On behalf of the Office of Institutional Equity, I am pleased to share our 2019-2020 Annual Report. OIE’s work falls generally into these areas:

- Guiding the university’s compliance with applicable affirmative action and equal opportunity laws and regulations;
- Educating and training with regard to equity, access, and diversity, and the prohibition of harassment and discrimination, including sexual misconduct;
- Receiving and responding to reports and complaints of discrimination, harassment and sexual misconduct alleged against faculty, staff or third parties on the IUB campus, and advising on reports and complaints for all campuses; and
- Providing coordination and consultation on all matters arising under our relevant policies.

On the pages that follow, you’ll find highlights of the specific efforts and accomplishments from the prior academic year. We’ve also included data from the 2019-2020 academic year to share information about the number of reports IU received regarding potential discrimination and harassment, including sexual misconduct, the type of conduct reported, and how those reports have been addressed. The work you see reflected on these pages is not only accomplished by OIE, but also by our equity & Title IX partners throughout our IU campuses.

We compiled this report at a time when our community and our entire nation is grappling with the ongoing struggles of inequity, most prominently evidenced by the events of 2020. The principles of non-discrimination, equity and accessibility have been the guideposts to the work of this office, and will continue to be as we strive for meaningful impact and lasting change, especially with a much-needed focus on injustice. Our priorities are to accomplish both our existing responsibilities as well as advance our initiatives, while holding to the highest standards of ethics, professionalism and consideration for those interacting with our office. We are thankful for the students, staff, faculty and leaders throughout IU – that are giving voice to their experiences and working to make IU a place that honors, celebrates and harnesses equity, diversity, and inclusion for the benefit of all IU.

Emily Springston
University Director of Institutional Equity
Title IX Coordinator
ADA Coordinator
**NON-DISCRIMINATION/EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY**


Indiana University pledges itself to continue its commitment to the achievement of equal opportunity within the University and throughout American society as a whole. In this regard, Indiana University will recruit, hire, promote, educate, and provide services to persons based upon their individual qualifications. Indiana University prohibits discrimination on the basis of age, color, disability, ethnicity, sex, gender identity, gender expression, genetic information, marital status, national origin, race, religion, sexual orientation, or veteran status.

As required by Title IX of the Education Amendments of 1972, Indiana University does not discriminate on the basis of sex in its educational programs and activities, including employment and admission. Questions specific to Title IX may be referred to the Office for Civil Rights or the University Title IX Coordinator.

Indiana University shall take affirmative action, positive and extraordinary, to overcome the discriminatory effects of traditional policies and procedures with regard to the disabled, minorities, women, and veterans.

**AMERICANS WITH DISABILITIES ACT (ADA) POLICY**


Indiana University is committed to maintaining an inclusive and accessible environment across all of its campuses. Ensuring that all members of the university community have access to facilities, information, and information technology associated with administration and services, coursework and instruction, programs, and university-sponsored activities is critical to the university’s educational mission and is among its highest priorities. The Americans with Disabilities Act (ADA), the Indiana Civil Rights Act, and Indiana University policy prohibit discrimination against qualified individuals with disabilities in employment and educational programs. University websites must be accessible so that students, prospective students, employees, guests and visitors with disabilities have equivalent access to the information and functionality provided to individuals without disabilities.

Indiana University provides reasonable accommodations in the form of reasonable modifications to policies, practices, or procedures in order to make its services, programs, and activities accessible to qualified individuals with disabilities unless the modification would fundamentally alter the nature of a university service, program, or activity. These accommodations and adjustments must be made in a timely manner and on an individualized and flexible basis.

**DISCRIMINATION, HARASSMENT, AND SEXUAL MISCONDUCT POLICY**


Indiana University prohibits discrimination and harassment on the basis of age, color, disability, ethnicity, sex, gender identity, gender expression, genetic information, marital status, national origin, race, religion, sexual orientation, or veteran status (“protected classes”) in matters of admission, employment, housing, services, and in its educational programs and activities.

