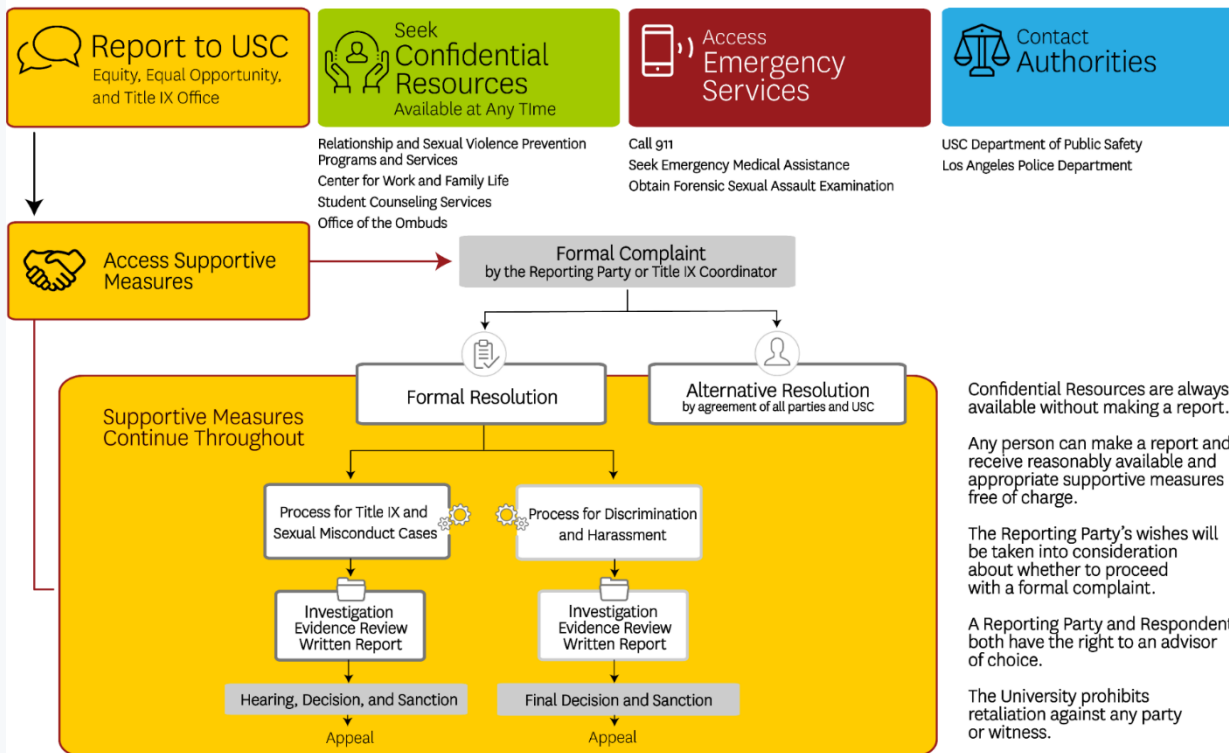
- **Verbal:** offensive jokes, comments, etc.
- **Non-Verbal:** grunting, cat-calls, touching, etc.
- **Physical:** targeting someone with violence, property damage, touching, etc.
- **Written:** graffiti, emails, letters, etc.
- **Graphic:** images, symbols, etc.
- **Electronic:** use of electronic information technology, such as email and social media

How To Get Help: At A Glance

Navigating the USC Policy on Prohibited Discrimination, Harassment, and Retaliation

In an effort to explain options available within this policy, the following flowchart provides a visual representation of the process.

What are my choices?



Confidential Resources are always available without making a report.

Any person can make a report and receive reasonably available and appropriate supportive measures free of charge.

The Reporting Party's wishes will be taken into consideration about whether to proceed with a formal complaint.

A Reporting Party and Respondent both have the right to an advisor of choice.

The University prohibits retaliation against any party or witness.

