

# Reporting Obligations Updates



**Darci Heroy**

Associate Vice President/ Chief Civil Rights  
Officer

**Missy Matella**

Senior Director, Employee and Labor Relations

# Objectives:



Participants will be able to:

1. Understand what falls under the umbrella of the Office of Investigations & Civil Rights Compliance.
2. Name the three different types of Title IX “Reporters” and know the expectations for their own role.
3. Respond to a number of scenarios related to civil rights compliance, and know when to call OICRC



# When In Doubt: Consult



- Office of Investigations & Civil Rights Compliance (Title IX Coordinator)  
541-346-3123
- Crisis Intervention and Sexual Violence Support Services 541-346-8194 or 541-346-SAFE (**Confidential**)
- Employee and Labor Relations: 541-346-3159

# Employee Reporting Obligations

All University Employees Must Report:	All University Employees Must Report:	Campus Security Authorities (CSAs) Must Report:
<p>Credible information of ALL TYPES of prohibited discrimination and harassment</p> <p><b>*EXCEPT gender-related disclosures from students are treated differently under University policy</b></p>	<p>Reasonable belief that child abuse or neglect (of person under 18 years old) has occurred or may be occurring.</p>	<p>De-identified information about crimes occurring on campus or on campus controlled properties. Including hate crimes, rape, dating &amp; domestic violence and stalking.</p>
<p>Office of Investigations and Civil Rights Compliance (former AAEO)</p>	<p>Report to local law enforcement, UOPD or to the Department of Health and Human Services</p>	<p>Report to the Clery Coordinator of UO who is housed in UOPD.</p>
<p>Federal/University Obligation</p>	<p>State Obligation</p>	<p>Federal/University Obligation</p>



# One Big Caveat.....



*All Employees who directly witness any type of discrimination and harassment in the workplace are required to report.*



To promote a compassionate campus community, all employees are expected to do the following when responding to disclosures:

**Respond with respect and kindness**

**Listen to the student before handing out referrals and information**

**Be sensitive to the needs of the survivor, without being judgmental, paternalistic, discriminatory, or retaliatory**

**If the student appears under 18, ask. If the student is under 18, explain the reporting requirement for minor "abuse"**

As a member of the University of Oregon community, you are part of the solution.

# Title IX Reporting



Designated Reporter

(Responsible  
Employee)

Student-Directed  
Reporter

(Cannot Redress  
Prohibited Conduct)

Confidential Reporter

(May Limit University's  
Ability to Respond)



# DESIGNATED REPORTER

I am obligated to report student disclosures of sexual and gender-based harassment and violence.

[titleix.uoregon.edu](http://titleix.uoregon.edu) 541-346-8136



UNIVERSITY OF  
OREGON



# Who are Designated Reporters?

Those employees who have the authority to address ALL TYPES of prohibited conduct and whom students would reasonably expect to have the authority to remedy prohibited conduct.

A list is available at <https://titleix.uoregon.edu/designated-reporter#designated-reporter-titles>

# List of Designated Reporter Titles

## Academic Unit Titles

- Senior Vice President and Provost
- Senior Vice Provost
- Vice Provosts
- Director of Student Conduct
- Student Conduct Code Officers
- Title IX Coordinator
- Deputy Title IX Coordinators
- Title IX Appeals Officer
- Director of Housing
- Director of Residential Life & Educational Initiatives
- Senior Associate Director of Housing
- Deans
- Associate Deans responsible for more than one academic unit, such as the following: Senior A Dean for Faculty and Operations; Associate Dean for Humanities; Associate Dean for Undergr Education; Associate Dean for Sciences; Associate Dean for Social Sciences
- Assistant Dean, Administration and Operations (CAS)
- Dean of Students
- Department Heads
- Director of Fraternity and Sorority Life
- Director of Study Abroad
- Associate Provost, Portland Campus
- Resident Assistants and Orientation Leaders

**PRESS 'E'  
TO EXIT QUI**

**A new tab will open and  
will redirect to the UO**

## Administrative Titles

- All members of the Board of Trustees (including student, faculty, and staff members)
- President
- Vice Presidents
- Associate Vice Presidents
- Director of Affirmative Action and Investigators (EEO Specialists)
- Director of Campus Operations
- Senior Director of Employee and Labor Relations
- Chief Human Resource Officer
- General Counsel and all attorneys in that office
- University of Oregon Police Officers

# Title IX Reporting



Designated Reporter

(Responsible  
Employee)

Student-Directed  
Reporter

(Cannot Redress  
Prohibited Conduct)

Confidential Reporter

(May Limit University's  
Ability to Respond)



# Who are Student Directed?



These employees still have to report ALL prohibited discrimination and harassment to OICRC.

These employees do NOT automatically have to share information about **sex/gender related disclosures from students.**



# What should SDEs Do?



**1. Consult a confidential resource.** You are required to contact the Office of Crisis Intervention Sexual Violence Support Services for a consult at 541-346-8194.


- ⊠ Make the call immediately. Preferably, if the student agrees, when the student is still with you.
- ⊠ This consultation is intended to:
  - ⊠ assist with any documentation and risk assessment.
  - ⊠ address any resource needs for the student.
  - ⊠ ensure you have followed the policy properly.
  - ⊠ provide you with any support that you may need as an employee.

**2. Meet other reporting obligations,** if required.



# Title IX

Division of Student Life and Office of the President

search this site 

Policies

**Reporting**

Resources/Assistance for Victims and Survivors

Training

News & Updates

About Us

**PRESS "ESC"  
TO EXIT QUICKLY**

A new tab will open and this page will redirect to the UO home page.

