

# SEXUAL HARASSMENT & SEXUAL VIOLENCE: Issues for Chairs

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HDAPP

# Harassment & Discrimination Assistance and Prevention Program

- HDAPP
  - Complaints of all forms of **discrimination and harassment**
    - Sexual harassment
    - Sexual violence—stalking, DV, sexual assault
    - Harassment
    - Discrimination
    - Hate/bias
  - [hdapp.ucdavis.edu](http://hdapp.ucdavis.edu)
  - Official UCD office for taking reports of harassment, discrimination or sexual violence
  - **530-747-3864**



# WHAT YOU ALREADY KNOW about sexual harassment/violence

- **Definition of sexual harassment**
  - Unwelcome conduct of a sexual nature
  - Negatively interferes with the learning or work environment
- **UCD Policy on Sexual Harassment & Sexual Violence**
  - PPM 400-20 (replaced 380-12)
  - Also includes sexual assault, domestic/dating violence, stalking
- **What to do when you receive a report of any of these**
  - Call HDAPP or Academic Affairs!

# What you may not know: Responsible Employees

- **All** employees, TAs, faculty, Chairs, Deans, etc.
- Definition in the UC SV & SH Policy:
  - “**Any University employee** who is not a Confidential Resource and who receives, in the course of employment, information that a **student** (undergraduate, graduate, or professional) has suffered sexual violence, sexual harassment or other prohibited behavior shall promptly notify the Title IX Officer or designee.” (p. 6, #6)
  - **HDAPP** is the “designee” office at UCD.



# Responsibilities:

If you learn that a student *may have* experienced sexual harassment or sexual violence, **what should you do?**

- Be supportive and empathetic.
- Give the student resource information:
  - CARE contact info
  - [sexualviolence.ucdavis.edu](http://sexualviolence.ucdavis.edu) brochure
  - Confidential Resources list
- Make a report to HDAPP.



# As a RE, Please Do Not:

1. Try to fix or address the situation yourself.
2. Launch your own investigation.
3. Promise confidentiality. You are not a confidential resource.
4. Discuss with others who don't need to know.
5. Ignore it and do nothing.

**When in doubt, call HDAPP to consult!**

# Confidentiality

- **Don't make promises you can't keep**

Dept. of Ed Office for Civil Rights **requires** that “responsible employees” provide certain info, including names.

- **Maintain privacy, not silence**
- **We all care about protecting the student from being re-traumatized.**

# What's wrong with promising confidentiality?

- Some complainants may not feel comfortable telling you a lot of details, but they do want to talk to someone.
- This helps the University track repeat offenders and allows us to take appropriate action in addressing repeat offenders.
- Some complainants later say, “I told them and they didn’t do anything”



# CARE Advocacy-Confidential Resource

- Center for Advocacy Resources and Education (CARE)
  - Formerly known as CVPP
  - **Confidential** resource center for sexual harassment and sexual violence
  - 24/7 crisis intervention and privileged **support services for survivors**
  - [care.ucdavis.edu](http://care.ucdavis.edu), 530-752-3299
- Website with great info and downloadable brochure:
  - [sexualviolence.ucdavis.edu](http://sexualviolence.ucdavis.edu)

# Skit and Group Discussion



# What happens when I call HDAPP?

- We will ask for:
  - Names of the complainants or identified parties
  - Contact info for those parties
  - The allegations you heard (who/what/when/where/how)
  - Any remedy requested
  - Whether resource information has been shared
  - Any other info that you think is relevant



# What happens next?



- HDAPP/Title IX reaches out to complainants with resource info.
- Interim measures may be put in place.
- Case Management Team
  - An appropriate intervention will be determined based on the situation.
  - Alternative resolution (not typical in sexual violence cases)
  - Formal investigation
    - More egregious=more likely to be investigated
    - Will be fair, prompt and impartial
    - Conducted by trained officials
    - Will use the “preponderance of the evidence” standard
    - Complainant can choose whether and how much to participate in the Title IX process.

# Documented Discussions

- A form of “alternative resolution” for cases not warranting investigation.
- We (HDAPP/Academic Affairs) will work with you to talk with the faculty member in question.
  - Talking points
  - Discussion
  - Practice
- We’ll help you prepare a written summary of the conversation to give to the faculty member.
  - Template
  - Second set of eyes
- Summary goes to faculty member, your Chair files and us – not in their personnel file.

# Own Your Role In the Process

“The office of Academic Affairs has asked me to communicate the information in this letter to you, and I have essentially copied a draft they provided to me. I want to stress that I did not take the rumor to be accurate and I did not draw any negative conclusions about your behavior.”

“The concern expressed by the office of Academic Affairs is that [the alleged conduct] could be construed by a student ... as an advance...”

“Of course, I do not know whether the rumor was accurate and I do not know whether you have engaged in any interactions of the type that concerns the office of Academic Affairs.”

# How can a Chair prevent harassment & discrimination?

Be proactive.

- Clarify your expectations regarding conduct
- Sponsor formal educational opportunities
- Conduct informal education: meetings, news
- Publicize resources
- Be a role model – actions speak louder than words

Be reflective.

- How easy is it in our department for people to talk to each other about unwanted conduct?
- What could we do differently to make it easier?

# RESOURCES ARE STANDING BY!

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