Policy UA-03 governs the university’s response to all forms of discrimination and harassment, and sexual misconduct. The Office of Institutional Equity, along with Equity and Title IX offices on each IU campus, are responsible for the appropriate and effective implementation of this policy. It is important that all members of the University community understand what conduct is prohibited and how the University’s processes govern the response to reports of discrimination, harassment and sexual misconduct.
REVISING THE UNIVERSITY SEXUAL MISCONDUCT POLICY

The U.S. Department of Education released new Title IX regulations in May 2020, which required changes in IU’s policy and procedures to be in compliance by mid-August. Over several months, OIE coordinated the revision of IU’s Sexual Misconduct policy to comply with these new regulations, while also preserving IU’s existing procedures for sexual misconduct that falls outside of Title IX’s scope. The updated policy also incorporates procedures for discrimination and harassment based on other protected characteristics in addition to sexual misconduct, thus providing a more consistent way for the university to enforce its Non-Discrimination Policy (UA-01). OIE led a working committee with faculty and student representation to prepare an interim policy draft for approval by the University Faculty Council and President McRobbie.

ACCESSIBILITY WORKING GROUP

During the Fall semester, OIE reestablished a working group to ensure the coordination of efforts and information sharing across the IU Bloomington campus regarding ADA and accessibility matters. The ADA Accessibility Working Group has representatives from a variety of offices and departments including Academic Affairs, Human Resources, Capital Planning and Facilities, Disability Services for Students, Athletics, and the Auditorium.

COVID ACCOMMODATION PROCESS

In response to the COVID-19 pandemic, OIE worked with Human Resources, Academic Affairs, and accommodation specialists from each campus to organize a process for requesting accommodations for those in high-risk categories as identified by the CDC. This process was integrated with the Community Responsibility Acknowledgment (CRA) form that was launched during the Summer of 2020. Campus HR and Academic Affairs offices and accommodation specialists were provided with communication templates and a tracking system to provide follow-up and reporting.
ALL CAMPUS STUDENT CLIMATE SURVEY

In spring 2019, the second Community Attitudes and Experiences with Sexual Assault Survey was administered to students on eight IU campuses. The public reports outlining findings from these surveys were released in the spring of 2020 and can be found at StopSexualViolence.iu.edu. The survey helps us to better understand our students’ attitudes, perceptions, and direct experiences with sexual assault and other forms of sexual misconduct. It also gives us insight into our students’ perceptions about their campus, their awareness of available resources, and feedback on the education efforts and programming offered. The data collected confirms the vital importance of IU’s efforts to confront the serious issue of sexual misconduct, not only on our campuses but within the communities we serve. Additionally, the findings have been, and will continue to be, used to inform our ongoing prevention, education, and response efforts. More than 9,300 students responded to the survey. Full reports have been published and are available on the stopsexualviolence.iu.edu website.
NEW RESPECTFUL TREATMENT TRAINING

The office created a new respectful training program which employs a continuum to demonstrate a range of workplace behaviors beginning with respectful treatment to disrespectful treatment, then abusive treatment to harassment, and finally, assaultive treatment. The continuum illustrates the differences between abusive treatment and harassment when the behaviors are targeted at individuals based on protected status such as race, sex, religion, etc., and gives participants a chance to strategize and consider ways to cope with difficult situations at each point on the continuum. OIE provided this training virtually for employees in Residential Programs Services (RPS) and University Information Technology Services (UITS).

IU ATHLETICS SEXUAL MISCONDUCT PREVENTION

As required by the NCAA Board of Governors Policy on Campus Sexual Violence, OIE annually assists in training the IUB Department of Athletics staff and coaches on the University’s Sexual Misconduct Policy, including definitions, reporting requirements, and creating a respectful workplace. In-person trainings are supplemented by the online Responsible Employee Training.

ANNUAL ASSOCIATE INSTRUCTOR ORIENTATION

Before the start of classes in the fall, the Center of Innovative Teaching and Learning organizes an orientation for new Associate Instructors. OIE staff regularly participate in this program by presenting information on the University’s policies related to harassment and discrimination, as well as the AI’s duties as a responsible employee under the Sexual Misconduct policy. This year staff from OIE provided information to more than 500 new AIs during the two-day program.

