

REPORTING EMPLOYEES

Reporting Obligations for Sexual Misconduct Disclosures

When individuals experience [sexual misconduct](#) (sexual harassment, sexual assault, relationship violence, sexual exploitation, or sex-based stalking), they may talk to a university employee about their experience.

[Most university employees](#) are “Reporting Employees” under interim [USU policy 340](#), which means they must report sexual misconduct incidents to the USU Title IX Coordinator. As a Reporting Employee, if someone discloses an occurrence of sexual misconduct to you, you must inform them of your reporting obligations, provide them with information about [Designated Confidential Resources](#), and report the disclosure to the USU Title IX Coordinator at equity.usu.edu/report.

IMMEDIATE THREATS

If an individual is in immediate physical danger, **you must call 911**. If someone is having a mental health emergency, **you can call 988**.

IF YOU RECEIVE A SEXUAL MISCONDUCT DISCLOSURE

1

INFORM the individual as soon as possible that if they share information about sexual misconduct with you, you must report it to the USU Title IX Coordinator. Tell them that they will be contacted with information about [support services and reporting options](#).

If the individual isn’t comfortable disclosing given your reporting obligations, be sure to tell them about the Designated Confidential Resources listed on sexualrespect.usu.edu and inform them about how to file a report with the USU Title IX Coordinator at equity.usu.edu/report. Explain that the individual may request that their name not be shared with the respondent, and the Title IX Coordinator will explain if that request can be honored.

For example, you could say: *“It sounds like you’re about to share something very important and personal about sexual misconduct. Before you continue, I would like to let you know that I am a Reporting Employee, which means that I must report all information I learn about sexual misconduct to the USU Title IX Coordinator. This does not mean that you have to go through a formal investigation with USU, but the USU Title IX Coordinator will explain support and other options available to you. Now that you know that I cannot keep this information between us, what would you like to have happen next?”*

2

LISTEN without judgment if the individual would still like to discuss their experience with you. Respond with compassion, express your support, and avoid questioning their experience or asking questions to learn more about what happened.

3

REVIEW the support services and reporting options listed at sexualrespect.usu.edu.

4

REPORT all the information related to the disclosure at equity.usu.edu/report **within 24 hours**.

If you have questions, please refer to the FAQs on page 2 or at equity.usu.edu/sexual-misconduct/employees. You can also contact the USU Title IX Coordinator by calling 435-797-1266, visiting Distance Education 404 in Logan, or by emailing titleix@usu.edu.

UtahStateUniversity

OFFICE OF EQUITY

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FREQUENTLY ASKED QUESTIONS

WHO - Who is considered a Reporting Employee?

Reporting Employees include, but are not limited to, all of the following employees: Campus Security Authorities, university police, supervisors, faculty, campus administrators, Athletic department employees, Student Affairs employees, and resident assistants.

Designated Confidential Resources are NOT Reporting Employees.

The full list of employee job titles for the Reporting Employee designation can be accessed in [USU procedures 340](#).

WHEN - When are Reporting Employees Required to Report?

Reporting Employees are required to report all information they receive about incidents of sexual misconduct to the USU Title IX Coordinator within 24 hours, even if the information is not directly disclosed by the individual who had the experience.

Reporting Employees are NOT required to report to the USU Title IX Coordinator when the disclosure of information about sexual misconduct is made in the following circumstances:

- The Reporting Employee is the person who experienced the sexual misconduct;
- Outside of employment duties where a privilege applies based on state law, federal law, or regulations;
- As part of human subject research, subject to the review of the university's Institutional Review Board;
- To a Process Advisor and/or Support Person serving in that role in an Office of Equity formal investigation or alternative resolution process; or
- During public health awareness events
 - » This exception does not apply if the respondent is identified as a current student or employee

If a Reporting Employee is unsure whether to report the information to the USU Title IX Coordinator, they should err on the side of reporting the information.

When a reporting obligation exception applies, Reporting Employees should still provide the individual with information about [support services and reporting options](#).

WHAT - What are Reporting Employees Required to Report?

Reporting Employees must report the following information, if known, via the online reporting form at equity.usu.edu/report:

- The Reporting Employee's name and contact information
- The name of the person who experienced the sexual misconduct;
- The name of the person who reported the sexual misconduct to the Reporting Employee, if different from the person who experienced it;
- The name of the person(s) alleged to have engaged in sexual misconduct;
- The name of any witnesses or individuals who may have information about the incident(s);
- The date, time, and location of the alleged incident(s);
- The nature of the incident(s);
- A description of the incident(s);
- All documentation the Reporting Employee has received related to the incident (including all written notes);
- The date the incident was reported to the Reporting Employee; and,
- All other relevant information the Reporting Employee knows.

WHY - Why are Reporting Employees Required to Report?

USU recognizes that individuals who have experienced sexual misconduct are more likely to tell people who they trust first before seeking support from other resources, including before reporting to the USU Title IX Coordinator. The Reporting Employee reporting obligation allows USU to both meet its legal obligations to stop, prevent, and remedy incidents of sexual misconduct and to ensure that members of the USU community who have experienced sexual misconduct are connected to reporting and support resources quickly.

Reporting Employees who fail to report may be subject to corrective action, up to and including termination of employment.