

MANDATORY REPORTING

Information for Faculty and Staff

The University of Memphis is required to comply with Title IX regulations for addressing sexual harassment. In order to do so, the University adopted its Sexual Harassment and Sexual/GenderBased Misconduct Policy (GE2039). Sexual harassment is not tolerated at the University, and reports of sexual harassment are taken very seriously. In order to be compliant with Title IX, any incident of sexual harassment that is reported, observed or suspected by a faculty or staff member must be reported to the University. The following guidelines outline the responsibilities and obligations of the University's mandatory reporters.

MANDATORY REPORTING POLICY

As a part of the University's sexual harassment policy, it is mandated that faculty and staff report any instance of sexual harassment that is observed, suspected or disclosed to them by a member of the University community. The policy states that a mandatory reporter is: any University employee who has the authority to redress sexual harassment; who has the duty to report incidents of sexual harassment; or, whom a student could reasonably believe has this authority or duty.

WHAT MUST BE REPORTED?

Sexual harassment is a form of sex discrimination prohibited by Title IX and the University. The University is committed to eliminating any and all acts of sexual harassment and discrimination on its campus. In order to be compliant with mandatory reporting obligations, it is important to first understand the definition of sexual harassment. The following are defined as reportable incidents of sexual harassment:

- **Sexual Assault** - Non-consensual, forced or coerced sexual contact/sexual acts with a person
- **Domestic Violence** - Physical violence/intentionally causing fear of violence or harm to a person or their property committed by a current/former spouse, live-in significant other or a person related by blood or marriage
- **Dating Violence** - Physical violence/intentionally causing fear of violence or harm to a person or their property, committed when two people are dating/have dated or have/had a sexual relationship
- **Stalking** - Repeated or continued harassment or non-consensual contact that causes a person to feel terrorized, frightened, threatened, intimidated, harassed or molested

WHO IS A MANDATED REPORTER?

Title IX identifies mandated reporters as Responsible Employees, the University identifies these members as Mandatory Reporters. For purposes of the Sexual Harassment and Sexual/Gender Based Misconduct Policy, the following individuals are identified as Mandatory Reporters for the University of Memphis:

- president, senior vice president, provost, vice presidents, associate vice presidents, assistant vice presidents;
- deans, associate deans, assistant deans, directors, associate directors, assistant directors, department chairs/heads;
- faculty and graduate teaching assistants;
- academic advisors;
- advisors for student organizations, including volunteers;
- residence hall/housing staff, including resident assistants;
- athletic coaches and trainers;
- employees who occupy a supervisory or management position (i.e., an employee who has the authority to hire, transfer, suspend, discharge or discipline employees or will have their recommendations given significant import);
- Title IX coordinator, Title IX deputy coordinators and designees;
- university police;
- campus security authorities.

HOW TO REPORT

As soon as you know or reasonably should know of a reportable incident, it is important to make a report immediately. Reports may be made in person, via telephone, email or online.

The University is committed to providing a variety of accessible means for reporting incidents of sexual harassment. Reports may be made to the following departments:

- Title IX Coordinator/Director
- Office for Civil Rights Compliance and Title IX
- University of Memphis Police Services
- Vice President for Student Affairs
- Office of Student Accountability

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CONFIDENTIAL REPORTING

When a report of sexual harassment is disclosed, observed or suspected, confidentiality cannot be guaranteed to the complainant due to the requirements for reporting these instances, but will be handled in as private a manner as possible. The only exceptions to the mandatory reporting guidelines are if the report is made to a professional licensed counselor at the University's Counseling Center or to professional medical healthcare providers at the University's Student Health Center.

FAILURE TO REPORT

Failure to report an incident of sexual harassment could result in negative consequences for the involved parties, the University, and the mandatory reporter. This may include:

For the Involved Parties:

- Further risk of harm to a complainant
- Delayed accountability and, if behavior continues, risk of additional discipline for a respondent

For the Mandatory Reporter:

- Disciplinary actions, probation or demotion
- Loss of employment
- Possible personal liability
- Attorney's fees for a personal attorney
- Time, efforts and stress of defending a lawsuit
- Loss of professional reputation

REPORTING TIPS

It is not required to inform a student that you have to make a report to the University, but it is recommended to notify the student of your duty to do so.

Consider using the Mandatory Reporter ID card to advise of your reporting obligations and to inform of confidential reporting options so that students can make an informed decision.

After reporting, do not expect any form of follow-up/disclosure pertaining to the matter. Reporting does not equal involvement.

GE2039 POLICY INFORMATION

For reference or further information regarding the University's Sexual Harassment and Sexual/Gender-Based Misconduct Policy, details can be found at:
memphis.edu/policies

REPORTING RESOURCES

Reports may be made in-person, via email or phone or online to any of the following:

Title IX Coordinator

Ceecy Reed
156 Administration Building
901.678.2799

Office for Civil Rights Compliance and Title IX

156 Administration Building
901.678.2713
ocr@memphis.edu memphis.edu/ocrctix/
(website has online complaint form)

Office of Student Accountability

359 University Center
901.678.2298
studentaccountability@memphis.edu

Vice President for Student Affairs

Melinda Carlson
235 Administration Building
901.678.3351

University of Memphis Police Services

100 Zach Curlin Parking Garage
901.678.3848
police@memphis.edu