UNIVERSITY OF DELAWARE
TITLE IX REPORTING

The University takes seriously its obligations to comply with Title IX of the Education Amendments of 1972 (“Title IX”). Title IX prohibits discrimination on the basis of sex in any federally funded education program or activity. On April 4, 2011, the Office of Civil Rights of the Department of Education released a “Dear Colleague Letter” (DCL) to explain that the requirements of Title IX cover sexual violence and to remind schools of their responsibilities to take immediate and effective steps to respond to sexual misconduct (to include sexual harassment and sexual violence) in accordance with the requirements of Title IX.

To satisfy the requirement that the University take immediate action to eliminate sexual misconduct, prevent its recurrence and address its effects, the University’s Title IX Coordinator reviews every Title IX report made to University employees and determines the appropriate course of action to investigate the report. This means that the Title IX Coordinator or designee may contact identified victims, alleged perpetrators and witnesses. In addition to ensuring that all reports of sexual misconduct and discrimination are properly investigated by the University, the Title IX Coordinator identifies and addresses any patterns or systemic problems that arise during the review.

All incidents of sexual misconduct must be reported to one or more of the following:

- **For Undergraduate Students**, Adam Cantley, Interim Dean of Students/Deputy Title IX Coordinator, 101 Hullihen Hall, Newark, DE 19716, adamcan@udel.edu, 302-831-8939;
- **For Athletics & Recreation Services**, Jennifer Vining-Smith, Sr. Associate Director of Athletics, Governance & Compliance/Deputy Title IX Coordinator, 126 Bob Carpenter Center, Newark, DE 19716, jvining@udel.edu, 302-831-0883;
- **For Faculty**, Matt Kinservik, Ph.D., Vice Provost for Faculty Affairs/Deputy Title IX Coordinator, 116 Hullihen Hall, Newark, DE 19716, matthewwk@udel.edu, 302-831-2101;
- **For Graduate Students**, Mary Martin, Ph.D., Associate Vice Provost, Graduate & Professional Studies, 234 Hullihen Hall, Newark, DE 19716, marym@udel.edu, 302-831-8916; and
- **For all areas**, Fatimah Stone, Esq., Interim Director, Institutional Equity and University Title IX Coordinator, 305 Hullihen Hall, Newark, DE 19716, titleixcoordinator@udel.edu, 302-831-8063.

Responsible employees (who consist of all UD employees) must complete this online form immediately (no matter when the incident occurred) if anyone (ex: faculty, staff, students, or third parties) reports or discloses a situation that may constitute sexual misconduct (to include sexual harassment sexual violence, domestic/dating violence, and stalking). If you have any questions about the form, you should contact the Title IX Coordinator or any one of the individuals listed above.

This form only addresses Title IX reporting requirements. You may also be obligated to complete UDPD’s Clery Act reporting form if you have been identified as a campus security authority (CSA) by the University. If you are unclear about your status as a CSA, please contact your supervisor or Major Jeff Evans, Clery Compliance Officer, 413 Academy Street, Newark, DE 19716, jrevans@udel.edu, 302-831-1204.

**Definitions**:

- **Sexual misconduct** is a term used to encompass a variety of behaviors described below. Sexual misconduct may be committed by anyone, including but not limited to, an intimate partner, a friend, an acquaintance, a supervisor, a faculty member, or a stranger. Anyone can be a victim or perpetrator of sexual misconduct, regardless of their sex, sexual orientation or gender identity. Sexual misconduct can occur when perpetrator and victim are different sexes or the same sex. Sexual misconduct can involve conduct that occurs on campus, off-campus, or via electronic means, including online, by social media, or by text. For more information about our sexual misconduct policy, along with prohibited offenses, please go to the Sexual Misconduct website at: [http://www.udel.edu/sexualmisconduct](http://www.udel.edu/sexualmisconduct).
Directions for completing the form:

1. **Review the attached checklist** to ensure you are discussing the items with any victim of sexual misconduct. The items do not need to be discussed in any particular order, but are arranged in a manner that can help you with your discussion.

2. **Access the Online form:** Navigate to [www.udel.edu/oei](http://www.udel.edu/oei) or [www.udel.edu/knowmore](http://www.udel.edu/knowmore) and click on “Sexual Misconduct Report”.

