Agenda

11:30 AM   Welcome and Introduction

11:35 AM   Ombudsperson’s Annual Report to the President 2013

11:40 AM   Title IX & Mandatory Reporting Basics

12:20 PM   Performance Evaluations Update

12:30 PM   Open Enrollment Period

12:40 PM   JCCR Update

12:50 PM   Announcements/Reminders

1:00 PM    Adjourn
Usage by Employee Category

• Approximately 72% of visitors were from some level of Administration, almost double the percentage from 2012.
• Approximately 16% of visitors were from different levels of Faculty, about half the percentage from 2012.
• Staff, both supervisory and non-supervisory, represented about 9% of visitors, down 5% from last year.
• The remaining visitors’ affiliations are unknown.
Usage by Employee Category

• While Administration represented about three quarters of all visitors, they were primarily from two departments.
• About half the Administration visitors were supervisors.
• Most of the visitors from academic departments were junior faculty or ADCs. Of the Staff, most were non-supervisory.
Stated Reasons for Visiting the Ombuds

a. 22% Poor communication, miscommunication, or lack of communication.
b. 16% Feeling treated unfairly or discriminated against.
c. 12% Need information/resources
d. 10% A policy question
e. 7% Performance evaluation
Stated Reasons for Visiting the Ombuds

f. 7% Follow-up

7% Supervisory question

h. 6% Hiring, promotion, compensation

i. 6% Conflict with or concerns about a colleague

j. 1% other
Referral Sources

- 25% Friend/colleague
- 14% Outreach materials
- 13% In person outreach
- 8% Orientation
- 3% Referred by other professional
- 2% Referred by HR
- 1% Employee Council
- 0% Referred by supervisor, Ombuds website, Managers Council or Other committee
Outcomes

• The outcomes are not known in every situation. Information comes from the post-session evaluation, if the parties choose to fill out and return it. Some visitors contact the Office with the outcome.

• The Ombuds does not initiate follow-up unless requested. Of those who do provide outcome information, 94% reported they were very satisfied or somewhat satisfied their experience. All respondents said they would refer a friend or colleague to the Ombuds.
Title IX & Mandatory Reporting Basics
AMHERST COLLEGE
TITLE IX
& Mandatory Reporting Basics

PRESENTED TO
Supervisory Forum
Amherst College

May 8, 2014
TODAY’S GOALS

- To know each other better
- To discuss Mandatory Reporting basics and tips for managing difficult conversations
  - To build a better understanding of Title IX basics and Amherst’s Title IX Process
- Questions, Dialogue, and Sharing of Ideas
TITLE IX TEAM

TITLE IX COORDINATOR
Laurie Frankl
542-5707

Other members of the Title IX team:
Lisa Rutherford
General Counsel
Justin Smith
Associate General Counsel
John Carter
Chief of Amherst College Police

DEPUTY IX COORDINATORS
Jen Hughes (athletics)
542-2362

Amanda Collings Vann (students)
542-5671

Gregory Call (faculty)
542-2334

Maria-Judith Rodriguez
(staff, administration, and visitors)
542-2372

Susie Mitton Shannon (students)
542-2337

www.amherst.edu/aboutamherst/sexual_respect
TITLE IX TEAM MANDATE

ELIMINATE HARASSMENT
PREVENT ITS RECURRENCE
REDRESS ITS EFFECTS
ROLE OF THE TITLE IX TEAM

Amherst’s Title IX Team is charged with:

- Eliminating, preventing and redressing occurrences of Sexual Misconduct
- Ensuring that all appropriate interim measures are implemented
- Ensuring consistent application of Amherst’s Sexual Misconduct Policy to all individuals
- Coordinating the review, investigation, and resolution of reports of sexual misconduct
- Providing seamless support
- Educating the campus community in issues related to Title IX and Sexual Respect
CAN WE TALK?

• Tips for Mandatory Reporters

• Managing Difficult Conversations
ACKNOWLEDGE AND AFFIRM

- Acknowledge the feeling. Create comfort.
  • I can tell that what you have to tell me is important.

