

Title IX Reporting Processes & Advising Strategies

What advisers should do when a student discloses to advising:

- *You believe a student is about to reveal information related to a Title IX incident:*
 - Gently interrupt the student's disclosure
 - Explain that should they reveal a Title IX incident, you will be required to report to the Title IX Office
 - Refer the student to confidential resources: CARE office and/or CAPS
 - Ensure that the student has clear information about their rights and your reporting obligations (provide the [Reporting Options](#) handout to the student)
 - Explain the difference between privacy and confidentiality and what happens when you report to Title IX

- *A student has already disclosed in person or in written form (via email or an appeal):*
 - Disclose that you are required to report the incident to the Title IX Office
 - Refer to the student to confidential resources: CARE office and/or CAPS
 - Ensure that the student has clear information about their rights and your obligations prior to reporting (provide the [Reporting Options](#) handout to the student)
 - Explain the difference between privacy and confidentiality and what happens when you report to Title IX
 - Make the report to the Title IX Office

What is the important information to collect and report to Title IX?

- **Name of complainant and their student/ employee status and/or other identifying information:** (undergraduate or graduate student/ staff/ faculty); if complainant is a student, college affiliation and student ID# are helpful for identification if they have a common name
- **Name of respondent (if known) and their student/ employee status and/or other identifying information:** (undergraduate or graduate student/ staff/ faculty); if complainant is a student college affiliation and student ID# are helpful for identification if they have a common name
- **General location of incident:** on or off campus; our initial concern is to address immediate safety concerns so this may be important
- **When the incident occurred:** exact date not necessary but general time frame is very helpful, e.g., quarter and/or month and year; again, this may be important in relation to safety concerns
- **Has the complainant already been in touch with CARE, CAPS, Title IX, and/or UC PD?** If not, provide primary referral to CARE and provide reporting options handout; this information helps us know how to best get resources and support to a complainant, either directly or indirectly, and if necessary, make arrangements for housing/ academic/ transportation/ employment accommodations for the complainant.

Addressing student concerns about reporting an incident to the Title IX Office:

- Assure the student that only need-to-know people are informed and that those people will work to protect their confidentiality.
- Remind the student of their 5 key rights (full description below):
 - a. Complainant participation
 - b. Privacy rights
 - c. Interim measures and remedies
 - d. Prohibition against retaliation
 - e. Immunity

When the Title IX Office receives a report:

- Title IX Office provides assistance to complainants by:
 - Educating students about resources available for them.
 - Facilitating accommodation requests (academic, housing, working/job, transportation, etc.)
 - Issuing No Contact Directives.
- While Title IX ***will reach out to a student via email*** to inform them of their reporting options; ***however, it is up to the student to decide whether they want to respond.***
 - Complainant participation is detailed in the Student's 5 Key Rights (full description below)

What is the difference between the Title IX Office and the CARE Office?

- **Title IX Office:** A neutral body that provides alternative resolutions or formal investigations of reports—taking action where permitted and/or necessary. Title IX will also initiate interim safety measures and assist with accommodation requests such as housing, academic, transportation, and employment.
- **CARE Office:** Advocates provide confidential support and resources to survivors to help them make informed choices on how they wish to proceed. They do not investigate but can accompany survivors to provide support during interviews with law enforcement and Title IX. CARE can also assist with interim safety measures and with accommodation requests such as housing, academic, transportation, and employment.

5 key rights:

1. Complainant Participation

- *Complainants have options for participation in Title IX processes:*
 - Title IX will contact complainants if Title IX receives a report but Title IX will always let complainants know that they are under no obligation to respond to or work with our office.
 - Alternative Resolutions
 - Formal Investigations
 - Generally the complainant can decide if he/she/they would like an alternative resolution or formal investigation but in rare instances the Title IX Officer may determine that the allegations require an

investigation to mitigate a potential risk to the campus community; however, the complainant may choose not to participate in this kind of investigation.

2. Privacy Rights

- Title IX protects the *privacy* of complainants, to the extent permitted by law and by University policy and procedures, when responding to reports of sexual harassment and sexual violence.
- When assisting with accommodations and interim safety measures, only minimal information is provided to the need-to-know people to create safety and assist with accommodations.
- The CARE office provides a *confidential* resource and is not required to report to Title IX.

3. Interim Measures and Remedies

- Before or during the resolution process or formal investigation, complainants may request changes with regard to academics, housing, work, transportation, etc.
- The University has an obligation to act on these requests when reasonable and achievable.

4. Protection from retaliation

- Retaliation for making a report or participating in an investigation is expressly prohibited and subject to discipline.

5. Immunity

- If the complainant or witness would otherwise be subject to discipline under the Code of Student Conduct for certain behaviors (e.g., underage use of alcohol, use of drugs), they are immune from adjudication of such offenses when cooperating with a Title IX investigation.
 - Exceptions to this immunity include:
 - Conduct that places the health or safety of others at risk; that involves plagiarism, cheating, or academic dishonesty; or was otherwise egregious.