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

Women’s Resources of Monroe County
Crisis Hotline/Counseling
3353 570-421-4200
www.wrmomonroe.org

Vice President of Student Affairs/ Title IX Coordinator
121 Reibman Administration Building
570-422-3140 www.esu.edu/titleix

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

Student Conduct and Community Standards
Second Floor, Flagler-Metzgar Center
570-422-3461 www.esu.edu/studentconduct

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

ESU Human Resources
105 Reibman Administration Building
570-422-3422 www.esu.edu/hr

Residence Life and Housing Operations
Hemlock Suites
570-422-3191 www.esu.edu/reslife

ESU Health Center
First Floor, Flagler-Metzgar Center
570-422-3553 www.esu.edu/healthservices

VOICE/Women’s Center
570-422-3225 / 570-422-3957 voice@esu.edu / www.esu.edu/womenscenter

Stroud Area Regional Police Department
570-421-6800 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?
Dr. Doreen Tobin, Vice President for Student Affairs/Title IX Coordinator, 121 Reibman Administration Building, 570-422-3463