3. **Fill in the fields as requested – name, date, etc.**
   a. **Complainant** – is defined as the person who allegedly has experienced the prohibited conduct, regardless of whether that individual makes a complaint or desires disciplinary action. A complainant may be a student, employee, faculty member, volunteer, vendor, visitor or guest, regardless of their sex, sexual orientation or gender identity.
   
   b. **Against Whom** - If the complainant reveals the name of the alleged perpetrator, and you are not a member of the staff at Student Health Services, the Counseling Center, or S.O.S., you must include that information here. You should maintain privacy of the alleged perpetrator’s name and not share it with anyone. If the complainant does not reveal the name of the alleged perpetrator, other types of information can be noted such as the individual’s affiliation to UD, if the perpetrator is a student at another school, a visitor, a vendor, etc.
   
   c. **Description of the Incident** – Write information about the events that happened (as revealed by the complainant) such as the circumstances of the conduct, what conduct was disturbing and how, names of witnesses or others involved, etc. Refrain from judgment and describe the facts that were told to you or that you witnessed.

4. **Submit the form** and it will be automatically delivered to the Title IX Coordinator for review.
UNIVERSITY OF DELAWARE
Guidelines to Sexual Misconduct Disclosures

Please review the attached checklist and ensure you are discussing all of the items with any victim of sexual misconduct. These items do not need to be discussed in any particular order. Additional copies of this form are available at www.udel.edu/sexualmisconduct.

- Determine if the victim requires immediate medical attention. If so, call 911.

- Ask the victim if they would like you to contact the police immediately. If so, call 911, 831-2222 for UDPD and 366-7111 for Newark PD. If not, you should respect the victim’s wishes at that time.

- Unless you are a confidential resource (Center for Counseling & Student Development, certain counselors in Student Wellness & Promotion or pastoral), advise the victim that you can protect their privacy but you cannot promise confidentiality. Tell the victim that you are required to report the incident to the university’s Title IX Coordinator but you will not tell anyone else. Let the victim know that the Title IX Coordinator may be in touch with them.

- Thank the victim for telling you what happened and share information (resources) which might be useful (www.udel.edu/sexualmisconduct). You can also ask if they would like you to check in on them in a few days/weeks.

- Provide the victim with a copy of the Complainants’ Rights and a list of resources (found on www.udel.edu/sexualmisconduct), refer them to the website, or send a PDF electronically. Discuss the options they have (S.O.S., counseling, etc.), if you are comfortable and have the knowledge to do so. Sexual Offense Support (S.O.S.) crisis service can also provide resources and information for victims as can UD Helpline 24/7/365 at 302-831-1001.

- Advise the victim that they have the right to file a complaint or not to file a complaint with the University through the Title IX Coordinator. Information is available at www.udel.edu/sexualmisconduct which describes the processes or the victim may be in touch with the Title IX Coordinator directly to better understand the process.

- Advise the victim that there may be times when the University must take action against a perpetrator, even if that is against the victim’s wishes. The University undertakes these decisions very carefully and would inform the victim and take appropriate steps to ensure the victim’s safety prior to taking any action against the perpetrator.

- Advise the victim that they have the right to contact or not to contact the police at any time. An incident on campus should be referred to campus police. An incident off-campus should be referred to Newark Police or the appropriate police jurisdiction.

- Some people are in situations where they don’t feel safe going to classes, going home, or going to work. Let the victim know that there are people on campus that can help them feel safe. Advise the victim that assistance can be provided by the University (Title IX Coordinator, SOS, Deputy Title IX Coordinators, Dean of Students, Residence Life Staff) for changing academic, living (including emergency housing for off-campus students), transportation, and working situations if requested by the victim and if reasonably available, regardless of whether the victim chooses to report the situation to the police.

- Inform the victim that retaliation by the alleged perpetrator or anyone else is prohibited and will be punished by the University. The University wants to make sure the fear of retaliation doesn’t prevent the victim from reporting the incident either to the police or formally to the University. If the victim experiences any retaliation, he or she should immediately contact the Title IX Coordinator at the University.
If you require disability-related accommodations to access any aspect of this process, please contact Disability Support Services at 302-831-4643 or email dssoffice@udel.edu.