

Walsh University

MANDATORY REPORTING POLICY

Employee Handbook – Updated 7/10/2020

APPLICABLE LAWS

Three federal laws establish responsibilities for employees of colleges and universities to report crimes and incidents, including, but not limited to sexual misconduct and interpersonal violence—the Clery Act, Title VII and Title IX. Each of these federal laws is intended to protect members of the campus community, visitors and guests from criminal and discriminatory behavior. Additionally, state law imposes mandates with respect to the reporting of child abuse and sexual abuse for anyone under the age of 18 or a person under 21 years of age with a developmental disability or physical impairment. The responsibilities established by these laws give rise to the term **mandatory reporter**.

This policy covers all forms of sexual misconduct and interpersonal violence, including, but not limited to sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence (including sexual abuse and molestation) or sex discrimination. As required by law, definitions of sexual offenses, non-forcible sex offenses, domestic violence, dating violence and stalking are provided in the Sexual Misconduct and Interpersonal Violence Policy and annual Safety & Security Report distributed to all community members annually and available on the Walsh University website at <https://www.walsh.edu/campus-police>.

YOUR DUTY

Walsh University does not permit actual or threatened acts of physical or mental abuse, sexual abuse, sexual molestation, sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence (including sexual abuse and molestation) or sex discrimination (“prohibited conduct”) to occur in the workplace or at any University sponsored event. **The University has implemented this “zero-tolerance” Mandatory Reporting Policy so it is clear to all employees that they are required to report when they reasonably suspect, learn of or witness prohibited conduct.**

- This policy applies to ALL university employees including administrators, faculty, staff, university volunteers and student paraprofessionals (such as Resident Assistants and Campus Ministry Peacemakers) with the exception of those designated as *Confidential Resources* for their respective reporting areas (see below).
- As a Mandatory Reporter, you may not promise confidentiality to anyone related to the information you receive, what you suspect or witness regarding the prohibited conduct previously described.

TITLE IX – RESPONSIBLE EMPLOYEE (RE)

Under Title IX federal guidelines, “Responsible Employees” are required to report any incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination directly to the Title IX Coordinator or Title IX Deputies, and cannot honor requests for confidentiality unless they are designated as a *Confidential Resource* (see below).

Responsible Employees are individuals employed by the university with one of the following:

- authority to take action to redress incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination, or;

- who have been deemed *Mandatory Reporters* by their institutions, or;
- who students reasonably could believe have authority or responsibility over such matters, are required to report discrimination.

As part of the Walsh University Mandatory Reporting Policy all employees are considered to be *Responsible Employees* with the exception of those that serve as *Title IX Confidential Resources*.

Responsible Employee Reporting - Title IX Coordinator

Kristi Campbell, Director of International Student Services

Student Affairs | David Campus Center (Suite 103) | (330) 490-7105 | titleix@walsh.edu

Title IX Confidential Resources

Title IX Confidential Resources are not required to disclose any incidents of sexual harassment, sexual assault, dating violence, domestic violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination to the Title IX Office or Campus Police without a victim/survivor’s written permission, and to the extent, they are permitted to promise confidentiality under the law.

As stated in our Sexual Misconduct and Interpersonal Violence Policy, the designated on-and-off campus confidential resources at Walsh University are listed below:

- **On-Campus Confidential Resources – Employees**
 - **Health Services | Cechinni Health & Wellness Complex | (330) 490-7030**
 - **University Senior Chaplain* | Our Lady of Perpetual Help Chapel | (330) 490-7051**

**The University Senior Chaplain may only promise confidentiality to employees when in the Sacrament of Reconciliation. Outside of this sacrament, he is unable to provide confidentiality and is considered a mandatory reporter of the University.*

- **Off-Campus Confidential Resources- Students and Employees**
 - **Domestic Violence Project, Inc. | (330)453-7233**
 - **COMPASS Sexual Assault Education, Prevention and Support | (330) 452-1111**

PROHIBITED CONDUCT – INDIVIDUALS UNDER THE AGE OF 18

If any administrator, faculty member, staff member, university volunteer and/or student paraprofessional (such as Resident Assistants and Campus Ministry Peacemakers) reasonably suspects or knows a child (any individual under the age of 18) or a person under 21 years of age with a developmental disability or physical impairment has been the subject to any prohibited conduct, they are required to contact the Chief of Campus Police immediately and make a formal report of abuse. If a child is the victim of abuse or neglect, the parent or guardian must report it to the local or state police and/or Child Abuse Agency.

