



Title IX and Mandatory Reporting:  
What Employees  
MUST know

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New Employee Orientation

# **TITLE IX OF THE EDUCATIONAL AMENDMENTS OF 1972**

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.

20 U.S.C. § 1681 et seq

# WHAT IS TITLE IX?

- A federal statute prohibiting discrimination on the basis of sex
- Conditioned upon the acceptance of federal funding
- Driven by regulations that define sexual harassment as a form of prohibited sex discrimination
- Provides protections to employees and students

The mission of Title IX as envisioned and enacted by Congress:

**Title IX seeks to reduce or eliminate barriers to educational opportunity caused by sex discrimination in institutions that receive federal funding.**

# **SEXUAL MISCONDUCT**

Sexual Misconduct is the omnibus term under which all gender discrimination involving sexual harassment is defined in the

[Title IX Employee Sexual Misconduct Policy](#)

and

[Student Sexual Misconduct Policy](#).

# SEXUAL MISCONDUCT

**Sexual misconduct falls into one or more of the following six categories:**

- Hostile Environment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity
- Quid Pro Quo: An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct

Single occurrence of:

- Sexual assault
- Dating violence
- Domestic violence
- Stalking

## TARGETS OF SEXUAL MISCONDUCT

Sexual harassment can be directed toward persons of the opposite sex or the harasser's own sex, and toward persons of the same sexual orientation or a different sexual orientation. The target need not be an object of the harasser's sexual desire for the conduct to constitute sexual harassment.

## **WHO CAN ENGAGE IN SEXUAL MISCONDUCT?**

- Faculty, staff, and other employees can engage in all types of sexual misconduct.
- Students can engage in all types of sexual misconduct except quid pro quo. Students are not usually given responsibility over other students and thus, generally cannot engage in quid pro quo sexual misconduct.

## **WHO CAN ENGAGE IN SEXUAL MISCONDUCT?**

Sexual misconduct can include the following types of interactions:

- Employee/student
- Employee/employee
- Student/employee
- Student/student

# **TWO CATEGORIES OF EMPLOYEES FOR TITLE IX REPORTING PURPOSES**

- Mandatory reporters (all employees)
- Officials with the authority to act (Title IX Director and Deputy Title IX Coordinators)

# **TITLE IX MANDATORY REPORTERS**

University employees including, but not limited to, the president, vice presidents, deans, department chairs, directors, coaches, staff, University of Louisville police officers and any contracted security personnel, or any faculty members are mandatory reporters.

These employees are required to report any information of which they become aware regarding sexual misconduct (sexual harassment (includes quid pro quo and hostile environment); sexual assault; domestic violence; dating violence; and stalking) to the Title IX or Deputy Title IX Coordinators.

# TITLE IX MANDATORY REPORTING

## WHAT TO DO

When you become aware of an alleged act of sexual harassment, sexual assault, or gender discrimination on or off campus you must:

- a. Provide a copy of the Sexual Misconduct Resource Guide found at: [https://louisville.edu/titleix/sexual\\_misconduct\\_resource\\_guide.pdf](https://louisville.edu/titleix/sexual_misconduct_resource_guide.pdf)
- b. Immediately contact the Title IX Coordinator or a Deputy Title IX Coordinator and provide all the information you have regarding the alleged act.

# **TITLE IX MANDATORY REPORTING REQUIREMENTS**

When reporting allegations of sexual misconduct and/or sex discrimination to a Title IX Coordinator or Deputy Title IX Coordinator, Mandatory Reporters must share all the information they have (who, what, where, when, how, why) regarding the alleged act, including names. However, they are not required to investigate or to confirm that the information is credible.

# **TITLE IX MANDATORY REPORTING WHAT TO SAY**

What to say to a person who shares allegations of sexual misconduct or discrimination:

“At UofL we take sexual misconduct, sexual assault, dating violence, domestic violence, stalking, and all forms of sex discrimination seriously and are very concerned if this happens to someone in our community.

As an employee of the University, I have an obligation to inform the Title IX Director or a Deputy Title IX Coordinator about an incident like this. There are campus resources in this brochure that can provide confidential support and discuss options with you (or an alleged victim).”

## **OFFICIALS WITH THE AUTHORITY TO ACT**

The Title IX Coordinator and Deputy Title IX Coordinators are officials with authority to act.

Officials with authority to act are those who have the authority to institute corrective measures on behalf of the University and they have an obligation to promptly respond once notified of allegations of sexual misconduct.