- Affirm your intention to help and support.
  • I want to be a resource to you. I want to help you.
  • I want you to feel comfortable talking to me.
  • I’m glad that you’ve asked me to listen.
EMPOWER (through transparency)

• I’d like to tell you a few things before you tell me what’s on your mind.
• **I am a mandatory reporter.**
• I want you to know that based on what you might tell me that I may have to tell others.
• I’m only a part of a team of people on campus who are here to support you and to help maintain a safe campus environment
• **I want to empower you before you start talking** so that you are feel very clear about what I may have to do based on our conversation.
AND EXPLAIN:

• Being a mandatory reporter means that if you disclose information about sexual misconduct I will have to report it to Title IX Coordinator.

• As part of its duty to help keep our entire community safe, our Title IX team is required to look into all reports of sexual misconduct.

• This is why I’m required to tell the team if I come across any information about sexual misconduct on campus.
PROVIDE CONFIDENTIAL OPTIONS:

• We have **confidential resources available.**
• These are people that you can talk to who do not have to report the information to anyone.
• If you would like to speak with someone confidentially, I can help you do that.
CONFIDENTIAL RESOURCES:

*Individual may confidentially speak to the following persons on campus about sexual misconduct*

- Health Services; providers and staff members
- Counseling Center staff and counselors
- Religious Life Staff
- Umass Center for Women & Community (24 / 7)
- Safe Passage – 24 hour hotline
THEN LISTEN:

– Listen To Learn

• This first interaction may be their only interaction with another around this topic. Try to learn as much as you can in a way that feels respectful to the person’s process.

– Validate

• Feelings, experience, concerns

– Refer

• Resource guide; Sexual Respect website; Sexual Misconduct Policy; Title IX team
MANDATORY REPORTING OBLIGATION IS SET IN MOTION:

• All Faculty and Staff are Mandatory Reporters
• When Mandatory Reporters receive a report of sexual misconduct, they are required to report all known information to the Title IX Coordinator; Deputy IX Coordinator or their Supervisor.
WHY DO WE HAVE A MANDATORY REPORTING REQUIREMENT?

• Mandatory reporting connects us as a community. We want to ensure that any person who needs resources and support gets them.
• Being identified as a mandatory reporter means that a student can expect that speaking to you will set into motion a process of investigation, as well as access to resources and support.
• Title IX mandates that as soon as the College knows or reasonably should have known about an instance of sexual misconduct that our obligation to investigate the misconduct begins.
• In order for us—the Title IX team—to meet this obligation we need you...
WHAT MUST YOU REPORT?

All relevant and known details that were shared with you, e.g:

• Any **known names** (the student who reports; the alleged perpetrator; other involved persons, etc)
• **Date** of the Incident;
• **Location** of the Incident
• **Description** of the reported conduct
WHEN & HOW SHOULD I REPORT?

• **As soon as possible:** Immediately is preferred
• You may report in whatever way feels most comfortable for you:
  • Telephone
  • Email
  • In person
WHAT HAPPENS ONCE TITLE IX TEAM RECEIVES THE REPORT?

Brief Overview of Amherst’s Title IX Process
FIRST STEP: SAFETY EVALUATION: SURVIVOR AND COMMUNITY

—Survivor Safety:
• Immediate health needs addressed
• Where appropriate, information about health services intervention provided

—Community Safety:
• John Carter and Laurie Frankl will check for prior related matters
• John Carter will make a Clery Report, if applicable
• Additional Steps: e.g. Community Notification considered
TITLE IX TEAM REACHES OUT:

– Check-in With Mandatory Reporter
  • Has this person informed the reporting survivor that information will be forwarded to Title IX team?

– Title IX Team Contacts Victim Survivor
  • Title IX Team Member sends Initial Resource Letter to Victim Survivor:
    ▪ Details rights
    ▪ Explains College’s obligation to investigate
    ▪ Highlights agency in the process
    ▪ Explains right to interim measures
    ▪ Details role of local law enforcement
    ▪ Provides resource and support options
    ▪ Explains anti-retaliation rights
    ▪ Encourages a meeting with Title IX team member
ROLE OF INTERIM MEASURES

• **Interim measures** allow survivors to continue to live and learn at Amherst at a time when they may feel the most vulnerable.

• Even at the earliest stage, we want to be sure that victim survivors understand their right to receive interim support and reasonable protective measures; e.g.:
  - Academic modifications
  - Housing modifications
  - No Contact Orders
INTERPLAY WITH LOCAL LAW ENFORCEMENT

- **Amherst College Policy**: All reports of sexual violence are reported to local law enforcement (Town of Amherst Police Department).