NEW FACULTY AND STAFF ORIENTATIONS

OIE staff participated in the Office of the Vice Provost for Faculty and Academic Affairs faculty orientation and picnic where they distributed information on the University’s Non-Discrimination Policy, Sexual Misconduct Policy, and ADA Policy and procedures. Additionally, OIE Staff are part of University Human Resources regular staff orientation sessions to make new staff aware of these policies and procedures.

SEXUAL MISCONDUCT PREVENTION TRAINING WITH IU CADETS

Annually, OIE staff provide sessions within the IU Police Academy on sexual misconduct prevention and IU’s reporting responsibilities and policy. The Academy is an accredited state-certified law enforcement academy which also allows for the completion of a college degree.
LEGAL COMPLIANCE TRAINING ON ALL CAMPUSES

Staff from OIE collaborate with University Human Resources staff to provide the Legal Compliance Series for Supervisors on the Bloomington campus. The series is comprised of four in-person sessions that inform IU supervisors of relevant employee protection laws and university policies that impact their work. The series promotes positive employee relations while ensuring consistent application of University policies and employment laws across IU units. The four session series includes education on Equal Employment Opportunity, Title IX and Sexual Misconduct Prevention, the American’s with Disabilities Act (ADA), and FLSA, FMLA and Worker’s Comp policies and procedures.

This year the OIE staff trained 320 Bloomington employees in sessions under this program. OIE staff completed some of these trainings in the later part of the year in a remote environment. Additionally, OIE staff provided this same training to employees from Recreational Sport and Geological Survey on the Bloomington campus. OIE Staff also provided training under this program on other IU campuses in concert with campus staff responsible for these policies and laws on that campus. This year this included employees on the IU Kokomo, IU South Bend, and IU Northwest campuses.

ONLINE RESPONSIBLE EMPLOYEE TRAINING

At Indiana University, employees designated as ‘responsible employees’ are required to report incidents of sexual misconduct which come to their attention. Employees included in this designation include anyone instructing students, as well as advisors, coaches and other athletic staff working with students, student affairs administrators, residence hall staff, university supervisors and officials, and employees in offices that interface with students. As part of this duty, responsible employees are also required to take the Responsible Employee Training through Canvas annually to ensure they remain aware of their responsibilities and how to assist students in such situations. OIE manages this training process, which this year was completed by more than 9633 employees across all IU campuses.
DISCRIMINATION/HARASSMENT

INDIANA UNIVERSITY’S NON-DISCRIMINATION/EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY (UA-01)

Prohibits discrimination on the basis of age, color, disability, ethnicity, sex, gender identity, gender expression, genetic information, marital status, national origin, race, religion, sexual orientation, or veteran status in both its educational and employment programs.

The Office of Institutional Equity investigates reports of discrimination and harassment alleged against IU faculty and staff on the Bloomington campus. In part because of successful supervisor training throughout the years on issues related to discrimination and harassment, many potential issues are able to be addressed in coordination with departments and units short of formal investigation.

In general, reports of discrimination and harassment are addressed by the equity office located on the IU campus on which the concern arose. OIE works directly with each equity office to ensure coordination and provides consultation for investigation and response measures.

The graphs on the following pages provide information on reports of discrimination and harassment made to OIE and each campus equity office for the period of July 1, 2019 to June 30, 2020. The data are arranged into the following categories:

**Administrative Action:** These reports resulted in a finding of discrimination or harassment with corrective action that may have included reprimand, required training, suspension, and/or termination.

**Claim Not Substantiated:** These reports resulted in no finding which is a determination that there were no violations of the University’s Sexual Misconduct Policy. In some instances, additional education, training, and/or remedial action may still be provided.

**Alternative University Action:** These reports resulted in alternative university action including, but not limited to: providing consultation, facilitating conversation between those involved, providing information about or assistance with support resources, administering training, and addressing issues that fall under other applicable University policies and procedures when appropriate.

**No Action: Complainant Request:** Reports where complainant did not respond to University outreach or did not wish to provide information.