As part of the Walsh University Mandatory Reporting Policy all employees are required to report immediately to Campus Police.

Reporting Prohibited Conduct – Individuals Under the Age of 18

Louis Darrow, Chief of Campus Police

Student Affairs | David Center (Suite 103) | (330) 490-7373 | ldarrow@walsh.edu

Campus Police Officer on Duty

Betzler Tower Residence Hall | Main Level | (330) 490-7474 | Cell: (330) 316-1088

CAMPUS SECURITY AUTHORITY (CSA)

To comply with federal crime statistics requirements, Walsh University collects information from Campus Police and from certain individuals and organizations that the Clery Act defines as “Campus Security Authorities” or “CSAs”. The goal in collecting reports of crimes that occur on campus from CSAs rather than just from the police is to capture as many crime reports as possible.

What is a Campus Security Authority (CSA)?

Under Clery Act federal guidelines, a “Campus Security Authority” is defined an official of an institution who has significant responsibility for campus and student activities. An “official” is defined as any person who has the authority and duty to take action or respond to particular issues on behalf of the institution. This includes, but is not limited to: Campus Police, Athletic Staff (Professional Staff and Coaches), Student Club Advisors (including Faculty), Title IX Coordinator and Deputies, Student Affairs Staff, Residence Life Staff (Professional Staff and Residence Assistants), Campus Ministry (Professional Staff and Peacemakers), Intramurals (Professional Staff and Student Staff); Student Activities (Professional Staff and Student Staff),

If I am Unsure if I am a CSA, How Do I find out?

If you are unsure if you are a CSA, please contact Lou Darrow, Walsh University Chief of Police, at (330) 490-7373 or ldarrow@walsh.edu for more information.

CSA Reporting Requirements

CSAs have a legal obligation to notify Walsh University Campus Police of any Clery crimes (see below) made known to them and that have occurred on campus and/or within the University’s Clery Geography. CSAs are responsible for 1) accurately reporting Clery crime information to Campus Police in a timely manner, and 2) supporting the individual sharing their experiences with you and connecting them with options and resources. Under the Clery Act, CSAs are not required to report personally identifiable information of those involved in Clery crimes; however, per Ohio’s felony reporting law, a CSA may be required to provide this information to Campus Police when a Clery crime is also a felony. Clery Reportable Crimes include the following:

Criminal Offenses

- Criminal Homicide: murder and non-negligent manslaughter
- Criminal Homicide: negligent manslaughter
- Sexual Assault: rape, fondling, statutory rape, and incest
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Violation of Law (not University policies or regulations)

- Liquor Law Violation (does not apply to public intoxication or DUI)
- Drug Law Violation
- Weapon Law Violation

Hate Crimes

- Larceny-Theft
- Simple Assault

- Intimidation
- Destruction/Damages/Vandalism of Property
- Criminal Offense (as described above)

Other Crimes

- Domestic Violence
- Dating Violence
- Stalking

Reporting Clery Crimes on Campus

- Louis Darrow, Chief of Campus Police - *Student Affairs | David Center (Suite 103) | (330) 490-7373 | ldarrow@walsh.edu*
- Campus Police Officer on Duty - *Betzler Tower Residence Hall | Main Level | (330) 490-7474 | Cell: (330) 316-1088*

Clery Confidential Resources

Campus Pastoral counselors and campus professional counselors - when acting in such a capacity - are not considered Campus Security Authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged – if and when deemed appropriate – to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. Counselors include:

Professional Counselor - employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and is functioning within the scope of his/her license or certification.

Counseling Services | David Campus Center (Suite 104) | (330)490-7348

- Francie Morrow, LPCC-S | Executive Director of Counseling and Health Services
- Lisa Lutz, LPCC-S | College Counselor
- Megan Rhoads, LPC | College Counselor

ACKNOWLEDGMENT OF RECEIPT OF THE WALSH UNIVERSITY MANDATORY REPORTING POLICY

I, (print name) _____, acknowledge that I have received and read the Walsh University Mandatory Reporting Policy immediately preceding my signature below. I understand that I am bound to follow the policy and understand the consequences in the event that I fail to do so.

Signed: _____ Date: _____