

# ESU Title IX Compliance Guide for Mandatory Reporters

## What is Title IX?

Title IX is part of the Education Amendments of 1972 and is enforced by the U.S. Department of Education. This federal law prohibits discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Title IX applies to all participants of such programs, including students, parents and faculty/staff members. A variety of activities are covered under Title IX, including athletic programs, recruitment, admissions, financial aid, and participation in extracurricular programs and activities. For example, Title IX addresses discrimination situations such as unequal treatment of pregnant and parenting students or unequal pay based on gender.

## Why is Title IX important?

Title IX helps to foster safe and respectful University environments that better protect students, faculty and staff from incidents of sex-based discrimination and sexual harassment, including sexual violence, relationship violence and abuse.

## What are the requirements of Title IX?

The University is obligated to provide a prompt, thorough and equitable investigation of any report of sex-based discrimination, sexual harassment or sexual violence. This obligation remains even in the absence of a formal complaint. Title IX ensures that both parties in a reported event have equal opportunity to be heard and participate in a grievance process.

## Why is Title IX relevant to you?

All ESU employees are mandatory reporters. As a mandatory reporter, you must carry out your responsibilities to report all Title IX violations of sex-based discrimination and sexual harassment, including sexual violence. Sexual violence is often the focus of many requirements and responsibilities that fall under Title IX because it is a very serious form of sexual misconduct. By fulfilling these responsibilities, you assist the University in complying with legal requirements and help the University maintain its commitment to fostering a secure, equitable and inclusive community.

## Know Your Responsibilities under Title IX

### Who has responsibilities under Title IX?

All ESU employees are "mandatory reporters" for Title IX purposes. You have authority and responsibility to take action to report any and all sexual misconduct of which you become aware.

### What is the purpose of a mandatory reporter?

Through your knowledge and application of University policy and state laws, you play an important role in:

1. Protecting students, faculty and staff from incidents of sexual violence
2. Supporting sexual assault survivors
3. Helping the University maintain a safe environment by striving to eliminate, prevent, and address discrimination on the basis of sex, including sexual violence

### What are your primary responsibilities as a mandatory reporter?

The main responsibility of mandatory reporters is to report any Title IX violations to the University as soon as possible. You are required to report incidents you personally observe as well as incidents reported to you.

You must report these offenses to:

Dr. Doreen Tobin, Vice President for Student Affairs/Title IX Coordinator, 121 Reibman Administration Building, 570-422-3463.

For incidents involving faculty, staff or administration, report to: Theresa Fritsche, Director Human Resource Management, 105 Reibman Administration Building, 570-422-3422.

All Title IX reporting may include University Police, Lower Level, Hemlock Suites, 570-422-3064.

## Report Relevant Offenses

### What is a reportable offense under Title IX?

As a Title IX mandatory reporter, you must report any instance of discrimination or unfair treatment on the basis of sex or sexual harassment. Reportable offenses under Title IX are:

Sexual Misconduct: All forms of harassment and violence that are sexual in nature

Sex-Based Harassment: Stalking (including cyber stalking), voyeurism, exhibitionism, verbal or physical abuse or threats thereof

Sex-Based Violence: Intimate partner or domestic partner violence, relationship violence, attempted or completed rape, and other forms of sexual assault

### Report Form and More Information

Title IX Landing Page: <http://www4.esu.edu/titleix/index.cfm>,

Title IX Report Form: <http://www4.esu.edu/titleix/docs/SexualMisconductForm.pdf>

This form **MUST** be completed by hand in hard copy form and **personally delivered** to the office of: Dr. Doreen Tobin, Vice President for Student Affairs/Title IX Coordinator, 121 Reibman Administration Building. **Electronic** submission of the form is considered **not to be a secure delivery mode** by the federal government.

