

# What do I do if I learn about a crime or sexual misconduct at SPU?

This step by step guide is intended to help SPU employees and students comply with mandatory reporting obligations imposed by law and SPU policy. For more detailed information, including how to make reports, see “Reporting Options and Additional Resources” at the end of this document. Regardless of legal requirements, all students and employees are encouraged to report crimes and sexual misconduct to designated university officials in order to promote campus safety and facilitate support for victims.

## Step by Step Questions

### **Question #1: Did you learn about possible sexual misconduct?**

- **Explanation:**
  - Sexual misconduct is defined as any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation.
  - Examples of sexual misconduct include: sexual harassment, gender-based harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking.
  - You might learn about sexual misconduct through your own observation or because someone else told you about it.
  - You may be required to notify SPU officials even if you aren’t sure if anything bad actually happened.
- **If Yes:**
  - If someone tells you he or she is a victim of sexual misconduct, follow the Checklist for Responding to Disclosures of Sexual Misconduct posted on the [SPU Title IX Website](#).
  - Also, continue to Question #2 to determine if you have a reporting obligation.
- **If No:** Skip to Question #5 to determine if you have a reporting obligation.

### **Question #2: Are you a “Title IX Mandatory Reporter”?**

- **Explanation:**
  - “Title IX Mandatory Reporters” are required under federal law (Title IX of the Education Amendments of 1972) and SPU policy to report sexual misconduct to SPU officials.
  - SPU has designated all of its employees as “Title IX Mandatory Reporters,” except for pastoral counselors, professional counselors, Health Center staff, and student employees.
- **If Yes:** Continue to Question #3.
- **If No:**
  - If you are pastoral counselor, professional counselor, Health Center staff member, student employee, or student leader, you may still have responsibilities under SPU policy even if you are not a Title IX Mandatory Reporter. See question 8 in the “Title IX Mandatory Reporter – Frequently Asked Questions” document posted on the [SPU Title IX Website](#) for instructions.
  - Also, skip to Question #5 and continue through this step by step guide.

**Question #3: Did the alleged sexual misconduct occur on SPU property, occur at an SPU event, or involve an SPU person as the suspected offender?**

- **Explanation:**
  - Title IX Mandatory Reporters should report all incidents of sexual misconduct that occur on SPU property, that occur off-campus at an SPU event or activity, or where the suspected offender is an SPU student, employee, or guest.
  - The reason that incidents where the suspected offender is an SPU student, employee, or guest should be reported is to help SPU identify potential threats to people on campus. Also, even though reporting is not always required when the victim is an SPU student or employee, it is still encouraged so that the victim can access available resources for support
- **If Yes:** Continue to Question #4.
- **If No:** Skip to Question #5.

**Question #4: Do you have a reasonable belief that the alleged sexual misconduct may have occurred?**

- **Explanation:** If you have a reasonable belief of possible sexual misconduct, you should make a report. You do not need to know for certain what actually happened.
- **If Yes:** You are required to make a report to the designated university official. See “Reporting Options and Additional Resources” at the end of this document.
- **If No:** Continue to Question #5.

**Question #5: Did you learn about a possible “Clery Act crime”?**

- **Explanation:**
  - A federal law known as the “Clery Act” requires that certain SPU employees and student leaders report certain types of crimes (“Clery Act crimes”) to designated university officials.
  - The list of reportable Clery Act crimes is:

➤ Murder/non-negligent manslaughter	➤ Robbery	➤ Liquor law violation arrest
➤ Negligent manslaughter	➤ Aggravated assault	➤ Hate crimes
➤ Rape	➤ Burglary	➤ Domestic violence
➤ Fondling	➤ Motor vehicle theft	➤ Dating violence
➤ Incest	➤ Arson	➤ Stalking
➤ Statutory rape	➤ Weapon law violation arrest	
	➤ Drug abuse violation arrest	
- **If Yes:** Continue to Question #6.
- **If No:** Skip to Question #9.

