

MANDATORY REPORTING

A required training for employees designated as mandatory reporters under the University's Title IX Prohibited Sexual Conduct and Clery Act policies and procedures. This training will explain your reporting responsibilities for incidents involving members of the campus community.

TITLE NINE

TITLE IX OF THE EDUCATIONAL AMENDMENTS OF 1972

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

20 U.S.C. § 1681 et seq

MANDATORY REPORTERS

- **Employees with responsibility for administrative leadership, teaching or advising students (including athletic coaches) are designated as Mandated Reporters.**
- Mandated Reporters have a legal obligation to immediately report any potential Title IX violation to the Title IX Office.
- All other employees have a legal obligation to provide anyone who may have experienced a Title IX violation with the contact information for the Title IX Office.

DUTY TO REPORT

Mandated Reporters **must promptly report** all known details of actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately.

The University may offer supportive measures as the result of such disclosures, regardless of whether an individual files a complaint and/or requests formal University action.

Complainants should consider whether they share personally identifiable details with Mandated Reporters, as those details must be shared with the Chief Title IX Coordinator. Mandatory reporters are encouraged to inform potential complainants of their duty to report.

NON-RETALIATION STATEMENT

The University strictly prohibits retaliation against individuals for reporting alleged violations of federal law or for cooperating in the University's investigation of alleged violations of federal law.

Retaliation includes threatening, intimidating, or coercive behaviors and materially adverse actions that would deter a reasonable person in the same or similar circumstances from reporting alleged violations of federal law or cooperating in the University's investigation of any such report, even if the behaviors do not ultimately have that effect.