**No Action: Not within the Scope of Policy:** Reports which were determined not to be within the scope of Policy UA-01.

**No Action: Unknown Parties:** Reports where the identity of one or both parties is unknown and cannot be determined.
2019-2020 DISCRIMINATION/HARASSMENT REPORTS

IU BLOOMINGTON REPORTS OF DISCRIMINATION/HARASSMENT: 35*

- Disability
- Gender/Gender Identity
- Multiple Factors
- National Origin
- Race/Ethnicity
- Retaliation
- Veteran Status

IUPUI REPORTS OF DISCRIMINATION/HARASSMENT: 80*

- Age
- Disability
- Gender/Gender Identity
- Multiple Factors
- National Origin
- Pregnancy
- Race/Ethnicity
- Religion
- Retaliation
- Sexual Orientation

* This number includes one pending case and one not in the University's jurisdiction which are not included in the graph.

* This number includes one pending case which is not included in the graph.
2019-2020 DISCRIMINATION/HARASSMENT REPORTS

IU SOUTH BEND REPORTS OF DISCRIMINATION/HARASSMENT: 26

- Age: 2
- Disability: 4
- Gender/Gender Identity: 6
- Multiple Factors: 8
- Race/Ethnicity: 10
- Sexual Orientation: 2

IU NORTHWEST REPORTS OF DISCRIMINATION/HARASSMENT: 26

- Multiple Factors: 2
- Race/Ethnicity: 4
- Retaliation: 6

IU EAST REPORTS OF DISCRIMINATION/HARASSMENT: 5

- Gender/Gender Identity: 2
- Race/Ethnicity: 4

IU KOMOMO REPORTS OF DISCRIMINATION/HARASSMENT: 1

- Multiple Factors: 2

IU Southeast did not report any reports of Discrimination/Harassment for this time period.
INDIANA UNIVERSITY’S DISCRIMINATION, HARASSMENT, AND SEXUAL MISCONDUCT POLICY (UA-03)

Prohibits discrimination on the basis of sex and gender as well as all forms of sexual misconduct, which includes sexual harassment, sexual assault, other forms of sexual violence, dating violence, sexual exploitation, and stalking.

MAKING A REPORT: At IU, there are multiple ways to make a report of sexual misconduct to the University. Information regarding an incident of sexual misconduct may be reported to IUPD, the campus Deputy Title IX Coordinator, online through StopSexualViolence.iu.edu, or by notifying a responsible employee (e.g. instructors, advisors, administrators).

AFTER A REPORT: Once a report is received, the person who may have experienced sexual misconduct (the Complainant) is provided information on IU’s policies and procedures, as well as resources available both on campus and from community partners. This includes information on available advocates, counseling and other potential supportive measures. All incidents of possible sexual misconduct are brought to the attention of the University Title IX Coordinator and the Deputy Title IX Coordinator for the respective campus who coordinates with other campus offices to offer resources, support, and information.

COMPLAINANT’S WISHES: If the complainant does not desire to move forward with an Investigation, the University must determine, based on the information available, if it can maintain a safe, non-discriminatory environment for the entire University community without a formal Investigation. If the University determines that an Investigation is necessary based on the nature of the report, University procedures will be initiated. If a formal Investigation is not requested, the University may still work to address concerns proactively.

INITIATE FORMAL PROCEDURES & RESOLUTION PROCESS: When the Complainant requests the University move forward with an Investigation, or the University determines it must move forward with an Investigation, the procedures used are determined by the status of the Respondent as either a University student or employee. These procedures can be found in the University’s Sexual Misconduct Policy. More information about these procedures can be found on StopSexualViolence.iu.edu.
The following pages provide data, by campus, on student related reports of sexual misconduct brought to IU’s attention between July 1, 2019 and June 30, 2020. The data reflect reports of incidents that occurred on campus or off campus, as well as anonymous reports and reports where very little information was shared with the University. The data that follow are classified into the categories below:

**Reports Moved Forward: Formal University Resolutions**
Reports where i) the University made a determination as to the Respondent’s responsibility according to the student procedures set forth in the Sexual Misconduct Policy, ii) reports resolved through Respondent’s Acceptance of Responsibility, iii) reports that resulted in a summary suspension, or iv) reports resolved through a formal alternative resolution that was agreed upon by the Complainant and Respondent according to the Sexual Misconduct Policy.

