

Crime and Incident Reporting Guidelines for CSAs and Responsible Employees

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Violation	CSA?	CSA Reporting Obligation	Responsible EE?	Title IX Reporting Obligation
Nonviolent sex discrimination, including verbal sexual harassment	YES	No reporting obligation because sexual harassment is not a Clery reportable crime (but see Responsible Employee obligations).	YES	Yes
	NO		NO	No reporting obligation. Only responsible employees are required to report incidents to Title IX Coordinator. Others <u>may</u> but not <u>required</u> by law or OCR guidance.
Clery Part I Primary Crimes with exception of sex offenses	YES	CSAs must report the Clery statistic to appropriate Clery coordinator but may withhold the identity of the victim or reporter.	YES	Not applicable to role as a “responsible employee” under Title IX because sex discrimination is not involved (but see CSA obligations).
	NO	No reporting obligation because reported to non-CSA. Others <u>may</u> but not <u>required</u> by law or DoE guidance.	NO	
Part I Primary Crimes that are sex offenses	YES	CSAs must report the Clery statistic to appropriate Clery coordinator but may withhold the identity of the victim or reporter (and see Responsible Employee obligations).	YES	Yes (and see CSA obligations).
	NO	No reporting obligation because it was reported to a non-CSA (but see Responsible Employee obligations). Others <u>may</u> report but not <u>required</u> by law or DoE guidance.	NO	No reporting obligation (but see CSA obligations). Only responsible employees are required to report incidents to the Title IX Coordinator. Others <u>may</u> report but are not <u>required</u> to report by law or guidance from OCR.

Definitions & Resources

Campus Security Authority (CSA) are defined by the Clery Handbook to include campus police/security and affiliated offices, those designated by the institution, and faculty and staff with significant responsibility for students and campus activities. For the purposes of this document, the term CSA does not include any individual who may meet the requirements of being CSA but is acting as a professional or pastoral counselor at the time they receive a report.

Responsible Employees have the authority to address complaints of sex discrimination, including sexual violence, and they must report sexual harassment they observe or learn about to the Title IX Coordinator. Responsible employees must report all known relevant details about a complaint of sexual violence to the Title IX Coordinator or designee, including names of anyone involved or present, date, time, and location. We can’t be sure, but it is very likely that all responsible employees are CSAs.

Non-professional counselors or advocates are all individuals who work or volunteer in on-campus sexual assault centers, victim advocacy offices, women’s centers, and the like, including students and front desk staff. These individuals can keep personally identifiable information confidential, but are required to report general information about incidents of sexual violence, including nature, date, time, and general location of the incident. They may also be CSAs as defined in the new Clery Handbook.

Pastoral counselors are persons associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and functioning within the scope of that role at the time they learn of a crime/incident.

Professional counselors are persons whose official responsibilities include providing mental health counseling to members of the institution’s community and who are functioning within the scope of their license or certification at the time they learn of a crime/incident.

Nonviolent sexual harassment - Example: sexually explicit comments, unwanted nonphysical sexual attention.