



University of Virginia Office for Equal Opportunity and Civil Rights

EOCR Annual Report | 2020-21
& 2021-22 Academic Years



UNIVERSITY
of VIRGINIA

Division for Diversity,
Equity, and Inclusion

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Letter to the Community

Dear UVA Community:

Change has been a resounding theme within EOCR during the past few years. We've welcomed new team members while saying goodbye to former colleagues. We've adapted to changes in our leadership. We've implemented new procedures and tackled new initiatives. And we've adjusted to the realities and impacts of the COVID-19 pandemic.

We've weathered these changes and challenges without losing sight of EOCR's mission — ensuring equal opportunity and working to protect the civil rights of all University community members through our proactive outreach, education and effective response and resolution.

We accomplish our mission in two primary ways. The first is through proactive education, outreach and training for faculty, staff and students and by providing consultation and advice with respect to our policies and the civil rights laws from which they stem. Our aim is to ensure that our community has the knowledge and tools to ensure equal employment opportunities and that UVA's programs and activities are free from discrimination. The second way we accomplish our mission is by responding to reports of potential discrimination, harassment, sexual misconduct, and retaliation. We do that through outreach to those potentially affected to provide them with information and explain our policies and their options as well as resources within UVA and the community. We also offer guidance and tools to address and potentially resolve concerns, and conduct robust investigations, when appropriate, to determine if a member of our community has violated our policies.

This Annual Report helps us in this work by giving our community a look into the scope and nature of our work over the past two academic years. We've highlighted some of our accomplishments and successes over this time and described where we aim to improve upon this work in future years.

While constant change has had its challenges, we are finding renewed energy and value in welcoming our newest team members and engaging with our community and partners across UVA.

We welcome you to learn about EOCR's core functional areas and highlights from work accomplished in the following pages.

Sincerely,



Emily Springston

Associate Vice President

Office for Equal Opportunity and Civil Rights

University of Virginia



About Us

The Office for Equal Opportunity and Civil Rights (“EOCR”) is responsible for ensuring a living, learning and working environment free from discrimination and harassment in accordance with the University of Virginia’s Non-Discrimination and Equal Opportunity Statement. To carry out this mission, we inform and educate our community about individual rights and responsibilities in relation to UVA’s non-discrimination and equal opportunity policies; we respond to reports and complaints of discrimination, harassment, retaliation and sexual misconduct; and we coordinate with and advise our partners throughout UVA with regard to accessibility, equity and equal opportunity throughout all aspects of the University.

Within our office, we have teams dedicated to particular aspects of this work, including our ADA Coordinator and the ADA Team; our Affirmative Action and Employment Equity Team; our Preventing and Addressing Discrimination, Harassment and Retaliation (PADHR) Team; and our Title IX Coordinator and Title IX Team.

The University Ombuds position is also based within EOCR, although operates entirely independent from our other EOCR teams. The Ombuds serves the UVA community as an impartial, confidential and independent resource to promote the amicable resolution of disputes through respectful dialogue and other means of alternative dispute resolution.

ADA Coordinator

The University ADA Coordinator and ADA Team coordinate the university's efforts to comply with the Americans with Disabilities Act of 1990, as amended, the Rehabilitation Act of 1973, and other related laws, by taking measures to prevent barriers to access, responding to and resolving disability-related access issues, and offering training and education resources to the community. As a primary resource for disability and accessibility-related issues, questions and concerns, we help ensure the availability of accessible programs, services, and activities and appropriate accommodations for individuals with disabilities whether students, faculty, staff, or third parties engaging with UVA.

Successes and Wins | 2020–2022

We provided feedback and guidance on numerous guidelines, protocols and policies, during the COVID-19 pandemic, including:

- UVA Health's Designated Support Persons During COVID -19 Public Health Emergency
- UVA Health's Face Mask and ADA Issues Protocol
- UVA Academic Division's Return to Work Protocol for Employees, SEC-045: COVID-19 Health & Safety Requirement – Face Masks, Physical Distancing, Events and Gatherings and Visitors
- UVA Academic Division's Goods and Services Procurement Guide – Addition of information regarding Communicator (Clear) Masks

We collaborated with our partners in University Information Technology Services on numerous efforts, including:

- Revising the University Information Technology Accessibility Policy (IRM-008)
- Improving the efficiency of the Report A Barrier (RAB) system
- Acquiring an enterprise site license for Siteimprove – a digital accessibility tool

We assisted our academic partners in revamping the University Library captioning website, participated in an accessibility review of the RAVE Guardian App and participated in identifying a new Learning Management Tool for the University.

