

Equal Opportunity & Title IX

New Faculty Orientation

August 9, 2023

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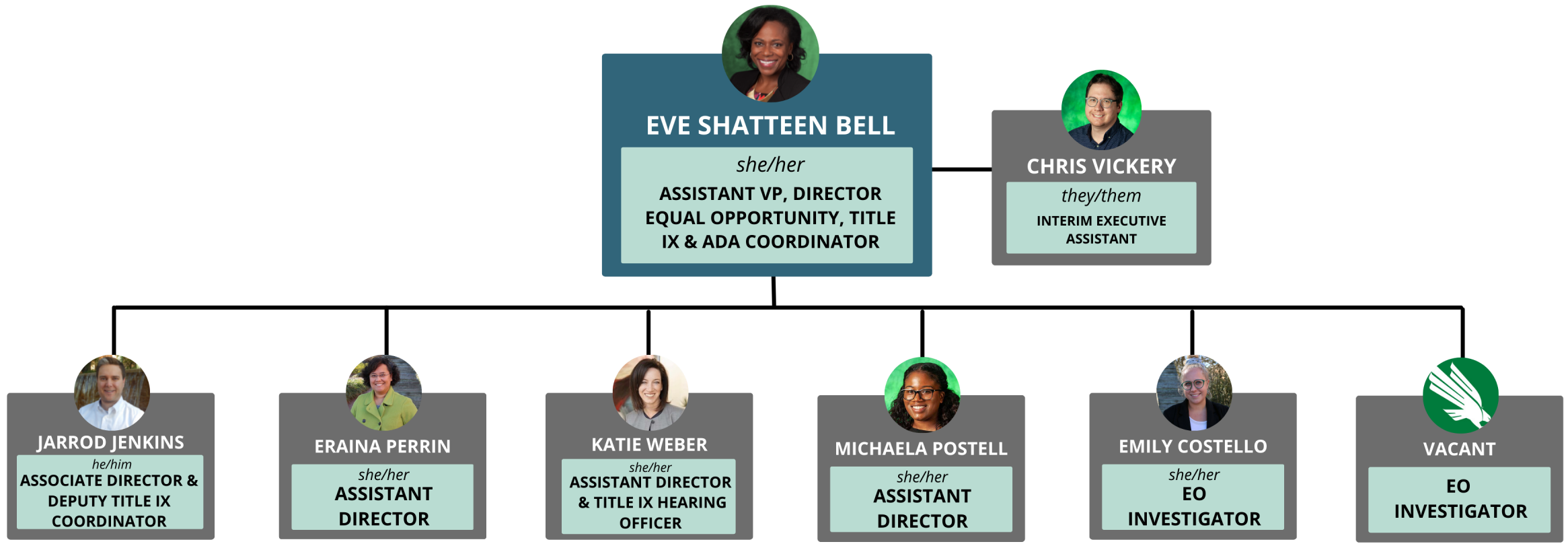


Role of EO

- Neutrally enforce UNT Policies
- Investigate complaints of:
 - Discrimination,
 - Harassment,
 - Sexual Misconduct, and
 - Retaliation
- Advocate for fair process, not one party
- EO does not discipline



EO/Title IX Org Chart



Possible Outcomes of EO Investigations

1. Unsubstantiated

- End of the matter
- Discuss best practices

2. Substantiated (Student)

- Dean of Students Office decides:
 - Probation
 - Suspension
 - Expulsion

3. Substantiated (Employee)

- **Supervisor** with HR/Dean/Provost decides:
 - Training
 - Verbal warning
 - Written warning
 - Loss of privileges or responsibilities
 - Demotion
 - Suspension
 - Termination

UNT Policies

- 16.004: Prohibition of Discrimination, Harassment, and Retaliation
- 16.005: Prohibition Against Sexual Misconduct and Retaliation
- 05.021: Consensual Relationships
- **They all apply to you!**



Discrimination

- (1) treating an individual or group of individuals unfavorably in their employment or education
- (2) because of [protected status]

Examples:

- Failing student because he is Asian
- Not hiring adjunct because she is a woman
- Giving poor evaluations because subordinate is gay
- Providing extra help or office hours only to veterans



Harassment

- (1) unwelcome verbal or physical conduct
- (2) because of [protected status]
- (3) when such conduct creates an intimidating, hostile, or offensive environment
- (4) and is sufficiently severe, pervasive, or persistent that it
 - (5) interferes with a student's ability to participate in or benefit from educational programs or activities; or
 - (5) unreasonably interferes with an employee's work performance

Harassment

“Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of harassment for the purpose of this policy. To constitute a policy violation, the conduct must create a work or educational environment that would be intimidating, hostile, or offensive to reasonable people.”

Harassing conduct may include, but is not limited to:

- offensive jokes
- slurs
- epithets or name calling
- physical assaults or threats
- intimidation
- ridicule or mockery
- insults or put-downs
- offensive objects or pictures
- interference with work or educational performance



State Sexual Harassment

(1) Unwelcome (2) sex-based verbal or physical conduct that:

In the education context, is (3) sufficiently severe, persistent, or pervasive that the conduct (4) interferes with a student's ability to participate in or benefit from educational programs or activities; or

In the employment context, (3) unreasonably interferes with a person's work performance, or (4) creates an intimidating, hostile, or offensive work environment.

Title IX Sexual Harassment

- (0) Conduct on the basis of sex that is one or more of:
- a. Quid pro quo – (1) an employee (2) conditioning an aid, benefit, or service of the University on an individual’s participation in (3) unwelcome (4) sexual conduct;
 - b. SPOO – (1) Unwelcome conduct (2) determined by a reasonable person to be so severe, pervasive, and objectively offensive that it (3) effectively denies a person equal access to education program or activity;
 - c. Sexual assault, dating violence, domestic violence, or stalking

Duty to Report

- Employees who, in the course of performing their duties, receive info they reasonably believe constitutes sexual misconduct committed by or against a UNT student or employee at time of incident **shall promptly report** all known info.
- Employees who become aware of **specific and credible** allegations of discrimination, harassment, or retaliation are **required to report** the suspected violations to EO **immediately**.
- Failing to report can lead to disciplinary action
- Students and guests encouraged to report
- Report:
 - Online: [Report.unt.edu](https://report.unt.edu)
 - Online: idea.unt.edu/file-complaint
 - Email: oeo@unt.edu



No Retaliation

Retaliation – taking material adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has participated in any manner with policies and procedures prohibiting discrimination, harassment, sexual misconduct, or retaliation.



Rules of Thumb

Remember



- Intent ≠ impact
- Home with friends ≠ Work with colleagues
- Behave like you're on camera
- Use work email and phones
- Keep doors open in meetings if possible
- Employees **must** report discrimination, harassment, retaliation, and sexual misconduct to EO

Avoid

- Drinking with students and colleagues
- Unnecessary touching
- Interjecting topics on protected status
- Romantic relationships with students or subordinates
- Terms of endearment (honey, darling, sweetheart)
- Retaliation

Questions?