## Faculty Responsibility

Faculty must include information on syllabi. East Stroudsburg University and its faculty are committed to assuring a safe and productive educational environment for all students. In order to meet this commitment and to comply with Title IX of the Education Amendments of 1972 and guidance from the Office for Civil Rights, the University requires faculty members to report incidents of sexual violence shared by students to the University's Title IX Coordinator. The only exceptions to the faculty member's reporting obligation are when incidents of sexual violence are communicated by a student during a classroom discussion, in a writing assignment for a class, or as part of a University--approved research project. Faculty members are obligated to report sexual violence or any other abuse of a student who was, or is, a child (a person under 18 years of age) when the abuse allegedly occurred to the person designated in the University protection of minors policy. Information regarding the reporting of sexual violence and the resources that are available to victims of sexual violence is set forth at: <http://www4.esu.edu/titleix/>.

## Take Action

### How do you report Title IX harassment and/or discrimination?

If you are a mandatory reporter and someone informs you of an offense that falls under Title IX, report it immediately by taking these steps:

1. Ensure your safety and the safety of the reporter/victim. In an emergency or situation of imminent danger, call 911 immediately.
2. Inform the victim that you are required to report the incident, even if the victim chooses not to press charges or file a report with law enforcement. Although every effort will be taken to ensure privacy, a mandatory reporter cannot guarantee complete confidentiality.
3. Listen to the victim. Collect information needed for reporting.
4. Report the incident.
5. Provide assistance: Inform the victim of his/her option to also self-report the incident to campus police and local police for investigation or to decline to report the incident to law enforcement. Filing a report with police does not require the victim to press charges.
6. Refer the victim to relevant resources for additional support if needed.

University Police  
Hemlock Suites  
Smith Street, Ground Floor  
570-422-3064  
911 (Emergencies)  
[www.esu.edu/police](http://www.esu.edu/police)

Women's Resources of Monroe County  
Crisis Hotline/Counseling  
570-421-4200 [www.wmonroe.org](http://www.wmonroe.org)

Vice President of Student Affairs/ Title IX Coordinator  
121 Reibman Administration Building  
570-422-3140 [www.esu.edu/titleix](http://www.esu.edu/titleix)

Counseling and Psychological Services  
(CAPS)  
Second Floor, Flagler-Metzgar Center  
570-422-3277 [www.esu.edu/caps](http://www.esu.edu/caps)

Student Conduct and Community Standards  
Second Floor, Flagler-Metzgar Center  
570-422-3461 [www.esu.edu/studentconduct](http://www.esu.edu/studentconduct)

Pocono Medical Center Emergency Room  
206 East Brown Street  
East Stroudsburg, PA  
570-476-3353

OASIS: Office of Accessible Services for Students (Disability Services)  
351 Hoeffner Science and Technology Center  
570-422-3954  
Fax: 570-422-3268  
[www.esu.edu/oasis](http://www.esu.edu/oasis)

ESU Human Resources  
105 Reibman Administration Building  
570-422-3422 [www.esu.edu/hr](http://www.esu.edu/hr)

Residence Life and Housing Operations  
Hemlock Suites  
570-422-3191 [www.esu.edu/reslife](http://www.esu.edu/reslife)

ESU Health Center  
First Floor, Flagler-Metzgar Center  
570-422-3553 [www.esu.edu/healthservices](http://www.esu.edu/healthservices)

VOICE/Women's Center  
570-422-3225 / 570-422-3957 [voice@esu.edu](mailto:voice@esu.edu) / [www.esu.edu/womenscenter](http://www.esu.edu/womenscenter)

Stroud Area Regional Police Department  
570-421-6800  
[www.sarpd.com](http://www.sarpd.com)

## On Campus Services

Academic, Housing, Employment and Transportation Adjustments

Assistance with investigations, complaint and hearing options, protection from abuse orders, and filing criminal complaints

## Helpful Tips

1. If in doubt as to whether an incident needs to be reported, report it. There is no such thing as over-reporting!
2. Do **not** promise confidentiality.
3. Do **not** attempt resolution on your own.
4. In some cases, you may be required to report an incident multiple times if it falls under Title IX, Child Abuse/Neglect, and/or the Clery Act. Reporting under the Clery Act is required for statistical purposes, while Title IX and Child Abuse laws allow action to be taken to protect the victim and prevent future offenses.

## Questions?

### Contact

Dr. Doreen Tobin, Vice President for Student Affairs/Title IX Coordinator, 121 Reibman Administration Building, 570-422-3463