

# UConn Health Sexual Harassment and Interpersonal Violence Training

## Part 1

**[Dr. Andy Agwunobi]** Hello, and welcome to UConn Health's online training. Today, you'll be learning about sexual harassment and related interpersonal violence prevention and response. At UConn Health, we are committed to maintaining a safe and non-discriminatory learning, living, and working environment for all members of our community, including students, employees, and visitors. Academic and professional excellence can exist only when each member of our community is assured an atmosphere of safety and mutual respect.

As Chief Executive Officer and Executive Vice President for Health Affairs, I want to communicate my strong personal commitment to creating and maintaining a learning and working environment that is free from all forms of discrimination and harassment, including sexual harassment and related interpersonal violence. Each one of us is responsible for maintaining an environment where people are free to learn and work without fear of discrimination, discriminatory harassment, or interpersonal violence. As such, it is essential that all of us become familiar with UConn's relevant policies, resources, and reporting obligations. I encourage you to give your full time and attention to this important topic. Thank you.

**[Moderator]** Welcome to the UConn Health sexual harassment and related interpersonal violence policies and response training module. This 20-minute training is intended to provide you with information about sexual harassment and related interpersonal violence, including information on important UConn Health policies, reporting, and resources. All UConn Health employees have been assigned this training, as it is a very important topic for all of us.

Before we begin, we want to acknowledge that some of the things we're talking about today include topics around sexual harassment, sexual violence, interpersonal violence, and stalking. We know these topics can be difficult and triggering, and that individuals have had a range of life experiences around these issues. Please don't hesitate to reach out to any of the resources that will be presented today if you find you need more support following this presentation. Also, if you find you need to discuss an alternative to completing this training, please contact OIE at 860-679-3563, or [equity@uconn.edu](mailto:equity@uconn.edu). Finally, please note that if you have concerns regarding any of these issues, we are going to talk about the resources that can help, including options for reporting and investigations.

The Office of Institutional Equity, which is the facilitator of this training, has five main areas of focus, accessibility and compliance with the Americans with Disabilities Act, or ADA, compliance with various Affirmative Action and Equal Employment Opportunity laws and regulations, performing neutral investigations of complaints of discrimination and harassment based on protected classification to determine if employee conduct

violates UConn Health policies, compliance with Title IX, a federal law that prohibits discrimination on the basis of sex or gender of employees and students of educational institutions that receive federal financial assistance, and education and training services to all members of the university community. Not only is this training important in order to learn more about UConn Health policies, resources, and reporting obligations, it is also important in that we are all doing our part to create an inclusive work and learning environment rooted in civility and respect. We all play a role in creating and maintaining safe learning and working environments free from discrimination. Our daily interactions with colleagues and students are an important component of our inclusive environment and community. Finally, it is important to understand our roles and responsibilities as employees, and in what circumstances we may have reporting obligations around issues of sexual harassment and related interpersonal violence.

Three relevant UConn Health policies we will discuss in this training include the policy against discrimination, harassment, and related interpersonal violence, the protection of minors and reporting of child abuse and neglect policy, and the non-retaliation policy. The policy against discrimination, harassment, and related interpersonal violence lays out the university's commitment to maintaining a safe and non-discriminatory learning, living, and working environment for all members of the university community. This policy is also related to, but does not replace the protection of minors and reporting of child abuse and neglect policy and the role that employees may have as mandatory reporters of child abuse.

Finally, the non-retaliation policy defines how the university provides for the protection of any person or group within its community from retaliation who in good faith, participate in investigations or report alleged violations of policies, including the policies mentioned in this training. In addition to participating in this training, we strongly encourage you to read these policies in full. They can be found at [www.policy.uconn.edu](http://www.policy.uconn.edu).

Sexual harassment is often rooted in power and power relationships. A harasser's power in the workplace may make the behavior they engage in feel permissible or acceptable to them. Conversely, an individual's lack of power or perceived lack of power may make it difficult to address or report the harassment due to fear of retaliation, workplace tension, or negative consequences.

Power can manifest in a formal relationship, such as between a supervisor and their subordinate, or in the academic context between a faculty member and their students. Often though, power dynamics present themselves in informal roles and interactions, such as the staff member responsible for granting access to resources, the superstar in the department or field who brings money and prestige to the institution, seniority in the office, even if the position is not the most organizationally senior. The impact of power has a profound effect on interpersonal dynamics in the work and learning environment. Individuals, such as supervisors or managers in positions of power, must be especially mindful of power dynamics, as well as their own reporting obligations.

