

You are an employee, volunteer, or third party contractor at HutchCC. Have you received direct information from a victim, witness, or third party about a crime that has taken place? This does not include information overheard in a hallway or classroom discussion, information shared indirectly such as through a writing assignment or information shared at a public awareness event such as Take Back the Night event or talk. Are you a CSA*? Yes No Report information to the appropriate campus authority, such as Campus Are you a Responsible Employee** under Title IX & HutchCC Policy? (At HutchCC all CSAs are responsible employees, but not all responsible employees are CSAs. Security. Then ask yourself Yes No Does the information you were told concern sex/gender-based discrimination, harassment, or violence? Consider where the information came from You do not have to report the information, but and whether the information would require a Responsible Employee to report could choose to do so to Campus Security. No Yes Report this information to your HutchCC's Coordina-You do not have to report this information under Title IX to the Coord. tor of Equity & Compliance. If you already reported of Equity & Compliance, but individuals that are CSAs would still report the information to Campus Security under your obligaanything Clery-reportable to Campus Security. If you report, make sure tion as a CSA there is no need to report again, but the you are still considering any state/local privilege law that may apply to Coord. of Equity & Compliance may follow-up with the information **Note:** If you are covered by a state/local privilege law, any report made should be made in compliance vith that law. Also: If a student requests confidentiality with reporting, institution officials should weigh the request for confidentiality with the need for the institution to investigate. Consult the Coord. of Equity & Compliance regarding questions about reporting obligations.

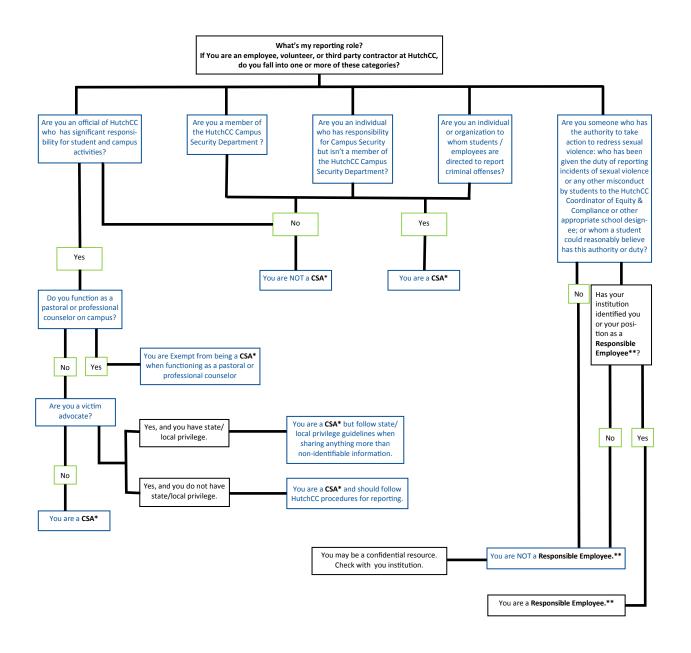
Helpful Definitions for this Flowchart

- *Campus Security Authority (CSA): A Clery-specific term that encompasses four groups of individuals and organizations associated with an institution.
- HutchCC Campus Security Department. All individuals who work for Campus Security are CSAs. Under federal law, a security department can be as small as one person.
- Any individual(s) who has responsibility for campus security but does not constitute a member of the HutchCC's Campus Security office (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of HutchCC who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has authority and the duty to take action or respond to particular issues on behalf of the institution.
- **Responsible Employee: According to the Department of Education's Office for Civil Rights' (OCR) 2001 Guidance, a responsible employee includes any employee:
- who has the authority to take action to redress sexual violence;
- who has been give the duty of reporting incidents of sexual violence or any other misconduct by students to the Coordinator or Equity & Compliance or other appropriate HutchCC designee;
- OR whom a student could reasonable believe has this authority or duty.

If an individual falls under one of these categories, HutchCC may designate them as a Responsible Employee. HutchCC policy (www.hutchcc.edu/equity) identifies <u>all</u> employees, except those specifically exempted in the policy, as Responsible Employees.

Note: According to the Title IX Question & Answers, an institution must make clear to all of its employees and students which staff members are responsible employees so that students can make informed decisions about whither to disclose information to those employees. All CSAs are responsible employees, but not all responsible employees are considered to be CSAs.

These are not legal guidance.



Helpful Definitions for this Flowchart

*Campus Security Authority (CSA): A Clery-specific term that encompasses four groups of individuals and organizations associated with an institution.

- HutchCC Campus Security Office. All individuals who work for Campus Security are CSAs. Under federal law, a security department can be as small as one person.
- Any individual(s) who has responsibility for campus security but does not constitute a member of the HutchCC's Campus Security office (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of HutchCC who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has authority and the duty to take action or respond to particular issues on behalf of the institution.
- **Responsible Employee: According to the Department of Education's Office for Civil Rights' (OCR) 2001 Guidance, a responsible employee includes any employee:
- who has the authority to take action to redress sexual violence;
- who has been give the duty of reporting incidents of sexual violence or any other misconduct by students to the Coordinator or Equity & Compliance or other appropriate HutchCC designee;
- OR whom a student could reasonable believe has this authority or duty.

If an individual falls under one of these categories, HutchCC may designate them as a Responsible Employee. HutchCC policy (www.hutchcc.edu/equity) identifies <u>all</u> employees as , except those specifically exempted in the policy, as Responsible Employees.

Note: According to the Title IX Question & Answers, an institution must make clear to all of its employees and students which staff members are responsible employees so that students can make informed decisions about whither to disclose information to those employees. All CSAs are responsible employees, but not all responsible employees are considered to be CSAs.

OCR does not require campus mental-health counselors, pastor counselors, social workers, psychologists, health center employees, or any other person with a professional license requiring confidentiality, or who is supervised by such a person, to report, without the student's consent, incidents of sexual violence to the school in a way that identifies the student.

Note: According to the Title IX Question & Answers, an institution must make clear to all of its employees and students which staff members are responsible employees so that students can make informed decisions about whither to disclose information to those employees. All CSAs are responsible employees, but not all responsible employees are considered to be CSAs.

Helpful Resources

Handbook for Campus Safety & Security Reporting (2016). Department of Education
Dear Colleague Letter (2011), Office for Civil Rights, Depart of Education
Questions & Answers document (2014), Office for Civil Rights, Department of Education
Revised Sexual Harassment Guidance (2001), Office for Civil Rights, Department of Education