

Reporting Sexual Misconduct

Frequently Asked Questions for UA Faculty and Staff

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- **What is considered sexual misconduct?**

Sexual misconduct includes sexual harassment, sexual assault, dating/domestic violence, and stalking. See UA's most recent sexual harassment policy at http://titleix.ua.edu/uploads/3/7/4/1/37415083/2015_sexual_misconduct_policy.pdf

- **Am I considered a Responsible Reporting Official?**

Responsible reporting officials include all faculty/instructors, graduate teaching or research assistants, as well as and employees in the Office of the Title IX Coordinator, Office of Student Conduct, UAPD, Designated Harassment Resource Persons, Resident Advisors and Community Directors in Housing and Residential Communities, Director of Equal Opportunity Program/University Compliance Officer, Human Resources Partners (when dealing with employee issues) and non-student employees in a senior management role with overall responsibility for the daily operations of an academic, support, or operational unit.

- **Where should I file a report?**

In cases of emergency or incidents involving a "child" as defined by the Child Protection Policy, promptly report to UAPD at (205) 348-5454.

Other reports of sexual misconduct can be made to the Title IX Coordinator at gbhoward@ua.edu or (205) 348-5496. Reports may also be made to any Designated Harassment Resource Person. A list of Designated Harassment Resources Persons can be found at www.ua.edu/uact and at <http://www.eop.ua.edu/persons.html>.

- **Why are Responsible Reporting Officials required to report sexual misconduct?**

The University is committed to providing an environment free from sexual misconduct. When a responsible reporting official has knowledge of an alleged incident, the University is deemed to have notice of the incident and may be required to take steps to end the misconduct, prevent its recurrence, and remediate any effects of the misconduct. Reporting of sexual misconduct assists the University in addressing incidents of sexual misconduct and preventing future incidents.

- **When should I report to UAPD, Title IX, or the Designated Harassment Resource Person?**

Reporting of sexual misconduct should be done as soon as possible. A delay in reporting may limit the University's ability to address inappropriate behavior.

- **What do I do when a Complainant reports sexual misconduct to me as a Responsible Reporting Official?**

If there is an emergency situation or the incident involves a “child,” promptly report to UAPD at (205) 348-5454.

The Responsible Reporting Official should advise the Complainant about 1) the Responsible Reporting Official’s duty to inform the Title IX Coordinator about the incident (e.g., the names of the individuals involved; the time, place, and location; etc.); 2) the option of the Complainant or other reporting party to request that the Respondent not be informed of the identity of the Complainant (but that request may limit the University’s ability to end the inappropriate conduct, prevent its recurrence, and remediate its effects); and 3) the fact that the Complainant or other reporting individual may share information on a strictly confidential basis with professional mental health counselors on campus.

- **I am not considered a Responsible Reporting Official, can I still report?**

Yes, employees who are not considered Responsible Reporting Officials and visitors are highly encouraged to report.

- **What if the incident was told to me in confidence?**

If you are a Responsible Reporting Official and you know or reasonably should know of sexual misconduct because of your employment role, you are required to report.

You may assure the Complainant that the reports are kept as private as possible and shared only on a need to know basis. You should also notify the Complainant that information shared with the following offices will be held in strict confidence: The Women & Gender Resource Center, the University Counseling Center, the Student Health Center, University Medical Center, the Psychology Clinic, the Autism Spectrum Disorders Clinic, and the UA College of Law Clinics.

- **What if the incident was mentioned in a class discussion or in an assignment turned in to me?**

Those employees with reporting obligations are not required to report incidents of sexual misconduct if they are communicated as part of the routine academic experiences (for example, statements in classroom discussion, writing assignments, research projects, admission or scholarship application essays, or awareness events) unless the reporting party clearly states that they want a report to be made or they are seeking assistance. All employees are encouraged, however, to provide individuals who communicate sexual misconduct with information regarding UA departments where they can obtain resources.

Employees are required to promptly report to UAPD at (205) 348-5454 all incidents involving a “child” as defined by the Child Protection Policy. If an employee is unsure of their reporting requirement, they may contact the Title IX Coordinator or their Harassment Resource Person.

- **What if an incident did not occur on campus or happened long ago?**

There are no time period limits in the Sexual Misconduct Policy. Therefore, all incidents, no matter the date of the incident, should be reported.

All incidents reported to a Responsible Reporting Official should be reported to the Title IX Coordinator. The Title IX Office will determine whether jurisdiction exists to conduct an investigation. Even in incidents where there is no jurisdiction, the Title IX Office may assist a Complainant with University resources. Therefore, reporting all incidents may connect individuals with valuable campus resources.

- **What will typically happen after I make a report to the Title IX Office involving a student?**

The Complainant may receive correspondence from the Title IX Office providing options for requesting an investigation and offering assistance with resources. In most cases, the Complainant determines whether an incident is investigated. Complainants can receive support from the Title IX Office and from other offices on campus regardless if they request an investigation. However, when an incident poses a risk to campus safety, the University may proceed to move forward with steps to end the discrimination, prevent its recurrence, and remediate its effects.

- **Are Responsible Reporting Officials required to investigate a report?**

No, only those who are classified as Designated Harassment Resource Persons and employees of certain offices such as the Title IX Office are authorized to conduct a University investigation a complaint of sexual misconduct. The Designated Harassment Resource Persons work in a support role to the Title IX Office. Criminal investigations are conducted by UAPD or other law enforcement.

- **What UA departments offer resources to those impacted by sexual misconduct?**

Many UA departments assist students, employees, and campus visitors with resources such as academic support, housing support, safety planning, counseling, etc. For a complete list of resources offered by the University, see Appendices 2 and 3 of the Sexual Misconduct Policy.

- **As an employee, how do I receive training regarding my reporting obligations?**

Haven for Faculty, Staff, and Graduate Employees is offered through the Department of Human Resources. For instructions on completing the course, go to:
<http://hr.ua.edu/faqs/haven-training-instructions>.

- **Who should I contact with questions?**

Any questions regarding your role as a Responsible Reporting Official or Title IX in general can be directed to the Title IX Coordinator, your Designated Harassment Resource Person, or the Human Resources Partners.