

## 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**, Associate Dean of Students/Deputy Title IX Coordinator, 101 HULLIHEN HALL, Newark, DE 19716, [adamcan@udel.edu](mailto:adamcan@udel.edu), 302-831-8939;
- For Athletics & Recreation Services, **Richard Stumpf**, Associate Director of Athletics, Compliance/Deputy Title IX Coordinator, 117 Bob Carpenter Center, Newark, DE 19716, [rstumpf@udel.edu](mailto:rstumpf@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, [matthewk@udel.edu](mailto:matthewk@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](mailto:marym@udel.edu), 302-831-8916; and
- For all areas, **Susan L. Groff, Ed. D.**, Director, Institutional Equity and University Title IX Coordinator, 305 HULLIHEN HALL, Newark, DE 19716, [groff@udel.edu](mailto:groff@udel.edu), 302-831-8063.

Responsible employees (who consist of all UD employees) *must* complete this 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 Susan Groff 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 Yvonne Simpson, Clery Compliance Officer, 413 Academy Street, room 227, Newark, DE 19716, [fisher@udel.edu](mailto:fisher@udel.edu), 302-831-1204.

### **Definitions:**

- **Sexual misconduct** is a term used to encompass unwanted or unwelcome conduct of a sexual nature that is committed without consent. Sexual misconduct may be committed by anyone, including but not limited to, a friend, a stranger, an intimate partner, a student, an acquaintance, a supervisor, or a faculty member. Males and females can be victims of sexual misconduct, and misconduct can occur between people of the opposite sex or the same sex. It can involve conduct that occurs on campus or at an off-campus location. It can consist of verbal utterances, threats and/or coercion, nonverbal behavior, physical conduct or violence, or behavior that could be characterized as stalking. For further definitions of types of conduct that may constitute sexual misconduct such as sexual assault, domestic violence, dating violence, and stalking, please visit [www.udel.edu/sexualmisconduct](http://www.udel.edu/sexualmisconduct).

**Directions for the 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. **Fill in the fields as requested – name, date, etc.**
  - a. **Complainant** – is defined as the individual who has been impacted or targeted by the sexual misconduct. If you are a member of the staff at Student Health Services, the Counseling Center, Faculty Staff Assistance Program (FSAP), or Sexual Offense Support (S.O.S.), the complainant’s name need not be included on this form but you can include the complainant’s affiliation to UD, such as undergrad, staff, faculty, graduate student, vendor, etc. Anyone else completing this form must include the complainant’s name, if known.
  
  - 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, FSAP, 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** – try to get as much 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.
  
3. **Email the form** to a Deputy Title IX Coordinator (as listed above) or to the University Title IX Coordinator, Susan Groff (information above).

**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/gbv](http://www.udel.edu/gbv).*

- Determine if the victim requires immediate medical attention. If so, call 911.
- Ask the victim if he or she 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, Faculty Employee Assistance Program (FSAP), certain counselors in Student Wellness & Promotion and 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 him or her.
- Remind the victim that acts of sexual misconduct such as sexual assault, relationship violence, and stalking are never the fault of the victim. Thank the victim for telling you what happened and share information (resources) which might be useful. 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/gbv](http://www.udel.edu/gbv)), 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.
- Advise the victim that he or she has 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](http://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 he or she has 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.

**UNIVERSITY OF DELAWARE  
TITLE IX INCIDENT REPORT**

*This form should be completed and submitted as soon as possible after learning of an incident that may violate the Title IX policy. Please type. Boxes can expand to accommodate text.*

**Name and Title of Person Completing the Form** (please include your contact information):

**Date of Incident:**

**Date Reported to You:**

**Complainant:**

**Against Whom:**

**Name of Person Who Reported the Incident to You** (if different from the complainant):

**Location of Incident** (Examples: on-campus, off-campus, residence hall, Newark, out-of-state, etc.):

**Description of the Incident** (include facts shared by the complainant, names of witnesses, if available):

**Case Status** (how did you leave things with the victim?):

**Offices Involved** (Has victim reported the incident to the police, has victim filed an internal complaint, is victim working with SOS? Have you shared this information with any other offices?):

**Has the checklist been reviewed with Complainant?**

Yes  No

**Has the Complainant requested confidentiality?**

Yes  No

**Is the incident Clery Act reportable?**

Yes  No

Email completed form to a Deputy Title IX Coordinator or to:

- **Susan L. Groff, Ed. D.**, Director, Institutional Equity and University Title IX Coordinator, 305 Hullihen Hall, Newark, DE 19716, [groff@udel.edu](mailto:groff@udel.edu), 302-831-3666.
- Additional resources can be found on the University's gender-based violence website, [www.udel.edu/sexualmisconduct](http://www.udel.edu/sexualmisconduct).