## REPORTING

[Make an Official Report](#)

[Investigations and Formal Processes](#)

**Employee Reporting Responsibilities**

[Confidential Employee](#)

[Designated Reporter](#)

[Student-Directed Employee](#)

[Supervisors of Student Employees](#)

[Other Employee Reporting Obligations](#)

[Exemptions to Reporting](#)

[Suggested Syllabus Language](#)

[How do I find out who is a Designated Reporter?](#)

[How do I find Confidential Resources?](#)

[How do I handle a disclosure conversation?](#)

[Where do I turn for self care?](#)

[Information for Advisors](#)

## Employee Reporting Responsibilities

The information on this page is intended to help university employees understand their responsibilities to report incidents of prohibited discrimination including sexual harassment and sexual assault as established by the [Student Sexual and Gender-Based Harassment and Violence Complaint and Response Policy](#).

### IMPORTANT NOTIFICATION:

The [previous policy](#) still remains effective after September 15, 2017, as to all other forms of prohibited discrimination and harassment based on any other protected status. It still designates all university employees, except confidential or otherwise exempted, as responsible employees. A responsible employee must still report all information related to instances of non gender or sex-based discrimination and harassment. Visit the [Affirmative Action and Equal Opportunity website](#) for more information.

[Employee Checklist](#)

[Policy Training](#)

## Employee Responsibilities

**As part of the University of Oregon community, you are part of the solution.**

All employees are expected to do the following when responding to disclosures to promote a compassionate



more fully engage in listening. You can use this form to help you ensure that you complete all steps. Please do not keep notes separate from these. **Any separate notes that you keep may be subject to disclosure in a university or court process.**

Date

Employee Name:

Role as Student-Directed employee

- I explained my role as a student-directed employee and my reporting responsibilities to the student.
- I did not have a chance to explain my role as a student-directed employee and my reporting responsibilities to the student because the student never met with me face-to-face.

Other reporting obligations:

- I consulted with the Office of Crisis Intervention and Sexual Violence Support Services (541-346-8194) to assess imminent risk of serious harm to the student or others and determined no risk present.
- I consulted with the Office of Crisis Intervention and Sexual Violence Support Services to assess for imminent risk of serious harm to the student or others and determined risk to be present. I explained to the student that I would need to report the information shared with university officials. I reported to:

\_\_\_\_\_

- I asked the student if they were under 18 years of age. I explained my child abuse reporting obligations.
- I explained my Campus Security Authority obligations. I provided de-identified information to the Clery Coordinator.
- I am not a Campus Security Authority.

Student-Directed reporting

- I asked the student whether they wanted to be connected with the Title IX coordinator and the student expressed that they did **not** want to move forward with a formal report to the Title IX coordinator..
- I asked the student whether they wanted to be connected with the Title IX coordinator. The student expressed that they did want to be connected with the Title IX coordinator and I helped facilitate that process. I reported to:

\_\_\_\_\_

Resources

- I provided the student with approved resource information (brochure or website printout, Callisto referral).
- I facilitated connection to on-campus confidential resources by (walking them to Counseling, calling Crisis Intervention with them, etc.):

# Do you supervise student employees?



- Are you a supervisor within the policy meaning?
- Is it a student you directly supervise?  
(harmed or causing harm)
- Is it workplace harassment?

IF yes to all three, then you must share that information with your supervisor, and OICRC.





# Scenario A



A faculty member is concerned that a recent negative promotion or tenure decision was discriminatory based on her race or gender and has shared this concern with a department head in another department. What should that department head do?

# When In Doubt: Consult



- Office of Investigations & Civil Rights Compliance (Title IX Coordinator)  
541-346-3123
- Crisis Intervention and Sexual Violence Support Services 541-346-8194 or 541-346-SAFE (**Confidential**)
- Employee and Labor Relations: 541-346-3159

# Scenario B



An associate dean becomes aware of rumors about a faculty member having a romantic relationship with a student? What should the dean's office do?

# When In Doubt: Consult



- Office of Investigations & Civil Rights Compliance (Title IX Coordinator)  
541-346-3123
- Crisis Intervention and Sexual Violence Support Services 541-346-8194 or 541-346-SAFE (**Confidential**)
- Employee and Labor Relations: 541-346-3159

# Scenario C



A dean heard from a faculty member in a department that the faculty member believes the culture in the department is hostile to members of a particular protected class. He and others do not feel comfortable speaking up for fear of retaliation. What should the dean do?

**O**

# When In Doubt: Consult



- Office of Investigations & Civil Rights Compliance (Title IX Coordinator)  
541-346-3123
- Crisis Intervention and Sexual Violence Support Services 541-346-8194 or 541-346-SAFE (**Confidential**)
- Employee and Labor Relations: 541-346-3159

# Privacy and Confidentiality are NOT the same



The term Confidential Employee is a very specific term that implies a greater ability to protect information that is disclosed.

A confidential resource means that information shared is protected by federal and state laws and generally cannot be shared without the explicit permission of the person who shared that information, or unless otherwise allowed to be shared under state or federal law.

Student-Directed Employees may offer greater privacy because they are not required to report certain information to the university.

However, any information that the employee receives may still be accessed by university or court proceedings. This means, for example, that the employee could still be called as a witness or required to turn over any related documents or notes the employee keeps.



# Questions?



**O**