Major Initiatives

In partnership with Parking & Transportation, we administer the Demand and Response Transportation (DART) program, an on-demand, fare-free, curb-to-curb para-transportation service for UVA students, faculty and staff through Charlottesville Yellow Cab. The DART service is available for individuals who, due to a disability, cannot use the fixed-route transit system at UVA. Due to COVID-19 and the need to provide Yellow Cab drivers and dispatchers with required annual training, EOCR and Parking & Transportation launched an online training developed in consultation with Yellow Cab.

We also continued our ongoing partnership with Facilities Management and the Office of the University Building Official to improve the University's response to and remediation of physical barriers on Grounds, including those impacting the public right of way.

We developed a digital accessibility strategy to support the University's work in providing accessible information technology and online environments. This included:

- The creation of the [ADA Coordinator's digital accessibility webpage](#) to provide much-needed information to the community about digital accessibility and available resources.
- Hosting a seven-part digital accessibility webinar series as an ongoing resource for content managers and web developers across UVA on the following topics:
 - Introduction of Digital Accessibility
 - Fundamentals of Accessibility
 - Testing Methodology
 - Designing for Mobile Accessibility
 - Document Accessibility Basics
 - Fundamentals of Microsoft Office
 - Creating Accessible PDF Documents

Report A Barrier (RAB) is an online reporting tool that allows community members to report barriers to access. Since taking over administration of the RAB online reporting tool, the ADA Coordinator Team improved operational efficiencies by working with the University's Custom Applications and Consulting Services Team to transition the management of RAB onto the University's incident management system, SafeGrounds. This improved efficiency for those who manage, monitor and respond to reports. In addition, the ADA Coordinator Team improved the RAB intake form to allow reporters to provide more details when submitting a report. Between the 2020–2021 and 2021–2022 Academic Years, the RAB Team received and responded to 61 disability-related reports.

Looking Forward: Focus for the Coming Year

- **Eliminate potential confusion.** It is important that any individual seeking disability-related assistance or guidance can quickly reach the appropriate resource. We will continue to work with our key partners to help our community understand the various roles and offices with ADA/accessibility-related responsibilities and provide ADA/accessibility-related services and information.
- **Digital accessibility.** We will continue to focus on digital accessibility as a priority by enhancing our digital accessibility webpage and onboarding a new Digital Accessibility Coordinator.
- **Increased learning opportunities.** We will continue to find meaningful ways to provide education and training opportunities to our community in regard to accessibility and ADA compliance.

ADA Coordinator



ADA Coordinator Team Contacts

July 1, 2020 – June 30, 2021

The ADA Coordinator Team responded to 218 contacts from the University community seeking assistance in the following areas.

- ADA Training (3)
- Communications (3)
- DART (45)
- Digital Accessibility (3)
- Disability Accommodation (50)
- Service/Emotional Support Animal (9)
- Event/Program (66)
- Other (22)
- Parking/Transportation (4)
- Patient Care/Services (5)
- Physical/Facilities (7)
- Service (1)



ADA Coordinator Team Contacts

July 1, 2021 – June 30, 2022

The ADA Coordinator Team responded to 477 contacts from the University community seeking assistance in the following areas.

- Academics (3)
- ADA Training (4)
- Communications (1)
- DART (188)
- Disability Accessibility (4)
- Disability Accommodation (79)
- Emotional Support Animal (3)
- Event/Program (125)
- Other (40)
- Parking/Transportation (7)
- Patient Care/Services (2)
- Physical/Facilities (21)

Affirmative Action & Employment Equity

The Affirmative Action & Employment Equity Team works to promote equitable opportunity in employment at UVA through training, consultation and resource guides for hiring officials and search committees. We partner with University Human Resources Recruiting and Business Partners and prepare the annual affirmative action plan for the University, UVA Health and UVA Wise. Our goal is to provide actionable evidence supporting equity through the work of University leaders and managers.

Successes and Wins | 2020–2022

We partnered with the Office of the Provost to launch an online search waiver request form via SmartSheets to better support the search waiver process and ensure accountability and consistency.

We provided reports, custom analysis, briefings and access to data to university leaders and managers to support process evaluation and improvement.