# OFFICIALS WITH THE AUTHORITY TO ACT

Tim Beam  
Title IX Director  
Grawemeyer Hall, Suite 202B  
(502) 852-1198  
[titleix@louisville.edu](mailto:titleix@louisville.edu)

Kelli Peck Parrott, PhD  
Title IX Deputy Coordinator  
Grawemeyer Hall, Room 202  
Louisville, KY 40208  
502-852-1702  
[titleix@louisville.edu](mailto:titleix@louisville.edu)



## **REQUIRED SYLLABUS STATEMENT**

Effective July 1, 2015, all syllabi must include the following Title IX statement:

Sexual misconduct (including sexual harassment, sexual assault, and any other nonconsensual behavior of a sexual nature) and sex discrimination violate University policies. Students experiencing such behavior may obtain confidential support from the PEACC Program (852-2663), Counseling Center (852-6585), and Campus Health Services (852-6479).

To report sexual misconduct or sex discrimination, contact the Title IX Office (852-1198) or University of Louisville Police (852-6111). Disclosure to University faculty or instructors of sexual misconduct, domestic violence, dating violence, sexual harassment or sex discrimination occurring on campus, in a University-sponsored program, or involving a campus visitor or University student or employee (whether current or former) is not confidential under Title IX. Faculty and instructors must forward such reports including names and circumstances, to the University's Title IX Office.

## **UNIVERSITY NON-RETALIATION/NON-RETRIBUTION POLICY**

The purpose of the Non-Retaliation/Non-Retribution Policy is to encourage and enable good-faith reports by University employees of observed or suspected misconduct or noncompliance with law or with University policies and procedures without fear of retaliation or retribution.

<https://louisville.edu/policies/policies-and-procedures/pageholder/policy-duty-to-report-and-non-retaliation>

# OTHER APPLICABLE LAW

Kentucky law requires that any person who suspects that a minor child (under 18) is the victim of abuse or neglect must immediately contact a local law enforcement agency or other agency authorized by statute KRS 620.030. The University Police Department (852-6111) constitutes a local law enforcement agency for purposes of Kentucky's mandatory reporting law for child abuse and neglect. Failure to report suspected abuse may result in criminal charges and/or disciplinary action.

# RESOURCE OPTIONS

## Confidential Support:

- PEACC Program, 852-2663
- Counseling Center, 852-6585
- Campus Health Services, 852-6479  
Health Clinic is a confidential service.  
Programming offices including BRICC & Health Promotion are mandatory reporters
- Employee Assistance Program, 589-4357

## Reporting:

- UofL Police Department, 852-6111
- Title IX Office, 852-1198

## Additional Information:

- University Of Louisville Title IX Webpage:  
<https://louisville.edu/titleix>

# **PREGNANCY IS PROTECTED BY TITLE IX!**

- Pregnant students are entitled to reasonable accommodations to make up missed work/exams/class sessions.
- Encompasses prenatal care, childbirth, follow-up visits, any care related to complications from pregnancy or childbirth.

# **PREGNANCY IS PROTECTED BY TITLE IX! (CTD.)**

- Pregnancy is not considered a disability, though related complications (preeclampsia, gestational diabetes) might be depending on their severity and expected duration.
- Questions regarding the appropriateness of requested accommodations, or the extent of your obligation to accommodate a given student, should be referred to the Title IX Director.

# TRUE OR FALSE?

Mandatory Reporting is required of all employees.

# THE ANSWER

True:

University employees including, but not limited to, the president, vice presidents, deans, department chairs, directors, coaches, staff, University of Louisville police officers and any contracted security personnel, or any faculty members are mandatory reporters.

These employees are required to report any information of which they become aware regarding sexual misconduct (sexual harassment (includes quid pro quo and hostile environment); sexual assault; domestic violence; dating violence; and stalking) to the Title IX Director or Deputy Title IX Coordinators.

## **TRUE OR FALSE?**

Mandatory Reporters are required to conduct a brief investigation to insure the information they will report is credible.

# THE ANSWER

False:

When reporting allegations of sexual misconduct and/or sex discrimination to a Title IX Director or Deputy Title IX Coordinator Mandatory Reporters must share all the information they have (who, what, where, when, how, why) regarding the alleged act, including names. However, they are not required to investigate or to confirm that the information is credible. In fact, conducting such an investigation may be a violation of the Title IX Process.

## **TRUE OR FALSE?**

Officials with the authority to act are the Title IX Director and the Deputy Title IX Coordinators.

# THE ANSWER

True:

The Title IX Director and Deputy Title IX Coordinators are officials with authority to act. Officials with authority to act are those who have the authority to institute corrective measures on behalf of the University and they have an obligation to promptly respond once notified of allegations of sexual misconduct.

Thank you for doing  
your part to make  
our campus a safe,  
inclusive place for  
everyone.