



# Adviser Reporting Responsibilities

Clery, CANRA, and Title IX

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**Been abused or harassed?  
Seen abuse or harassment?**

**Report it!**

# What is Clery?

- Federal Law requiring universities to report crimes committed on their property
- Intent is to improve transparency about safety
- Clery crime statistics are reported by UCSC annually and shared by the police department

# Clery/Gatto Required Reporting

- **Must report** to UCSC PD if someone discloses a crime that took place on **UCSC campus or property** (Federal and State Law requirements for statistical purposes)
- You are **not required to give Law Enforcement the names of the victim in sexual violence cases** unless the reporting party wants you to

# Examples of Clery and Gatto Crimes

- Murder
- Sex Offenses
- Robbery
- Burglary
- Theft
- Manslaughter
- Hate Crimes/Hate Violence
- Arson
- Vandalism
- Aggravated assault
  
- **\*\*When in doubt report to UCPD 459-2231 ext 1**

# If a victim of sexual violence does not want their name disclosed...

- When calling the UCSC Police Department (831)459-2231, ext. 1 you can say.....

**“I am calling to report for the purposes of Clery statistics but the victim chooses to remain private.”**

# What is CANRA

- State law requiring reporting of suspected child abuse to
  - Child Protective Services or
  - Law Enforcement

# CANRA Reporting Requirements

- **Child Abuse**
  - Physical
  - Emotional
  - Sexual abuse
- **Neglect**
- **Suspected child abuse or neglect of anyone under 18 years of age, student or non student**

# Report Suspected Child Abuse and Neglect

- Phone immediately
  - Appropriate Police Department or County Child Abuse Hotline
  - Within 36 hours
- Submit a Written Report
  - Use Form SS-8572
  - [http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf)
- Make an internal UC Report
  - To supervisor
  - University Compliance Hotline
  - <https://secure.ethicspoint.com/domain/media/en/gui/23431/index.html>



# Title IX Reporting



No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

# Title IX Reporting

- Why report?
  - Title IX **can see patterns over time**
  - **Identify repeat offenders**
  - **Create safety for survivors**
- All employees on campus are **required to report SV or SH** that is **reported to them**
  - **during the course of work** and
  - **Involving a student**

# If you believe a student is about to reveal information related to a Title IX incident:

- **Gently interrupt** the student's disclosure
- **Explain** that you are required to report to the Title IX Office
- **Refer** the student to confidential resources:
- **Ensure** that the student has **clear information** about their rights and your reporting obligations
  - Provide Reporting Options handout
  - 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**

# Advising disclosure statement:

- *"Please note that the information you share in your appeal or with your advisers will be kept private and shared only with campus officials as required to serve you in an advising capacity or process your appeal. However, in limited circumstances, including those related to potential harm to yourself or others, sexual assault, and abuse, we may be required by law to report incidents you disclose to other need-to-know offices on campus such as the Title IX Office and/or University of California Police Department. If you are in need of support for any issues, please see the list of [confidential and/or support resources](#)."*

# How to support a survivor

- Evaluate physical and emotional **safety** and need for **medical attention**.
  - **If needed call 911 immediately**
- **Listen, Validate and Believe**
- **Do not offer to confront the alleged offender**
- Let them know that you will **maintain their privacy but must report to Title IX**
- **Do not investigate**, do not ask too many questions
- **Refer** the survivor to confidential resources:
  - Campus Advocacy Resources and Education (**CARE**) **advocacy office**-all
  - Counseling and Psychological Services (**CAPS**)-students
  - **Employment Assistance Program (EAP)**-employees

# Issues that may arise for survivors

- Referrals to CARE, CAPS, and/or Title IX
- No contact directives issued by Student Conduct or Title IX
- Transfers to, or attendance at another academic institution
- Need for academic accommodations
- Requests for special consideration on appeals
- Graduation holds

# What information is helpful to report to Title IX?

- **Name of complainant** and their **student/employee status** and/or **other identifying information**
- **Name of respondent** (if known) and their **student/employee status** and/or **other identifying information**
- **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**
  - general time frame is very helpful
- **Has the complainant already been in touch** with CARE, CAPS, Title IX, and/or UC PD



# What happens after the Title IX office receives a report?

**Title IX *will reach out to a student via email:***

- ***To inform them of their reporting options and the possibility for interim measures and accommodations***
- ***It is up to the student to decide whether they want to respond***

# Key Complainant Rights

- **Participation**
- **Privacy** – only minimal information is shared with need-to-know people
- **Safety Measures and Remedies**
- **Protection against Retaliation**
- **Immunity** for sexual violence complainants and witnesses



**PRIVACY**



# Complainants have options

- Generally the complainant can decide if he/she/they would like an **alternative resolution or formal investigation**
- In rare instances the Title IX Officer may determine that the allegations require an investigation to mitigate a **potential risk to the campus community**
  - complainant **may choose not to participate in this kind of investigation.**

# Privacy Rights

- Title IX protects the *privacy* of complainants
- All responsible employees are required to maintain privacy
- CARE and CAPS provide *confidential resources* and are not required to report to Title IX.

# Interim measures

- Complainants **may request changes** with regard to **academics, housing, work, transportation, etc.**
  - Through CARE or Title IX
- The **University has an obligation to act on these requests** when reasonable and achievable.

# Protection from retaliation

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



# Immunity

- Student **complainants and witnesses in an investigation** have immunity
  - underage use of **alcohol**
  - use of **drugs**
  - Exceptions to this immunity:
    - Conduct that places the health or safety of others at risk
    - Academic misconduct
    - or was otherwise egregious conduct



**QUESTIONS?**