3700

Hiring Officials & Search Committee Members Completed Our Online Learning for Employment Equity



400+

Students In Housing & Resident Life Participated in our training on Mitigating Implicit Bias in RA Selection



7

Administrative Compliance Reviews Were Completed to Support Managerial Development

Major Initiatives

Our Employment Equity Specialist established a new program aimed at holding annual meetings with human resources business partners, recruitment and employee relations to share information on workforce trends, review current practices and policies for equity advancement and provide consultative services. This work resulted in strengthened relationships with a key partner area, growth in knowledge about affirmative action in employment among HR personnel and a slate of equity-enhancing policy changes that are currently in progress through HR and the University Policy Review Committee.

We staffed a comprehensive review of human resources policies, resulting in a program of action and updates that have institutional impact over a broad range of employee processes and practices for years to come.

Looking Forward: Focus for the Coming Year

- **Data-informed decision-making.** We are prioritizing our ability to provide dynamic time-trended data via dashboards to ensure real-time information is shared with decision-makers to support employment equity.
- **Relationships.** We will continue to build direct relationships with leadership teams in each school and vice presidential area to expand the scope of our impact and highlight data analysis as a means to inform change.
- **Resources.** We will continue implementing custom data analysis, an anchor of UVA's affirmative action plan infrastructure. We will also fully integrate the updated employment equity training module into the UVA Workday system.
- **Launch of the Green Zone education program.** We plan to launch a training program designed for student affairs professionals to support students in the military and student veterans.

Preventing and Addressing Discrimination, Harassment and Retaliation

The Preventing and Addressing Discrimination, Harassment and Retaliation (“PADHR”) Team is responsible for educating and training members of the UVA community on the Preventing and Addressing Discrimination and Harassment (“PADH”) and Preventing and Addressing Retaliation (“PAR”) policies. We also respond to and resolve reports of potential discrimination, harassment and retaliation.

The team addresses reports and complaints through a variety of tools and approaches including consulting and advising; providing informal educational coaching to students, faculty and staff; investigating complaints of discrimination, harassment and retaliation; and providing customized training for members of the community as well as the online PADHR Training module for all employees. As part of these efforts, the team regularly partners with University Human Resources, university leadership and academic leadership within each School, the Division of Student Affairs and Medical Center leadership.

Successes and Wins | 2020–2022

At the start of the pandemic, we were able to quickly pivot to conducting our response, education and training efforts through a virtual format, thereby maintaining the same level of service and availability to the community. In doing so, EOCR received positive feedback from those in our community who appreciated the ease and manner of connecting in a remote capacity. We have continued to provide a significant amount of our work virtually to meet the needs of our diverse community.

In partnership with our Title IX Team, PADHR conducted 45 training sessions, reaching more than 1,500 students, staff and faculty members. These customized sessions, which build on the content covered in the online training modules, aim to educate our community on what to do if they experience or witness harassment, discrimination, or other prohibited conduct; their role in reporting conduct; and University resources. These sessions also included educational training for Human Resources on addressing reports of PADHR conduct and prohibited conduct under the Sexual Misconduct Policy.

Major Initiatives

In Spring 2021, EOCR launched the online PADHR Training module to all employees. This training, which was created by the PADHR Team, is part of new employee onboarding; all employees are expected to revisit the training every two years. The PADHR Team created a supervisor-specific version of the training modules to provide supervisors with information about their duties and how to be receptive, take action, and follow up.

These modules were created to assist faculty and staff members in understanding:

- What could constitute discrimination, harassment and retaliation
- Their role in recognizing and effectively addressing discrimination, harassment and retaliation
- Steps they can take to prevent such conduct through the use of real-life scenarios
- Responsible Employee reporting duties
- Information about disability, pregnancy and religious accommodations

Looking Forward: Focus for the Coming Year

- **Outreach & Education.** We aim to improve the information on our website through the use of infographics, helpful explanations of resolution options, adding information about religious and pregnancy accommodations and providing helpful information for managers to appropriately address PADHR-related concerns.
- **Policy & Procedure Reviews.** We are conducting a review of the PADH and PAR policies and related procedures to identify areas for clarification and improvement and will work to communicate any changes to our community.