- Amherst Police have specially trained detectives to handle sexual violence matters.

- We work to ensure good communication and collaboration. Our goals, as they related to local law enforcement are:
  - Transparency in the process
  - Neutrality and Support
  - Good communication

[www.amherst.edu/aboutamherst/sexual_respect](http://www.amherst.edu/aboutamherst/sexual_respect)
TITLE IX INVESTIGATIONS: DETAILS AND BIG PICTURE


• Interviews with all known and involved parties
• Conducted by member of IX Team or an External Investigator
• Review of all materials that could help us understand the allegations (e.g. text messages, photographs or emails)
• Careful review of all the information

Overarching Principles of the Investigation:

• Privacy
• Fairness
• Neutrality
• Transparency
POST-INVESTIGATION – NEXT STEPS

• If there is a formal complaint under Sexual Misconduct Policy, then:
  • A final investigation report is provided to the Complainant and Respondent and the Investigator will present findings to the Hearing Board

• If outside the formal complaint process – then
  Title IX team:
  • Reviews findings of investigation
  • Consults with victim survivor on requested remedy
  • Determines appropriate remedy to meet our obligation to: Eliminate the harassment, Prevent its recurrence, and Redress its effects
TITLE IX:
THE VALUES THAT GUIDE US....

• Safety
• Fairness
• Respect
• Privacy

• Agency
• Neutrality
• Support
ARE THE VALUES THAT ALREADY DEFINE US...

- Safety
- Fairness
- Respect
- Privacy
- Agency
- Neutrality
- Support
MY RIGHTS UNDER TITLE IX

I HAVE THE RIGHT
to live and learn at Amherst free from gender discrimination.

I HAVE THE RIGHT
to understand that Amherst is required to undertake a prompt and thorough investigation of all reports of sexual misconduct.

I HAVE THE RIGHT
to file a complaint according to Amherst’s Sexual Misconduct Policy. I also have the right to file a criminal complaint with local law enforcement.

I HAVE THE RIGHT
to access on- and off-campus support and health services.

I HAVE THE RIGHT
to request and obtain a No Contact Order and to receive information about Harassment Prevention and Abuse Prevention Orders.

I HAVE THE RIGHT
regardless of my race, color, religion, national origin, ethnic identification, age, political affiliation and/or belief, sexual orientation, gender, gender identity, gender expression, economic status or physical or mental disability.

I HAVE THE RIGHT
not to be discouraged in my use of resources, processes or support and to report to the Title IX Coordinator if my rights have been violated.

For more information, contact any of the following:

www.amherst.edu/aboutamherst/sexual_respect
“A COMMUNITY IS the mental and spiritual condition of knowing that the place is shared, and that the people who share the place define and limit the possibilities of each other’s lives.

It is the knowledge that people have of each other, their concern for each other, their trust in each other, the freedom with which they come and go among themselves.”

— WENDELL BARRY
QUESTIONS, DIALOGUE, & IDEAS
Performance Management Process (PMP) Update
## PMP Update

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<td>355</td>
<td>92</td>
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<tr>
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Open Enrollment Period
Employee Contribution Benchmarking
Amherst’s HMO vs. Five Colleges Peers & Colgate Benchmark

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Amherst College Historical Renewals

Notes: 7/1/2010 final renewal increase includes plan design changes.
7/1/2014 renewal increase is prior to plan design changes.
Open Enrollment Highlights

• The base rates for medical insurance will increase approximately 10.6%.

• For HMO Blue and Blue Choice, a $150 copayment for out-patient surgery, and a $50 copayment for non-preferred brand name drugs have been added.

• A new dental option with orthodontia coverage for children and adults has been added.
Open Enrollment Highlights

• The sliding scale income levels have been adjusted to reflect inflation.

• An individual enrolled in HMO Blue or Blue Choice, who is also enrolled in the sliding scale program, may seek reimbursement for the $250 copayment for inpatient hospital admissions.

• Two additional levels of supplemental life insurance have been added.
JCCR Update
JCCR Update

• The Job Classification and Compensation Review (JCCR) project represents a periodic evaluation of the College’s job classification and compensation policies and practices, and will help ensure that the College is in alignment with common and best practices.