## **Part 2**

Sexual harassment is defined as any unwelcome conduct of a sexual nature. Specifically, sexual harassment includes any unwanted sexual advances, requests for sexual favors, inappropriate touching, acts of sexual violence, or other unwanted conduct of a sexual nature, whether verbal, nonverbal, graphic, physical, written, or otherwise.

Sexual harassment violates UConn Health policy in two ways. The first is a hostile work environment. Discriminatory harassment creates a hostile environment when the harassment is sufficiently severe, or pervasive, or persistent to deny, limit, or unreasonably interfere with a student or employee's ability to participate in or benefit from the academic or work environment.

The second type is quid pro quo. This is where submission to a rejection of unwelcome sexual conduct is used explicitly or implicitly as the basis for decisions affecting an individual's education, such as admission, academic standing, grades, or assignments, employment, such as hiring advancement or assignments, or participation in a university program or activity, such as campus housing.

Examples of sexual harassment include unwanted sexual advances, particularly when repeated. Touching, hugging, kissing, or fondling others or touching oneself sexually for others to view. Repeatedly telling jokes of an explicitly sexual nature, viewing or displaying in sight of others sexually explicit or pornographic material, requests for sexual favors in exchange for hiring, promotion, raises, or good grades. Sexual violence of any kind, including sexual assault, sexual exploitation, intimate partner violence, and stalking.

It is up to each of us to make sure we do not engage in these acts. The behavior negatively impacts our ability to work and learn.

## **Part 3**

We discussed power dynamics in the workplace at the beginning of this training. The policy against discrimination, harassment, and related interpersonal violence also outlines the university's rules around amorous relationships in the work and learning environment, when there is an uneven power dynamic. The policy defines amorous as any intimate, sexual, or any other type of amorous encounter or relationship, casual or serious, short-term or long-term.

We view these types of relationships in two contexts-- the instructional and the employment. In the instructional context, faculty and staff are prohibited from amorous relationships with a graduate student, such as a medical or dental student, actually under that individual's authority. The policy defines authority as teaching, formal mentoring or advising, supervision of research, employment, grading, or disciplinary action.

In the employment context, faculty and staff are prohibited from entering into amorous relationships with employees whom they are currently supervising. If the relationship existed prior to the supervisory role, then the employee in the position of authority must disclose this information to OIE so that there can be a discussion of how to eliminate any conflicts of interest in the workplace.

It's important for all employees to understand UConn Health's definition of consent. Our policy defines consent as an understandable exchange of affirmative words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. This standard is used for students but also employees when determining workplace-based policy violations. Other key points about our definition of consent are that it is informed freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each state of sexual involvement.

Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Additionally, the lack of a negative response is not consent. It is helpful to think of this definition in terms of yes means yes as opposed to no means no. Consent cannot be given if any of the following are present-- force, coercion, or incapacitation.

Intimate partner violence is another act that can affect the learning and working environments. UConn Health is committed to ensuring an environment free from all forms of sexual and interpersonal violence, including intimate partner violence. Under UConn Health policy, intimate partner violence is any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship.

Intimate partner violence may include any form of prohibited conduct under the policy, including sexual assault, stalking, and/or physical assault. Intimate partner violence may involve a pattern of behavior used to establish power and control over another person through fear and intimidation or may involve one-time conduct. This is prohibited under policy. In addition, there are resources at the end of this training session that can assist anyone impacted by intimate partner violence, even situations that are otherwise not connected to UConn Health.

The last form of prohibited interpersonal violence we will go over is stalking. Stalking includes a course of conduct directed at a specific individual that would cause a reasonable person to fear for their safety or the safety of others or substantial emotional distress. The key aspects of stalking are the repeated aspects of the behavior and the element of fear for the impacted individual.

Stalking can happen to anyone of any age, gender, race, ethnicity, size, strength, sexual orientation, religion, and physical or mental ability. It also happens between ex-partners, friends, family acquaintances, or strangers. Specifically, stalking can include harassing, threatening or obscene phone calls, excessive or threatening communication, following, vandalism of personal property, unwanted gifts or objects, and cyberstalking.

## Part 4

If you have any concerns, please be assured that we want to hear from you. OIE strives to maintain a safe environment for reporting issues of harassment, including sexual harassment and related interpersonal violence. Know that our office can help. Specifically, it is important for all members of the UConn Health community to know that all complaints are taken seriously. Privacy is maintained to the extent possible by law and consistent with an adequate investigation.