Preventing and Addressing Discrimination, Harassment and Retaliation

PADHR Contacts and Investigations

In the 2020–21 Academic Year, EOCR received and responded to more than 300 PADHR-related contacts. In the 2021–22 Academic Year, we received and responded to an additional 300 PADHR-related reports and contacts. These numbers represent outreach from the UVA community, as well as third parties (e.g., visitors, applicants, patients), raising questions and concerns related to PADHR. Many of these contacts are requests for advice and consultation on the application of PADHR policies to our educational programs, activities and employment. Our work frequently involves exploring issues, providing information about options for resolution and support resources and referrals to other offices as appropriate. Contacts also include reports submitted through the online Just Report It form alleging potential PADHR conduct or bias, as well as reports submitted by Employee Relations for our review and consultation. In all instances, the PADHR Team reviews the report, gathers any additional information needed and determines whether the reported concern implicates the PADHR policies.

A small number of these submissions may result in the individual filing a formal complaint and requesting resolution under the PADHR Complaint Procedures. EOCR offers options for informal resolution (e.g., a facilitated meeting with the assistance of a third party) or a formal process (e.g., an investigation as to whether the PADH Policy or PAR policy has been violated and, if so, recommendations for specific response and potential sanctions).

Once a formal complaint is submitted, the PADHR Team reviews it to determine if the alleged conduct falls within the scope of the PADH and/or PAR Policy. This often includes meeting with the individual submitting the complaint to gather additional information. The PADHR Team also conducts administrative reviews, a helpful tool to investigate conduct in instances where EOCR has not received a formal complaint but has received a report of conduct that may fall within the scope of the policies. During the 2020–21 academic year, we conducted 6 formal investigations and administrative reviews; in the 2021–22 academic year, we conducted seven formal investigations and administrative reviews.



Total Reports & PADH Contacts* - 305 (2020-21) | 326 (2021-22)

**Note: PADHR Complaints and Administrative Reviews may contain multiple protected categories (e.g., discrimination and harassment on the basis of race and national origin or discrimination on the basis of disability and retaliation).*

Title IX

The University Title IX Coordinator and the Title IX Team carry out the objectives of Title IX through a coordinated system of response initiatives, prevention-focused programs and support services, coordinated with partner offices across Grounds. The Title IX Office collectively protects educational access, advances gender equity and prevents and responds to sex- and gender-based discrimination, violence and harassment. The Title IX Team is also responsible for the University's investigation and adjudication of formal complaints and oversees the University-wide response to reports of sexual misconduct.

Successes and Wins | 2020–2022

We made significant revisions to the Sexual Misconduct Policy and implemented new Title IX Grievance Procedures to ensure compliance with the federal Title IX Regulations released by the Department of Education in 2020. While working to ensure Title IX compliance, we also maintained our Sexual Misconduct Procedures to ensure the University continues to address both Title IX and non-Title IX sexual misconduct.

We hired a Case Manager — a significant step toward being more intentional in how the Office provides information, care and support for all individuals involved in our response process.

Over the past two academic years, we conducted over 70 trainings tailored to specific groups, areas and units within UVA, including:

- 30-plus sessions with student-athletes, coaches and athletic staff
- 40-plus sessions conducted in partnership with our PADH Team to cover all forms of discrimination and harassment, inclusive of sexual misconduct

Major Initiatives

Throughout the 2021–22 academic year, we worked alongside our talented student employees to create a comprehensive, university-wide website: [CavCare](#). The site launched in early fall 2022 and provides information and resources for responding to and preventing sexual misconduct. CavCare was designed to be more accessible and understandable for the full UVA community, in particular, those experiencing trauma or impacted by sexual misconduct. The site includes text and visual aids for navigating the site and visual representations of key information (e.g., flowcharts and infographics). CavCare features a step-by-step Interactive Guide to provide comprehensive care and assistance to those seeking information on sexual misconduct at the university.



Along with our new website, we are developing standalone Resource and Reporting Guides (one for students and one for employees) to explain how the University and our Team respond to incidents.

Looking Forward: Focus for the Coming Year

- **Proactive intervention.** We will continue to increase opportunities for proactive intervention in response to community misconduct reports, even when they do not rise to potential policy violations.
- **Improve university communications.** Our goal is to improve communications with impacted parties to be more trauma-informed and better promote support and care.
- **Launch UVA's pan-university coalition.** We will focus on launching this coalition and using it as a vehicle to elevate the school's sexual misconduct prevention and response work.

