

Appendix A: Reporting

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate university officials - thereby offering options and advice without any obligation to inform an outside agency or individual unless a victim has requested information to be shared. Other resources exist for a victim to report crimes and policy violations and these resources will take action when an incident is reported to them. The following describes the three reporting options at university:

A. Confidential Reporting

If a reporting party or complainant would like the details of an incident to be kept confidential, they may speak with;

1. For Students

- a. On-campus licensed professional counselors and staff
- b. Campus Survivor Advocates
- c. On-campus health service providers and staff
- d. On-campus members of the clergy/chaplains working within the scope of their licensure or ordination
- e. On-campus licensed attorneys at Student Legal Services
- f. Athletic trainers (if licensed, privileged under state statute and/or working under the supervision of a health professional)
- g. Off-campus: Licensed professional counselors, Local rape crisis counselors, Domestic violence resources, Local or state assistance agencies, and/or Clergy/Chaplains

2. For Faculty & Staff

- a. The Employee Assistance Program (EAP.)
- b. Off-campus: Licensed professional counselors, Local rape crisis counselors, Domestic violence resources, Local or state assistance agencies, and/or Clergy/Chaplains.

All of the above employees will maintain confidentiality except in extreme cases of immediate threat or danger, or abuse of a minor. Campus counselors and/or the Employee Assistance Program are available to help free of charge and can be seen on an emergency basis during normal business hours. These employees will submit yearly

anonymous, aggregate statistical information for Clery Act purposes unless they believe it would be harmful to a specific client, patient or parishioner.

Other university employees cannot guarantee confidentiality but will be as private as possible when sharing information with others. Information is disclosed to appropriate university officials who have an essential need to know in order to carry out their university responsibilities.

B. Reporting to the University (placing the University 'on notice' of an incident)

1. **Informal Reporting** Informal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to: Title IX Coordinator, Division of Student Affairs, Human Resources, Office of the Provost, University Police, and the Student Concern Committee.
 - a. **Responsible Employees:** All university employees who are considered "Responsible Employees" are obligated to report. Responsible employees are not confidential resources. A responsible employee is a university employee who has the authority to address sexual misconduct, who has the duty to report incidents of sexual misconduct, or who is a member of the university community could reasonably believe has such authority or duty. A non-exhaustive list of responsible employees is contained in Appendix E. Generally, with the exception of the confidential resources discussed above, most employees to whom community members might reasonably report an incident of misconduct will be responsible employees. The University has identified and designated responsible employees to immediately report to the Title IX Coordinator any conduct that comes to the attention of the responsible employee that involves incidents of discrimination, harassment, sexual violence, interpersonal violence and stalking. This responsibility is critical because the University is obligated to address conduct about which a responsible employee knew. Employees with administrative or supervisory responsibilities on campus or who have been designated as Campus Security Authorities, are considered Responsible Employees.
 - b. **Police:** Members of the university community also have the option to file a report with the Wright State Department of Public Safety. This report is separate from a formal report with the university in that it involves the criminal justice system. Wright State Community members are permitted to file a report with the police department in addition to a university report or instead of a university report. Greene County Victim Witness will be notified once an official police report has been made. An advocate from this program will then be assigned to assist the victim in

all court proceedings until the case has been prosecuted or settled. If a community member files a police report with the Wright State Police, the Title IX Coordinator will be notified of the report and the Title IX Coordinator will make contact with the reporting party to let them know of their option to file formally with the university.

- c. **Anonymous:** Anonymous reports can be made by victims and/or third parties using the online reporting form posted at <http://www.wright.ethicspoint.com> or the reporting hotline at 1-855-353-3783. Note that these anonymous reports may prompt a need for the institution to investigate.

2. Formal Reporting

In order for an investigation to take place a formal complaint must be filed with the Title IX Coordinator.

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This formal complaint must be in writing and can be submitted by email, in person, or through a submission to EthicsPoint. A formal complaint submitted via EthicsPoint cannot be anonymous. The Title IX Coordinator will review the report and determine next steps. The complainant will be updated on each step of the process as the case moves forward. Additionally, the respondent will only be notified in cases where a formal complaint has been filed. The Title IX Coordinator will reach out to the respondent to offer support services as well as provide notice in writing along with details for the respondent's review. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy.

- a. Both the complainant and the respondent will have their rights reviewed with them before any interviews take place.
- b. Each party is permitted to have an advisor of their choice accompany them to any meetings and be copied on the correspondence about the case. If either party is unable to identify an advisor, the University will provide one. An advisor can be any person, including an attorney. Throughout the process it is expected that the advisor is not to speak

for the student but rather provide guidance and advising. The only other official role of the advisor is in a case that goes to a Hearing Administrator for adjudication. In a hearing it is mandated that an adviser be the party to engage in any cross examination that is to take place.

- c. The complainant, at any time during the formal process, can withdraw their request to proceed. In doing so they can choose to resolve the case informally or to have the process end completely.
- d. No party will be compelled to participate in a hearing. However, in the event a party does not attend the hearing physical evidence collected from that person can be considered but no statements, including those that make a substantial difference in the case, will be considered.

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