OIE is charged with investigating charges of discriminatory harassment, including sexual harassment. Due to this charge, the office is required to investigate reports, and confidentiality may not be maintained in the course of the investigation. Employees do not need supervisory approval to contact OIE. And retaliation is strictly prohibited.

There are many resources available to you should you encounter sexual harassment or related interpersonal violence at UConn. You may contact your UConn representative, the UConn Ombudsman, Jim Wohl, the Employee Assistance Program, and the university compliance reportline. The Employee Assistance Program and the University Ombudsman are both confidential resources. The compliance reportline can be anonymous, depending on how much you choose to report.

Retaliation against an individual for filing a complaint or charge of discrimination, or participating in an investigation, or opposing discriminatory practices is prohibited. Specifically, an employer may not fire, demote, harass, or otherwise retaliate against an individual for reporting or filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. The standard for retaliation includes any action that would dissuade a reasonable individual from coming forward to report discrimination and/or to participate in an internal or external investigation. We all need to encourage and support the right of people to raise concerns and seek resources.

Per the policy against discrimination, harassment, and related interpersonal violence, supervisors have a heightened duty to report to the Office of Institutional Equity reports or concerns about discrimination and harassment. Deans, directors, department heads, and supervisors are obligated to report any discrimination, harassment, or inappropriate amorous relationship as soon as it is known to them. It is important to note that for supervisors, the failure to report this information is a policy violation in and of itself.

If you have any questions about these reporting obligations please call OIE. It is especially important that supervisors read the policy against discrimination, harassment, and related interpersonal violence in full. We recommend doing so once a year and circulating to your staff annually, as well.

## Part 5

Title IX is a federal law that prohibits discrimination based on the sex or gender of employees and students of educational institutions that receive federal financial assistance. Title IX's prohibition of sex discrimination includes prohibition of sexual harassment and sexual violence. Sexual harassment is unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, including rape and sexual assault.

It is important to note that when we talk about employee reporting obligations in the context of student disclosures of sexual assault, intimate partner violence, and stalking, all employees are responsible for reporting disclosures from students. UConn is committed to ensuring that all employees have the information they need to potentially assist students. You are not expected to and should not take on the role of counselor or investigator, but your ability to share helpful information with your students about the resources available at UConn, especially if a student approaches you for help, can make all the difference in ensuring they get the help they need.

All employees are required to report sexual assault, intimate partner violence, and stalking to OIE when it is disclosed to them by a student. In the clinical context, confidentiality around these issues can only be maintained if the student is actually under your clinical care as a patient. There is no confidentiality if the student is academically under your supervision.

It may happen that you witness an instance of sexual assault, intimate partner violence, or stalking in real time. If there is an active threat to campus safety, you should first call 911 and then report the information to OIE as soon as possible.

For all of the issues we discuss today, whether a colleague or a student, there are some important principles to remember. We recommend being direct about your obligation to report information to OIE. It is important to reiterate that the conversation is private but not confidential. Private means that information related to a report of prohibited conduct will be shared with university employees who need to know the information in order to assist individuals identified as having been impacted by the alleged conduct in the assessment, investigation, and resolution of the report.

You can also emphasize that OIE is an office that can provide resources and support. We also recommend offering assistance by directing them to receive medical attention if it is needed or connecting with another resource office. Comprehensive information about resource offices and other support can be found at [titleix.uconn.edu](http://titleix.uconn.edu). Finally, you may encourage that the impacted individual self-report to the UConn Police, but it is important that this decision be up to the individual person.

UConn Health provides many resources, such as a brochure on sexual assault, intimate partner violence, and stalking, as well as a What to Do guide. All resources can be

found at various locations around campus, including the Office of Institutional Equity at the Munson Road building. Additionally, these documents and several additional resources are available electronically at [www.titleix.uconn.edu](http://www.titleix.uconn.edu). We encourage you to visit and bookmark this site following this training.

## **Part 6**

OIE thanks you for your participation in this important training. We encourage you to contact the office with any questions or concerns. Also, as a reminder, all UConn Health managers and supervisors are required to take the in-person training module *Managing a Respectful and Harassment-Free Workplace*.

Additionally, OIE will begin offering in-person sessions on sexual harassment prevention in the summer of 2019. Please complete the following assessment of the training, and sign your attestation. Additionally, OIE is available for all other in-person trainings. Please call us anytime to schedule a session on the topics discussed here and more.