- **Email:** eeotix@usc.edu
- **Call EEO-TIX Office:** (213) 740-5086
- **Contact USC's Help & Hotline:** (213) 740-2500 or (800) 348-7547 or report.usc.edu (can be anonymous)

EXAMPLES OF SUPPORTIVE MEASURES

1

Access to Counseling

5

Workplace modifications

2

Mutual Avoidance of Contact (AOC) directives (non-punitive administrative measure designed to minimize conflict)

6

Schedule modifications

3

Academic accommodations (e.g., extension of deadlines)

7

Campus escort services

4

Housing accommodations

8

Other reasonably available supportive measures

**Available with or without filing a Formal Complaint
with EEO-TIX**

Two Formal Resolution Tracks

If the **Formal Complaint** alleges **only** Discrimination (either Disparate Treatment or Disparate Impact), Hostile Environment Harassment (based on a protected class other than sex or gender), Quid Pro Quo Harassment (based on a protected class other than sex or gender), and/or Retaliation not relating to Sexual Harassment.

Investigation by a trained investigator free of conflict of interest or bias. During the investigation, both parties provided an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Evidence Review: Parties may review and respond to all information gathered in the investigation that is directly related to the allegations.

Investigative Report issued to both parties, which includes a determination regarding responsibility.

Sanctioning Panel convenes if there is a finding of responsibility to determine an appropriate sanction. Panel determined by status of Respondent.

Appeal for: (1) procedural irregularity, (2) new evidence, or (3) conflict of interest or bias. Appellate authority determined by status of Respondent.

If the **Formal Complaint** alleges any of the following Prohibited Conduct:

- Title IX Sexual Harassment, including Sexual Assault, Dating and Domestic Violence, and Stalking; Sexual and Gender-Based Harassment; Nonconsensual Viewing, Recording and Dissemination; Exposure; Other Forms of Dating and Domestic Violence; and/or Retaliation relating to Sexual Harassment.

Evidence Review: Parties may review and respond to all information gathered in the investigation that is directly related to the allegations.

Investigative Report issued to both parties, which includes a determination whether the conduct alleged, if substantiated, requires a hearing with cross-examination.

Live Hearing with: (1) cross-examination by the parties' advisors, and (2) rules that limit what evidence that may be considered in making a determination of responsibility.

Notice of outcome issued to the parties that includes a determination regarding responsibility.

Sanctioning Panel convenes if there is a finding of responsibility to determine an appropriate sanction. Panel determined by status of Respondent.

Appeal for: (1) procedural irregularity, (2) new evidence, or (3) conflict of interest or bias. Appellate authority determined by status of Respondent.



Beyond a Reasonable
Doubt

Clear and Convincing
Evidence

***Preponderance of the
Evidence** ("what more
likely than not
happened")

Some Evidence

- Who decides sanctions is determined by role of Respondent
- For students, the Misconduct Sanctioning Panel (MSP) consists of two employees and one student
- Range of Possible Sanctions:
 - Warning
 - Censure
 - Education
 - Counseling
 - Disciplinary probation
 - Loss of privileges
 - Suspension
 - Expulsion

The Five D's

DIRECT

DISTRACT

DELEGATE

DELAY

DOCUMENT

- Relationship and Sexual Violence Prevention Programs and Services (RSVP)
 - 213- 740-9355 (WELL), press “0” after hours
 - <https://studenthealth.usc.edu/sexual-assault/>
- Counseling and Mental Health
 - <https://studenthealth.usc.edu/counseling/>
- Office of the Ombuds
 - <https://ombuds.usc.edu/>

FIGHT ON FOR CIVIL RIGHTS!

If you observe or experience discrimination,
harassment, or retaliation, contact USC's
Office for Equity, Equal Opportunity,
and Title IX (**EEO-TIX**) for help:

(213) 740-5086

(M-F 8:30 AM – 5:00 PM)



USC

eeotix@usc.edu

For 24-hour reports (with the option to be anonymous), contact USC's Help & Hotline at:
(213) 740-2500 or (800) 348-7454 or report.usc.edu

FOR QUESTIONS OR MORE INFORMATION:

Catherine Spear

Vice President and Title IX Coordinator
USC Office for Equity, Equal Opportunity, and
Title IX
(EEO-TIX)

Cspear@usc.edu
(213) 200-1345



THANK YOU!