**Reports Moved Forward: Informal Alternative University Action/Resolutions**
Reports that were addressed and resolved using alternative processes or responses.

**Reports Not Moved Forward: Complainant Request for No University Action**
Reports where the potential Complainant did not respond to University outreach, would not disclose details about the incident or the identity of the Respondent, and/or where they specifically requested “No University Action,” and the University has determined that it can honor the request.

**Reports Not Moved Forward: Unknown Party**
Reports where the identity of one or both parties is unknown and unable to be determined by the University. This includes reports where the Respondent is unknown to the Complainant and/or is otherwise unable to be ascertained by the Complainant or University. In such instances, the University is limited in its ability to move forward in the investigation at that time.

**Reports Not Within the Scope of the Sexual Misconduct Policy**
Reports that were determined to not be within the scope of the Sexual Misconduct Policy.

*No University Jurisdiction: The University also receives reports that are confirmed to be outside of the University’s jurisdiction because either i) the misconduct was committed by an individual not affiliated with the University, or ii) the misconduct occurred prior to attending the University. In all such instances, the University responded to provide information, outreach and support through on and off campus resources.*
**2019-2020 Student Sexual Misconduct Reports**

**IU Bloomington Reports of Student Sexual Misconduct: 244* **

<table>
<thead>
<tr>
<th>Category</th>
<th>Reports Moved Forward: Formal University Resolutions</th>
<th>Reports Moved Forward: Alternative University Action/Resolution</th>
<th>Reports Not Moved Forward: Complainant Request</th>
<th>Reports Not Moved Forward: Unknown Party</th>
<th>Reports Not within the Scope of the Sexual Misconduct Policy</th>
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<tbody>
<tr>
<td>Sexual Assault/Contact</td>
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<tr>
<td>Sexual Harassment</td>
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<tr>
<td>Dating/Domestic Violence</td>
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<td>Stalking</td>
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<td>Sexual Exploitation</td>
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<td>Retaliation</td>
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*This number includes 2 pending cases and 36 reports which were not within the University’s jurisdiction not included in the graph.

**Formal University Resolution Outcomes**

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<tr>
<th>Category</th>
<th>Sexual Assault/Contact</th>
<th>Dating/Domestic Violence</th>
<th>Sexual Harassment</th>
<th>Stalking</th>
<th>Sexual Exploitation</th>
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<tbody>
<tr>
<td>Expulsion</td>
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<td>Suspension</td>
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<td>1</td>
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<tr>
<td>Probation</td>
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<td>No Finding</td>
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<tr>
<td>Alternative Resolution Agreement</td>
<td>10</td>
<td>4</td>
<td>1</td>
<td>2</td>
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</tbody>
</table>

The 28 reports that went through the Formal University Resolution Process resulted in 27 outcomes as two reports were related to the same respondent.
2019-2020 STUDENT SEXUAL MISCONDUCT REPORTS

IUPUI REPORTS OF STUDENT SEXUAL MISCONDUCT: 94*

* This number includes 13 reports which were not within the University’s jurisdiction not included in the graph.

FORMAL UNIVERSITY RESOLUTION OUTCOMES

<table>
<thead>
<tr>
<th>Expulsion</th>
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<tbody>
<tr>
<td>Probation</td>
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<tr>
<td>No Finding</td>
<td>3</td>
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<tr>
<td>Pending</td>
<td>1</td>
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The 8 reports that went through the Formal University Resolution Process resulted in 8 outcomes.
2019-2020 STUDENT
SEXUAL MISCONDUCT REPORTS

IU SOUTH BEND REPORTS OF STUDENT SEXUAL MISCONDUCT: 19 *

Sexual Assault/Contact
Sexual Harassment
Dating/Domestic Violence
Sexual Exploitation

* This number includes 4 reports which were not within the University’s jurisdiction and included in the graph. The single report that went to formal university resolution resulted in expulsion.

IU SOUTHEAST REPORTS OF STUDENT SEXUAL MISCONDUCT: 8 *

Sexual Harassment
Dating/Domestic Violence
Stalking

* This number includes 1 pending sexual assault report which is not included in the graph.

