

Mandatory Reporting of Sexual Misconduct

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Pronouns: she/her/hers

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OFFICE OF EQUAL OPPORTUNITY
Division of Institutional Equity & Diversity



Senate Bill 212 – Mandatory Reporting

Employee reporting obligation is triggered when an “employee of a postsecondary educational institution” “**witnesses or receives information**” regarding an incident that “the employee **reasonably believes** constitutes sexual harassment, sexual assault, dating violence, or stalking” which was allegedly committed **by or against** “a student enrolled at or an employee of the institution at the time of the incident.”

UNT Policy 16.005 - Sexual Harassment

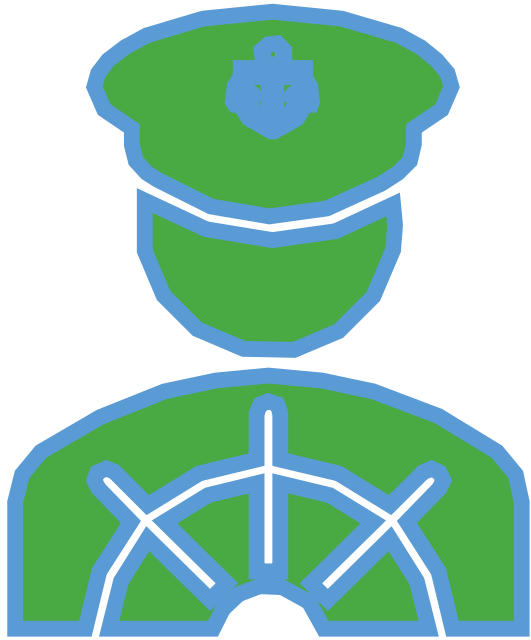
Employees and individuals authorized to act on behalf of the University who become aware of suspected sexual harassment are required to report the suspected violation immediately to their direct supervisor and to the Office of Equal Opportunity. If a direct supervisor is the person alleged to have engaged in the prohibited conduct, the report must be made to that individual's supervisor and to the Office of Equal Opportunity. In no instance is an individual required to report the alleged violation to the person suspected of the prohibited conduct.

UNT Policy 16.005 - Sexual Harassment

(1) Unwelcome (2) sex-based verbal or physical conduct that:

- In the employment context, (3) unreasonably interferes with a person's work performance or (4) creates an intimidating, hostile, or offensive work environment, OR
- In the education context, is (3) sufficiently severe, persistent, or pervasive that the conduct (4) interferes with a student's ability to participate in or benefit from educational programs or activities.

Senate Bill 212 - What do I report?



The mandated report to the Title IX coordinator or deputy Title IX coordinator must include “all information concerning the incident known to the reporting person that is relevant to the investigation.”



Senate Bill 212 – Employment Consequences

Mandatory Termination - If a school determines that an employee failed to satisfy their mandatory reporting requirement, the school would be required to terminate that employee “in accordance with the institution’s disciplinary procedure.”

There does not appear to be an exception for tenured faculty members.

September 1, 2019

Senate Bill 212 – Criminal Penalties

In addition, SB 212 makes it a **Class B misdemeanor** (punishable by a maximum of 180 days in jail and/or a maximum fine of \$2,000) for a person who “is required to make a report under Section 51.252 and **knowingly fails** to make the report” or “with the intent to harm or deceive, knowingly makes a report . . . that is **false.**” The offense is escalated to a **Class A misdemeanor** (punishable by up to one year in jail and/or a maximum fine of \$4,000) “if it is shown on the trial of the offense that the actor intended to conceal the incident.”

January 1, 2020



Senate Bill 212 – To Whom do I Report?



Report.unt.edu is the easiest way,
when both parties are students.



You may also contact me, the Title
IX Coordinator, at OEO@unt.edu or
TitleIX@unt.edu



You may report to any of the
Deputy Title IX Coordinators,
including Dr. Moe McGuinness,
Dean of Students

How to respond when a student asks you if they can tell you something in confidence

- Allow the student to make an informed decision to disclose. Say something like:

“It depends on what you would like to discuss. As a UNT employee, I am required to report sexual misconduct, relationship violence, stalking, and crimes. I cannot keep those things confidential, but there are confidential resources available on campus, and in the local community which I can refer you to—if you would like.”



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Contact Information

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Inquiry forms are available on our website