

Wright State University
Policy No. 1270: Sex/Gender-Based Harassment, Discrimination, and Sexual Misconduct
Appendix G: Additional Information

In cases involving the Sex/Gender-based Harassment, Discrimination and Sexual Misconduct Policy, the following additional considerations and obligations apply:

A. Reporting of Instances Involving Minors: Anyone witnessing or otherwise knowing of a violation of this policy that involves a minor (generally, a non-WSU student, under the age of 18) should refer to the [University's Working with Minors and Children on Campus Policy 13410](#) for guidance. Any observed violations of that policy should be reported to law enforcement and the person in charge of the program. If abuse was witnessed by a "mandatory reporter" as defined by the Ohio Revised Code § 2151.421, the incident must also be reported to the pertinent office of County Children's Services (Greene County: 937-562-6600) or the pertinent law enforcement agency.

B. Attempted Violations: In most circumstances, the University will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.

C. False Reports: The University will not tolerate intentionally false or malicious reporting of incidents. It is a violation of University policy to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

D. Amnesty for Parties and Witnesses: The university community encourages the reporting of misconduct.

Sometimes, parties, and witnesses are hesitant to report policy violations or incidents to university officials, or to participate in the resolution processes because they may fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. The University offers witnesses who come forward to report or participate in the investigation or resolution of a Title IX violation amnesty for "personal use" alcohol and drug violations that are incidental to a good faith report so as not to discourage reporting and/or participation in the process.

E. Parental Notification: The University will generally not contact parents about incidents described in this Policy but has discretion to contact parents of minors. The University's primary allegiance is to the student and not the student's parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents about the issue. University officials may notify parents directly about an issue (a.) if requested by the student, (b.) if the student has signed an authorization for disclosure of such

information to their parents, (c.) in situations where the University determines that doing so may help avert death or serious bodily injury, and (d.) in other situations where parent notification is legally authorized.

F. Federal Statistical Reporting Obligations: Certain campus officials – those deemed Campus Security Authorities - have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

G. Record-Keeping: WSU will retain all records of each investigation instituted under this policy for at least seven (7) years. Records generally include all documents, recordings, or transcripts from investigations, hearings, appeals, and informal resolutions. The retention date will be calculated on the basis of the date of the first record created by the University. Records will be maintained for all investigations including investigations that have been dismissed, completed, or otherwise resolved. WSU will also maintain and publish on WSU's website training materials of employees who serve as Title IX Coordinators, investigators, decision-makers, appeals officers, and persons who facilitate informal resolutions.