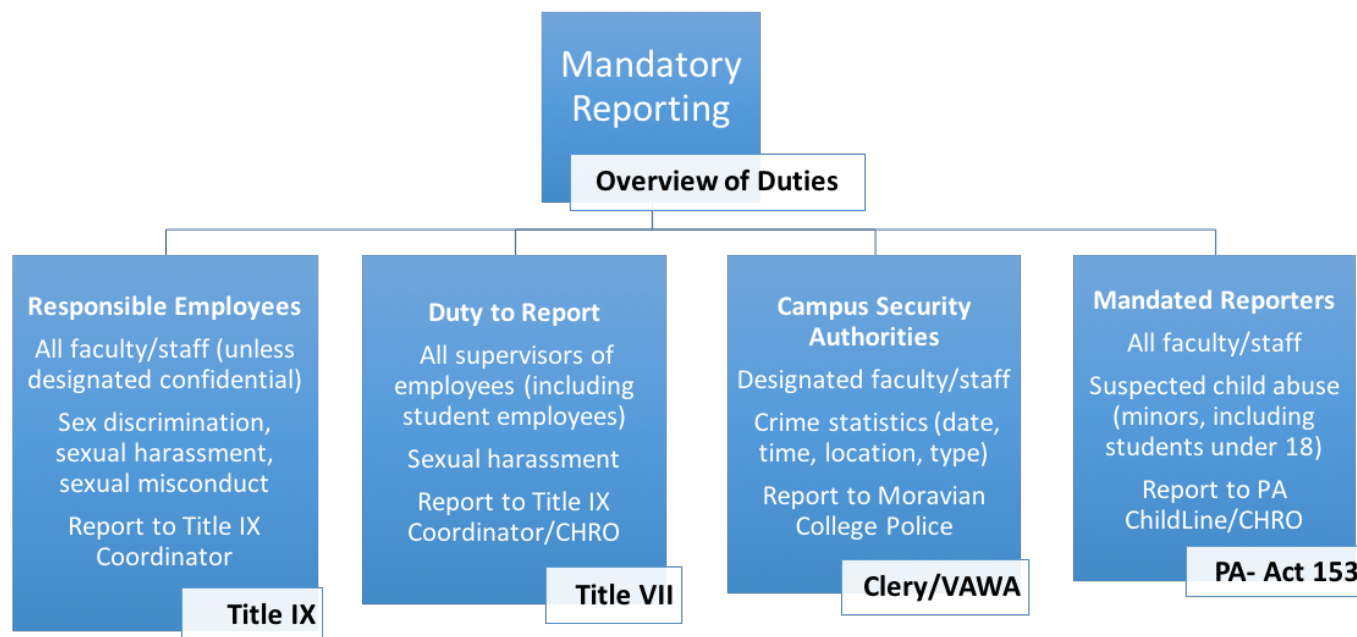


## Am I Obligated?

### Understanding Mandatory Reporting of Sex Offenses

Moravian College encourages a culture of reporting, even when there is not a specific obligation to do so, in an effort to eliminate sexual misconduct and remediate its impact. Several federal and state laws establish responsibilities for college employees to report sex offenses. Each law has a different intent and requirements, and certain situations require different information be reported to different officials. This resource is intended to help you understand when you are obligated to report, what information you should share, and with whom.



### Understanding Title IX

Title IX of the Education Amendments of 1972 requires that educational institutions receiving federal funding are free from sex discrimination and that individuals of any sex, gender, gender identity, or gender expression are afforded equal access to programs and services. Title IX is further intended to prevent sex-based crimes that lead to a discriminatory or hostile environment, including sexual harassment and sexual misconduct (rape, sexual assault, interpersonal violence, sexual exploitation, and stalking). Every institution must designate a Title IX Coordinator, who is responsible for stopping, preventing, and remedying the effects of these types of incidents and ensuring compliance.

Under Title IX, all employees (faculty and staff) are required to report Title IX related incidents, including as much information as is known, to the Title IX Coordinator. This includes both your name and contact information, as well as names and personally identifiable information for all parties involved in the incident (the Title IX process is designed to maintain privacy to every extent possible). Incidents can be reported by phone to 610.861.1529, by email to [titleix@moravian.edu](mailto:titleix@moravian.edu), or using the [Title IX Reporting Form](#).

The only exception to this obligation is confidential personnel in our Health and Counseling Centers, as well as our Chaplains. Faculty/staff members who happen to be similarly licensed in their field are not exempt from reporting. The purpose of reporting under Title IX is to ensure that survivors are offered consistent support, resources, and options for resolution compliant with government regulations. Click [HERE](#) to learn more about Title IX.

Emergency situations requiring immediate triage, should be also be reported to the Advocates for Survivors of Sexual Assault at 484.764.9242 or Moravian College Police at 610.861.1421. The Advocates are trained to listen and answer questions, provide support and resources, and even accompany the victim for medical attention. Click [HERE](#) to learn more about the Advocates program.

## Understanding Title VII

Title VII of the Civil Rights Act of 1964 is a federal law that prohibits employers from discriminating against employees on the basis of sex, race, color, national origin, and religion. It generally applies to employers with 15 or more employees, including federal, state, and local governments, private and public colleges and universities, employment agencies, and labor organizations.

Title VII specifically protects against sexual harassment in the workplace and obligates all supervisors of employees (including paid student employees) to report such occurrences to the Title IX Coordinator and Chief Human Resources Officer (CHRO). Reports can be made by phone to 610.861.1529, by email to [titleix@moravian.edu](mailto:titleix@moravian.edu), or using the [Title IX Reporting Form](#). Click [HERE](#) to learn more about the sexual harassment policy (see section 10.8).