IU EAST REPORTS OF STUDENT SEXUAL MISCONDUCT: 17 *

Sexual Assault/Contact
Sexual Harassment
Dating/Domestic Violence
Sexual Exploitation

* This number includes 10 reports which were not within the University’s jurisdiction and included in the graph.

IU NORTHWEST REPORTS OF STUDENT SEXUAL MISCONDUCT: 8 *

Sexual Harassment
Dating/Domestic Violence
Stalking

* This number includes 5 reports which were not within the University’s jurisdiction and included in the graph.

IU KOKOMO REPORTS OF STUDENT SEXUAL MISCONDUCT: 2

Both were stalking reports and both resulted in Alternative University action.
This section reflects reports of potential sexual misconduct made against University faculty or staff between July 1, 2019 and June 30, 2020. The data are classified according to the following categories:

**Administrative Action:** These reports resulted in a finding of sexual misconduct with corrective action that may have included reprimand, required training, suspension, and/or termination.

**Claim Not Substantiated:** These reports resulted in no finding which is a determination that there were no violations of the University Sexual Misconduct Policy. In some instances, additional education, training, and/or remedial action may still be provided.

**Alternative University Action:** These reports resulted in alternative university action including, but not limited to: providing consultation, facilitating conversation between those involved, providing information about or assistance with support resources, administering training, and addressing issues that fall under other applicable University policies and procedures when appropriate.

**No Action: Complainant Request:** Reports where complainant did not respond to University outreach or did not wish to provide information.

**No Action: Not within the Scope of Policy:** Reports which were determined to not be within the scope of the sexual misconduct policy.

**No Action: Unknown Parties:** Reports where the identity of one or both parties is unknown and can not be determined.

**IU Bloomington Reports of Faculty/Staff Sexual Misconduct: 39**

*This number includes 2 pending cases which are not included in the graph.*
IUPUI REPORTS OF FACULTY/STAFF SEXUAL MISCONDUCT: 31*

- Sexual Harassment
- Sexual Assault/Contact
- Dating/Domestic Violence
- Stalking
- Sexual Exploitation

* This number includes 1 pending case which is not included in the graph.

IU SOUTH BEND REPORTS OF FACULTY/STAFF SEXUAL MISCONDUCT: 3

- Sexual Harassment

IU NORTHWEST REPORTS OF FACULTY/STAFF SEXUAL MISCONDUCT: 3

- Sexual Harassment

IU SOUTHEAST REPORTS OF FACULTY/STAFF SEXUAL MISCONDUCT: 1

- Sexual Assault/Contact

IU KOKOMO AND IU EAST DID NOT HAVE ANY REPORTS FOR THIS TIME PERIOD.
Confidential Resources and Supportive Measures

Providing support and assistance for those who may have experienced sexual misconduct is central to IU’s response efforts.

Supportive measures available may vary depending on the individual’s campus, as well as their specific needs and circumstances. They can include assistance in changing academic, living, transportation, and/or work situations; counseling services; advocacy and advising services; and assistance in obtaining protective orders.

Each campus provides students counseling services. Campus specific resources, including confidential resources, can be found at stopsexualviolence.iu.edu.

Confidential Victim Advocates (CVAs) are available on the IUB and IUPUI campuses. CVAs are specially trained advocates who help students who have experienced sexual misconduct, including sexual assault, rape, sexual harassment, dating/domestic violence, or stalking. They are designated by policy to have no reporting obligation to the University. This year CVAs served 337 individuals on the Bloomington campus and 46 individuals on the IUPUI campus.

IUB also provides the Sexual Assault Crisis Service for students who have experienced a sexual assault. Part of Counseling and Psychological Services, the Sexual Assault Crisis Service is staffed by counselors who specialize in working with students who have experienced sexual violence. All services are free, including crisis consultation, individual and group counseling, and assistance with referrals for medical care.
FOR MORE INFORMATION ABOUT THE WORK OF THE OFFICE OF INSTITUTIONAL EQUITY PLEASE VISIT OUR WEBSITES.