**Question #6: Are you a “Campus Security Authority”?**

- **Explanation:**

- The SPU officials who have mandatory reporter obligations under the Clery Act are known as “Campus Security Authorities,” or “CSAs.”
- CSAs may or may not be SPU employees. SPU has designated the following individuals as CSAs:
  - Office of Safety and Security staff
  - Human Resources staff
  - Office of Student Life staff
  - Athletic Directors and Coaches
  - Faculty Advisors
  - Study Abroad Program staff and faculty
  - Student Employee Supervisors
  - Staff in Roles of Ministry or Counseling (but see exception below)
  - Building monitors
  - Resident Assistants
  - Health Center staff
- Exception: Pastoral and professional counselors are not considered CSAs when acting in their roles as pastoral or professional counselors
- **If Yes:** Continue to Question #7.
- **If No:** Skip to Question #9.

***Question #7: Did the alleged Clery Act crime occur on campus, adjacent to campus, or at off-campus property owned or controlled by SPU?***

- **Explanation:** Clery Act crimes only need to be reported if they occur:
  - On campus,
  - On public property adjacent to and accessible from on-campus property, or
  - At off-campus buildings or property owned or controlled by the University.
- **If Yes:** Continue to Question #8.
- **If No:** Skip to Question #9.

***Question #8: Do you have a reasonable basis for believing the alleged Clery Act crime occurred?***

- **Explanation:**
  - A CSA must report information about a Clery Act crime if the CSA believes the information was provided in good faith. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay.
  - A CSA does not need to have witnessed the crime and is not responsible for proving or deciding whether a crime actually took place.
  - Information about attempted crimes should be reported, not just completed crimes.
- **If Yes:** You are required to make a report to the designated university official. See “Reporting Options and Additional Resources” at the end of this document.
- **If No:** Continue to Question #9.

***Question #9: Do you have reasonable cause to believe that a child has suffered abuse or neglect?***

- **Explanation:**
  - Washington State imposes mandatory reporting obligations on school personnel (e.g., teachers, counselors, administrators) regarding child neglect or abuse.
  - For this purpose, “reasonable cause” means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.
  - A child is any person under the age of eighteen.
- **If Yes:** You should immediately report the situation to the Office of Safety and Security by calling (206) 281-2911.
- **If No:** If after reviewing this step by step guide you believe you are not required to make a report but you still have a concern, you are encouraged to contact SPU’s Office of Safety and Security.

## Reporting Options and Additional Resources

### *Reporting Options*

- Any report may be made using the [SPU Online Reporting Form](#).
- Reports of sexual misconduct may also be made to any of the individuals designated by SPU as “Sexual misconduct report receivers,” who are listed on the [SPU Title IX Website](#).
- Reports of Clery Act crimes and reports of abuse or neglect of a child can be made to the Office of Safety and Security by calling (206) 281-2911 or by emailing Cheryl Michaels at [michac@spu.edu](mailto:michac@spu.edu).

### *Additional Resources*

- **Campus Security Authorities – Frequently Asked Questions:** This document provides detailed guidance about reporting obligations for Campus Security Authorities (CSAs) under the Clery Act, including definitions of Clery Act crimes and a discussion of the exception for pastoral and professional counselors. The document is posted on the [SPU Title IX Website](#).
- **Title IX Mandatory Reporters – Frequently Asked Questions:** This document provides detailed guidance about reporting obligations for Title IX Mandatory Reporters under Title IX, as well as instructions for SPU employees and student leaders who are not Title IX Mandatory Reporters but learn about sexual misconduct that affects SPU people. The document is posted on the [SPU Title IX Website](#).
- **Checklist for Responding to Disclosures of Sexual Misconduct:** This document contains a list of steps to take if someone discloses to you that he or she has been a victim of sexual misconduct. It is posted on the [SPU Title IX Website](#).
- **SPU Complaint Procedures:** If an individual wants to make a formal complaint about sexual misconduct, then the applicable University procedure will depend on the type of incident and the identities of the parties. The [SPU Title IX Website](#) contains links to the different procedures that may apply (see sections titled “Additional Information for Students,” “Additional Information for Faculty,” and “Additional Information for Staff”).