

IT IS YOUR DUTY TO REPORT IN SEXUAL DISCRIMINATION CASES

This document outlines the University's policy regarding mandated reporting of sexual discrimination. Sexual harassment, which includes acts of sexual violence, is a type of sex discrimination.

“SEXUAL HARASSMENT” is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Thus, sexual harassment prohibited by Title IX can include conduct such as touching of a sexual nature; making sexual comments, jokes, or gestures; writing graffiti or displaying or distributing sexually explicit drawings, pictures, or written materials; calling students sexually charged names; spreading sexual rumors; rating students on sexual activity or performance; or circulating, showing, or creating e-mails or Web sites of a sexual nature.

“SEXUAL VIOLENCE” is a form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.

APPLICABLE LAWS

There are three federal laws that establish responsibilities for employees of universities to report certain types of crimes and incidents, especially sexual misconduct—the Clery Act, Title VII, and Title IX. Each of these areas of federal law has a different purpose, but generally, the laws are intended to protect members of the University community, visitors and guests from criminal and discriminatory behavior. The responsibilities established by these laws give rise to the term “mandatory reporter.”

YOUR DUTY

To make it easier to know what you need to do, the University has adopted a policy that defines **ALL EMPLOYEES** as mandatory reporters **EXCEPT** doctors, counselors, and members of the clergy. As a mandatory reporter, if you become aware of possible sexual discrimination, including sexual harassment, you **MUST** inform the University by contacting one of the Designated Reporting Offices listed in the table that follows. Reporting is required regardless of whether the discrimination involves students, faculty, staff, or visitors to the University.

REPORTING GUIDELINES

When you report, you may be able to initially withhold personally identifiable information (the name of the victim, the name of the accused individual, and other identifying details about witnesses, location, etc.), in cases where the alleged victim is hesitant to have a formal report made. Subsequently, campus officials may need additional information from you. **Your job is to cooperate fully with campus officials, providing any information/details requested.**

SPEAKING WITH VICTIMS/WITNESSES

In speaking with a victim or witness, you SHOULD NOT promise confidentiality. Faculty and staff members do not have a special privilege or ability to maintain the confidentiality of reports shared with them. If someone begins to discuss an incident of discrimination, you might want to say something like the following:

I appreciate your willingness to share this information with me. Please know that I am here to help in any way that I can. If you would like to file a formal complaint with the University, I will help you connect with [the appropriate Designated Reporting Office], so that it can begin investigating this matter. It is important that you understand that I cannot promise to keep what you share confidential. If you are still comfortable speaking with me, I am here to listen. If not, please let me help you connect with one of the University's confidential resources [Health Center (93131)/Counseling Center (93141)/Campus Ministry (93339)]. Above all, please know that the University takes this matter seriously and wants to help.

DESIGNATED REPORTING OFFICES

COMPLAINTS AGAINST STUDENTS

Christine Schramm
*Deputy Title IX Coordinator,
Associate Vice President for Student Development
and Dean of Students*

University of Dayton
Gosiger Hall Room 202
300 College Park
Dayton, OH 45469-0965
937-229-1212
cschramm1@udayton.edu

COMPLAINTS AGAINST FACULTY

Patrick Donnelly, PhD
*Deputy Title IX Coordinator,
Associate Provost for Faculty
and Administrative Affairs*

University of Dayton
St. Mary's Hall Room 212
300 College Park
Dayton, OH 45469-1634
937-229-3334
pdonnelly1@udayton.edu

COMPLAINTS AGAINST STAFF

Lee Morgan
*Deputy Title IX Coordinator,
Director of Labor Relations*

University of Dayton
St. Mary's Hall Room 315
300 College Park
Dayton, OH 45469-1614
937-229-1284
lmorgan1@udayton.edu

COMPLAINTS ABOUT GENDER EQUITY IN UD ATHLETICS

Angie Petrovic
*Deputy Title IX Coordinator,
Director of Compliance, Department of Athletics*

University of Dayton
Frericks Convocation Center, Room 108
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937-229-1285
apetrovic1@udayton.edu

COMPLAINTS AGAINST VISITORS

Lori E. Shaw
*Title IX Coordinator,
Assistant Dean for Student Affairs
and Professor of Lawyering Skills*

University of Dayton School of Law
Keller Hall Room 203
300 College Park
Dayton, OH 45469-2772
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lshaw1@udayton.edu

SPECIAL NOTE

If you have a complaint relating to gender equity in athletics or against a student, a staff member, or a faculty member and for any reason feel uncomfortable about initiating a complaint with the designated Deputy Coordinator, please feel free to contact the Title IX Coordinator directly.