• It will also provide a baseline to evaluate how jobs will be classified and designated.
JCCR Update

Project Team Role

To work with the consultants, Sullivan Cotter, on every phase of the project, making sure that deliverables are accomplished, facilitating data, coordinating internal communications and keeping the Senior Staff involved in the process. The project will be led by:

- Kevin Weinman, Chief Financial Officer
- Lisa Rutherford, General Counsel & Chief Policy Officer
- María-Judith Rodríguez, Director of Human Resources
JCCR Update

Advisory Team Role

Ensure appropriate representation of all Amherst College employees, serve as an ongoing feedback group during the course of the project, and provide input to the design and implementation of the plan. The members of the Advisory Team are:

- Karen Sanchez-Eppler, Professor of English and American Studies (Representing the Committee on Priorities and Resources)
- John-Paul Baird, Associate Professor of Psychology (Representing the Committee on Priorities and Resources)
- Ursula Olender, Director of Career Center (Representing the Manager’s Council)
- John Carter, Chief of Campus Police/Director of Public Safety (Representing the Manager’s Council)
- Kate Doria, Data Research and Web Traffic Analyst (Representing the Employee Council)
- Danielle Laferriere, Staff Assistant - AC Caterers (Representing the Employee Council)

This group will have a critical role in ensuring that the new classification and compensation system addresses the needs of all employees.
The JCCR project **WILL**: 

- Create a revised job classification system for administrative and staff positions *based on the responsibilities and requirements of the position.*
- Establish market-based pay ranges for positions by identifying the most comparable labor markets and pay practices within those markets.
- Eliminate the “trustee-appointed” designation to achieve fairness, equity, and consistency.
- Replace the “quartile” approach to annual raise determinations with a merit-based approach.
JCCR Update

Depending upon the findings, the JCCR project **MAY**:  
• Result in pay increases for incumbents found to be below a market-competitive level.

The JCCR project **WILL NOT**:  
• Review or consider individual performance in the classification of positions. This will continue to be evaluated by an annual performance review process.  
• Result in pay reductions.
### JCCR Project

#### Amherst College Job Position Definition
- Job positions are defined by an essential set of job responsibilities and experience required of the position.
- Job positions or titles can contain one individual or many individuals.
- Individual performance, unique skills sets, and experience are not applicable to the job position definition.

#### Market Comparison
- Amherst College jobs will be compared to similar positions in the market place.
- Comparisons will be made using compensation surveys based on job responsibilities (essential functions), not job title.
- The "market" will be defined as other organizations for which Amherst College competes for talent, which may differ by position type.

#### Compensation Structure Design
- Based on the comparison of Amherst positions to market compensation surveys, each position will report a market range of pay.
- Each position will be assigned a salary range based on the market rate and internal responsibilities.

### Performance Management

#### Individual Assessment
- Each individual employee will continue to have his/her performance assessed annually through the annual review process.
- Compensation opportunities and individual placement in the salary range will be dependent on performance, experience, unique skill sets, and other factors.

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Please note that this does not capture each phase of the JCCR project.
JCCR Update

Job Descriptions

- Create a preliminary job classification design based on the objectives of the JCCR. We currently have enough information to get started on this phase of the project. This design will include a preliminary classification structure and other potential features, such as career paths. Once we have created the preliminary structure, this will allow us to ask everyone to validate their job information in a consistent format.
JCCR Update

Job Descriptions

• Collect job information in a common format for all administrative and staff positions later in the summer and early fall. This will likely mean that the JDQ form will be replaced with a simpler, more streamlined form that will concentrate on essential job responsibilities and other job information required for the new classification system. Please note that much of the information contained on Part II of the existing JDQ will still be useful for the new form.

• Revise any job classifications, as appropriate, based on the job information contained in the new form.
Announcements/Reminders
Announcements/Reminders

• Retiree Dinner – Tuesday, May 15, 2014
  – 10 Retirees

• Employee Picnic & Recognition Award – Tuesday, June 3, 2014

• Training and Development for Employees
  – Awareness of cultural differences.

• ESL Program – 5 Graduates for the Class of 2015 from Custodial and Registrar’s Office
Future Meetings

Let us know what you want to know!
Questions?
Thank you for your participation!