In accordance with the principles of Title VII, the College embraces and values the diversity of all members of the campus community, accepts the uniqueness of all individuals, and cultivates an environment that respects, affirms, and defends the dignity of each member of our community. Therefore, all incidents of discrimination are encouraged to be reported using the Tip & Bias Incident Line at 610-861-1539 or the [Bias Incident Report Form](#). Click [HERE](#) to learn more about the College's non-discrimination policy.

## Understanding Clery & VAWA (Violence Against Women Act)

The Clery Act of 1990 is intended to create a baseline for consumers to compare safety at colleges across the nation, including the number and types of crimes that occur on and around each campus. Subsequently, both a daily crime log and an annual security report must be made available to the general public. Moravian's campus reports can be viewed at [Daily Crime Log](#) and [Annual Security Report](#).

The Clery Act establishes requirements for certain employees with significant responsibility for student and campus activities (called Campus Security Authorities) to report statistical information related to serious crimes. Click [HERE](#) to learn more about the Clery Act. VAWA amends Clery by adding 3 additional crimes (sex offenses). Click [HERE](#) to learn more about VAWA.

### Criminal Offenses:

- 1) Homicide (murder, non-negligent manslaughter, negligent manslaughter)
- 2) Sexual Assault (rape, fondling, incest, statutory rape)
- 3) Robbery
- 4) Aggravated Assault
- 5) Burglary
- 6) Motor Vehicle Theft
- 7) Arson

### Hate Crimes: (for 1-7, as well as):

- 8) Larceny/Theft
- 9) Simple Assault
- 10) Intimidation
- 11) Vandalism

### Arrests/Disciplinary Referrals for:

- 12) Weapons, Drug Abuse, Liquor Law violations

### VAWA offenses:

- 13) Dating violence
- 14) Domestic violence
- 15) Stalking

Unless specifically identified below by title or role, you can generally assume you are NOT a Campus Security Authority (CSA). CSAs are required to report the type of crime, the date, time and location of the crime, and if it constitutes a hate crime. Clery does not require the reporting of names or other personally identifiable information. Reports should be made to the Moravian College Police Department (MCPD) in person, by phone at 610.861.1421, or using the [Campus Security Authority Reporting Form](#). If an incident poses a threat or danger to the campus, MCPD will release a Timely Warning Notice to all members of our community for their protection.

Moravian College has designated the following Campus Security Authorities:

- The College President
- All Members of President's Staff
- The Title IX Coordinator
- All Campus Police/Safety Officers
- All Student Affairs Administrators\*
- The Athletic Director
- All Coaches
- Any Faculty Member/Administrator Advising a Student Organization
- All Student Members of Residence Hall Staff

*\*Counseling Center, Health Center, Chaplains, and Coordinator for the Advocates for Survivors of Sexual Assault report statistics in aggregate form only*

### **Understanding PA Child Protective Services Law/Act 153**

The 1975 Child Protective Services Law (CPSL) in the Commonwealth of PA establishes requirements for reporting instances of suspected child abuse or neglect. Act 153 is the 2014 amendment resulting in required clearances (PA criminal history, PA child abuse clearance, and fingerprinting for federal criminal history) for all school employees and volunteers in the higher education environment, particularly those who come into direct contact with minors.

Child abuse, according to the CPSL, means intentionally, knowingly or recklessly causing death, bodily injury, or serious neglect to a child; causing sexual abuse, exploitation or trafficking of a child; creating a reasonable likelihood of bodily injury or sexual abuse; abusing or substantially contributing to serious mental injury; or fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child. Child abuse also includes recent acts of endangering by kicking, biting, throwing, burning, stabbing or cutting a child; unreasonably restraining or confining a child; forcefully shaking, slapping or striking a child under one year of age; interfering with a child's breathing; causing a child to be present in a meth lab; or leaving a child unsupervised with a known sex offender/predator.

Sexual abuse, serious mental injury, serious physical neglect, and deaths have no time limit and must be reported immediately. All other acts within 2 years must also be reported immediately. Reports, whether direct observations, direct disclosures, and third party disclosures, should be made by phone to PA ChildLine at 1-800-932-0313 or online at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis). After contacting ChildLine, our Chief Human Resources Officer (designates institutional agent) must be immediately notified of the report at 610-861-1526. Click [HERE](#) to learn more about reporting child abuse in PA.

### **Managing Disclosures**

Faculty and staff are often a trusted point of disclosure for students or colleagues. The tips below are intended to help you develop trust and manage disclosures of sexual misconduct before, during, and after they occur.

- Include the College's non-discrimination notice on your syllabi, email signature, and correspondence.
- Note your status as a responsible employee in communication at the start of each semester.
- Recognize when a disclosure may occur and remind the individual of your reporting obligations.
- Be able to explain the difference between private and confidential.
- Offer confidential resources as an alternative (counseling center, health center, chaplains only).
- Believe what the individual is telling you and offer to connect them with help.
- Listen and do not ask invasive questions about the incident or their behavior/choices.
- Do ask "Are you okay/safe?", "Have you gotten medical attention?", and "What can I do to help?".
- Remember there is a reason that they chose to tell you and not someone else.
- Know when/how to contact an Advocate and how they can help.
- Know how to contact the Title IX Coordinator and how they can help.
- Be able to explain amnesty for alcohol/drugs and protection from retaliation.
- Follow up to ensure the individual is okay and is connected with necessary resources.