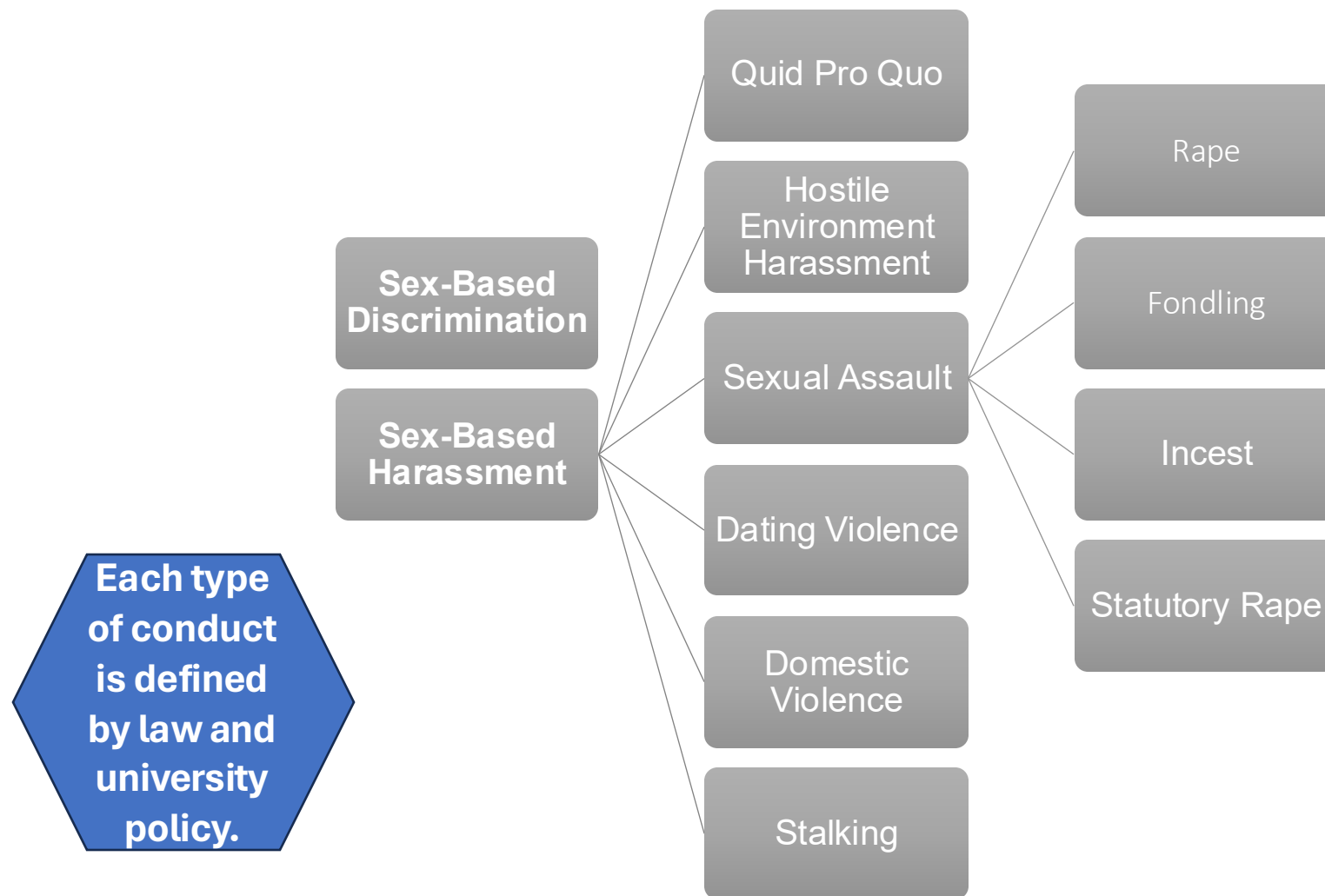
REPORTABLE BEHAVIORS

Three federal laws create reporting responsibilities for faculty, staff, and administrators regarding sexual harassment, sex-based discrimination, and other sex-based violence.

- Title IX
- Clery Act
- Title VII

These laws require the University to effectively respond to notice of alleged incidents prohibited by law.

PROHIBITED SEXUAL CONDUCT



UNIVERSITY STANDARDS

Title IX applies to **all programs and activities** of the University. This includes housing, athletics, employment, etc.

The University has developed **policies and procedures** that provide for the prompt, fair and impartial resolution of reports sex-based discrimination and harassment.

Fayetteville State University strives to **balance** the rights of the Parties in the resolution process.



REPORTS AND COMPLAINTS

Reports or Complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

Give written or verbal Notice directly to any member of the Office of Risk and Compliance. Such Notice may be made at any time (including during non-business hours) by using the telephone number, email address, or by mail to the office of the Chief Title IX Coordinator.

Submit Online Notice using the Compliance Reporting Intake Form. Anonymous Notice is accepted, but the Notice may give rise to a need to try to determine the Parties' identities.

Anonymous Notice may limit the University's ability to investigate, respond, and provide remedies. It may not be possible to provide supportive measures to Complainants who are the subject of anonymous Notice.

WRITTEN REPORTS

Mandated reporters must report in writing. Please email titleix@uncfsu.edu or use the Online Reporting Form.

- You are encouraged to submit the reporting using the Compliance Reporting Intake Form which is linked on the Compliance and Title IX webpages.
- Mandated reporters must provide all the information that they have in the report.
- Completion of the intake form ensures Title IX has the necessary information to contact the potential complainant.

RESPONDING TO A DISCLOSURE

- Notify the person of your obligation to report when made aware of prohibited sexual conduct or crimes on campus.
- Clarify that the information may not be kept confidential but can be kept private.
- Explain the reporting requirement as an opportunity to provide support and resources.
- Refer the individual to the Title IX website for information about the policy.

“Can this be confidential?”

Short answer: No.

It can be private but not confidential. Here's what to do instead:

- Inform: Let them know it's your obligation to report, but...
- Assure: Private, not confidential
- Support: The University can provide supportive services.
- The University's counselors can offer confidential support.

SAMPLE SCRIPT

I have an obligation to report any incidents involving sex-based discrimination, harassment or violence to the Title IX Office. I will keep this information private and only share this information with the Title IX Office and a limited group of administrators that may need this information to address the conduct in accordance with the University's policies. We have these policies to support our students and employees. I want to encourage you to speak to the Title IX Coordinator about this issue so we can help support you.

AFTER A REPORT

- The Title IX Coordinator contacts affected parties to explain their rights and options, including the option to pursue a formal complaint.
- All Title IX reports receive follow-up from the Title IX Coordinator.
- Reports determined to be outside the scope of Title IX may be referred to the appropriate university department.
- Reports with a conduct-related component may be addressed through applicable conduct procedures.
- The Title IX Coordinator works with relevant university offices to implement supportive or interim measures when appropriate.

SAMPLE REPORT ACTIVITY

Student came to my office this morning complaining about something that happened last night. This student said that someone touched him inappropriately. According to the student, this is someone he knows, and this is not the first time this has happened. Student also suspects that this is happening to other students. Student wants to remain anonymous.

Questions:

1. Does this report include all the pertinent information? (Think: who, what, where, when)
2. If you could add or change anything about how this report is written, what would it be?

REMEMBER

If someone is coming to you to report an incident, it means they trust you in some capacity. It is important to help point the person in the right direction, provide reassurance and care, and ensure that the report makes it to the appropriate people.

