

MEMORANDUM

To: University Community
From: Office for Institutional Equity
Re: Policy on Prohibited Discrimination Harassment and Related Misconduct
Date: August 19, 2022

As we enter the new school year, please take some time to familiarize yourself with Duke's *Policy on Prohibited Discrimination, Harassment and Related Misconduct (PPDHRM)* and the three corresponding processes: *Title IX Sexual Harassment Grievance Procedures*, *Procedures for Responding to Discrimination and Harassment Reports Involving Duke Faculty and Non-Faculty (Staff) Respondents* and *Procedures for Responding to Discrimination and Harassment Reports Involving Student Respondents*. The University engaged in an extensive process of socialization and feedback, including a public comment period, in an effort to be responsive to community questions while maintaining a robust and compliant process. If you need more information or resources to help you better understand the policy and processes, please review the Office for Institutional Equity (OIE) flowchart available at <https://oie.duke.edu/reporting-process>.

The following is a list of the most significant changes made to the policy and procedures since the fall of 2020, including changes made directly based on community feedback:

- Clarify that Responsible Employees (or reporters) are required to consult with OIE regarding any and all Prohibited Conduct (e.g., discrimination or harassment based on any protected basis or related retaliation) that they learn about and not just Sexual Harassment. (For example, a colleague tells you they feel they are not getting opportunities at work because of their religion or a student tells you that their advisor keeps asking them uncomfortable questions about their personal life.)
- Expand the list of Responsible Employees to include Teaching Assistants acting in their role and all Athletic Department Staff, including Coaches.
- Define what it means to make a “good faith report” for purposes of understanding the definition of retaliation.
- Eliminate the language “ if true” in describing the processing of reports to OIE. OIE evaluates all allegations of violations of the PPDHRM and Title IX Sexual Harassment Grievance Procedures.

- Explicitly include hair texture or hairstyle commonly associated with a particular race in the definition of Race.
- Add a process for Alternative Resolution in the Title IX Grievance Procedures.
- Clarify the distinction between an Assessment and a Formal Investigation of a report of Discrimination, Harassment, Sexual Misconduct and/or related misconduct.