Title IX - Responding to Reports of Sexual Misconduct

Sexual Misconduct is an umbrella term that refers to all forms of sex and gender-based harassment and other forms of interpersonal violence. Under [UVA's Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#) (i.e., the "Sexual Misconduct Policy"), this is referred to as Prohibited Conduct and includes any report to UVA alleging sexual exploitation and complicity. Each type of Prohibited Conduct is fully defined in the policy.

Upon receipt of a report, we promptly reach out to the potential complainant, if known, to offer support and resources regardless of whether a respondent is named or known to the university and regardless of whether the complainant is seeking a formal investigation and resolution process. Our response efforts, often done in close coordination with several university partners, includes assessing threats to health and safety; ensuring outreach and supportive measures are offered and options for reporting are explained; identifying patterns of concern; recommending and providing informal and alternative resolution measures, including customized coaching and educational sessions; and conducting formal investigations where appropriate. When the parties are identified and known, and the university has jurisdiction to address the report under its policy, a formal investigation may occur in the event the complainant submits a formal complaint or where the Title IX Coordinator determines that the university should proceed to a formal investigation.

In the 2020–21 and 2021–22 Academic Years, the Title IX Team responded to 337 reports regarding potential sexual misconduct under the Sexual Misconduct Policy. During the 2020–22 timeframe, the Title IX Team conducted 33 investigations. Additional Information about these reports and those addressed through formal resolution processes can be found on the [Title IX and Sexual Misconduct Website](#).

Total # Reports to UVA Alleging Sexual Misconduct	# Reports that Identify Student Respondent	# Reports Addressed through Alternative Resolution	# Reports Addressed through Formal Resolution Process	# Student Respondents Found Responsible for Sexual Misconduct	# Student Expulsions	# Student Suspensions	# Student Respondents Receiving other Sanctions	# Employee Reports Addressed through Formal Resolution Process	# Employee Respondents Found Responsible for Sexual Misconduct
2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021	2020-2021
138	49	0	11	5	1	1	7	4	1
2021-2022	2021-2022	2021-2022	2021-2022	2021-2022	2021-2022	2021-2022	2021-2022	2021-2022	2021-2022
199	87	2	15	**	**	**	**	4	**

** The data is not final as some cases from 2021-2022 are still in progress

We recognize that these university processes and response efforts can be confusing. We encourage our community to explore the information provided on the [CavCare Website](#). The website includes visual flowcharts — which are also available in plain text — that aim to simplify what happens in response to a report and what the investigation process can look like. We also encourage you to contact the Title IX Team with any questions or concerns.

University Ombuds

Independent from our other EOCR teams, the [University's Ombuds](#) serves as an impartial, confidential and independent resource to receive inquiries and concerns from individuals and groups. The University Ombuds promotes amicable resolution of disputes through respectful dialogue and other means of alternative dispute resolution. The Ombuds is neither an advocate for an individual nor the University. Rather, the Ombuds is an independent exponent of equity and fairness. The Ombuds offers information, advice, intervention, referrals, mediation and assistance to all University community members in addressing University-related issues and concerns.

In both the 2020–21 and 2021–22 Academic Years, the University Ombuds received and responded to more than 200 contacts each year from the University community.

University Ombuds

At the end of the spring 2022 semester, Brad Holland, who served as the University Ombuds for almost 20 years, retired. The community benefited greatly from Brad's years of service and dedication to finding ways to support individuals and serving as a helpful guide in the resolution of conflicts within our community. We are grateful for his work.

In the fall of 2022, Amanda Monaco joined UVA as the new University Ombuds. Amanda brings a wealth of experience in conflict resolution, particularly in the workplace setting and within higher education institutions in the state of Virginia. We are delighted to have her bring her talents and passion to UVA.



Impartial

The University Ombuds acts in a neutral and transparent way by not taking sides, representing/advocating on behalf of an individual, conducting investigations, or rendering a judgment about an issue, but rather works to develop options to address issues that support empowerment and a fair process.



Independent

The University Ombuds Office is a separate office and function from the Office for Equal Opportunity and Civil Rights, Human Resources, Legal and other University administration and operates outside of ordinary line and staff structures.



Informal

The University Ombuds practices informally, with no management decision-making power, without accepting notice for the University, and by allowing an individual to speak off-the-record.



Confidential

The University Ombuds will protect the identity and confidential information shared by a contact, unless there is an imminent threat of serious harm.



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