FAYETTEVILLE STATE UNIVERSITY TITLE IX OFFICE

Phone: (910) 672-2325

Office: Collins 201

Email: TitleIX@uncfsu.edu

Online: www.uncfsu.edu/title-ix





THE CLERY ACT

Campus Security Authorities Training

Tim Lloyd, Clery Coordinator

What We Will Cover

What is the Clery Act?



What does the Clery Act have to do with you?

3 Requirements in the Clery Act

1. **Numbers:** The Annual Crime Report contains crime statistics published in the Annual Security Report.
2. **Timely Warnings and Emergency Notifications:** are issued to the community in the event of potential dangers (emergency text, calls, apps)
3. **Responsibilities to Report:** Crimes can be reported to Police Officers on campus, by calling Dispatch, or at the FSU Police Department. Others that can be notified are; Title IX, Victim's Assistant/Crime Prevention Officer, Clery Office, Student Conduct.

Who Needs to Report?

- Campus Security Authorities (CSAs)
 - All employees of a Police Department (officers, dispatch, security)
 - Title IX (provides CSA reports to Clery)
 - Housing / Residence Life Staff: student RAs and full-time employees
 - Athletic Coaches, Deans, Department Heads
 - Any official of an institution who has significant responsibility for student and campus activities
 - CSAs may report anonymously to Police, TIX, Clery
- (Exceptions are licensed counselors and pastoral counselors covered by confidentiality)*

Clery Reportable Crimes

Criminal Offenses:

- Aggravated Assault
- Arson
- Burglary
- Fondling (assault with sexual motives)
- Incest
- Manslaughter by Negligence – (willful killing of another person)
- Motor Vehicle Theft
- Murder or Non-Negligent Manslaughter – (death caused by injuries, fighting)
- Rape
- Robbery
- Statutory Rape



Violence Against Women Act (VAWA)

- Dating Violence
- Domestic Violence
- Sexual Assault
- Stalking



Hate Crimes

Hate crimes include all of the criminal offenses with the addition of intimidation, vandalism, larceny, or simple assault.

Hate Crime Bias (7 categories)

Disability

Ethnicity/National Origin

Gender

Gender Identity

Race

Religion

Sexual Orientation

When is a crime reported?

- A crime is reported when it is brought to the attention of a CSA.
- If a CSA receives the crime information directly, they should document it as a crime report.
- A CSA is not responsible for determining if a crime occurred.

Does it matter where the crime occurred?

Crimes must be reported if it occurred:

- On Campus
- If you are not sure, report it so the institution can make that determination

If a crime is reported to me, what should I do?

- University Police
- Anonymous report on-line (Clery reporting Form)
- Title IX
- The Reporting Structure established by the University

Examples of CSAs Reporting Crimes

- A coach is required to report a sexual assault that is reported to them.
- A RA who has been told a Resident has been sexually assaulted.
- A person working as an access monitor is required to report a burglary that is reported to them while working the desk.

Clery Act and Law Enforcement

Clery Requirements:

- ✓ Daily Crime Logs: located on-line and in Communications
- ✓ Timely Warnings
- ✓ Emergency Notifications
- ✓ Annual Crime Data: published in the Annual Security Report



Timely Warnings and Emergency Notifications

Timely Warnings	Emergency Notifications
Scope: Narrow Focus Clery Crime that has occurred.	Scope: Wide Focus Any significant emergency or dangerous situation.
Why: A Clery Crime that has occurred and is an ongoing threat.	Why: An event is currently occurring or will be occurring that will have an immediate threat to the health or safety of students or employees.
Where: On Campus	Where: Clery Geography
When: Sent soon as pertinent information is available.	When: Immediately sent upon confirmation that a dangerous situation or emergency exists or threatens.

Methods of Delivery for Timely Warnings and Emergency Notifications

- Email
- Text
- Call
- Apps





Question 1

If a crime is disclosed to me, I am responsible for determining if the crime took place before reporting.

a. True

b. False

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a. True

b. False

Question 2

When I receive a crime report I should:

- a. hope the student to goes to police
- b. file it in a folder and submit at the end of the year
- c. report it right away

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Question 3

Reporting Clery crimes that occur on campus is?

1. Optional
2. A good suggestion
3. A requirement

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- 1. Optional
- 2. A good suggestion
- 1. A requirement



Tim Lloyd

Clery Compliance

Police and Public Safety

1200 Murchison Road

Fayetteville, NC 28301

Office (910) 672-2462

tlloyd8@uncfsu.edu