CONFIDENTIALITY, PRIVACY AND REPORTING POLICY

Confidentiality and Reporting Offenses Under This Policy

All Seminary employees (faculty, staff, and administrators) are expected to immediately report actual or suspected discrimination or harassment to appropriate officials, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and Responsible Reporting requirements when consulting campus resources. Director of Worship may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate seminary officials, thereby offering options and advice without any obligation to inform an outside agency or individual unless a victim has requested information to be shared. The Title IX Coordinators are available for a victim to report crimes and policy violations, and they will take action when an incident is reported to them.

On-Campus/Online Confidential Reporters:

Co-Title IX Coordinators – Marcia Byrd or Steve Swallow titleix@united.edu

Director of Worship – Kimberly Hamby 937-529-2256 khamby@united.edu

Suggested Off-campus Resources:

- Licensed professional counselors
- Local rape crisis counselors or Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains

The above Seminary employees will maintain confidentiality except in extreme cases involving immediate threat or danger, or abuse of a minor. These Title IX Coordinators will submit [timely, quarterly, semesterly, yearly] anonymously, aggregate statistical information for Clery Act purposes unless they believe it would be harmful to a specific client, patient, or parishioner.

Formal Reporting Options

All Seminary employees have a duty to report, unless they fall under the "Confidential Reporter" section above. Reporting parties may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared by the employee with the Title IX Coordinators and/or Deputy Coordinators. Employees must share all details of the reports they receive. Generally, climate surveys, classroom writing assignments, human subjects research, or events such as speak-outs

do not provide notice that must be reported to the coordinators by employees. Remedial actions may result without formal seminary action.

If a victim does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the victim may make such a request to the Title IX Coordinators or Deputy Coordinators, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the Seminary will likely be unable to honor a request for confidentiality. In cases where the victim requests confidentiality and the circumstances allow the Seminary to honor that request, the Seminary will offer interim supports and remedies to the victim and the community but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have reports taken seriously by the Seminary when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy for the reporter, and only a small group of officials who need to know will be told information will be shared as necessary with investigators, witnesses, and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy. Additionally, anonymous reports can be made by victims and/or third parties using the online reporting form posted at Reporting Form. Note that these anonymous reports may prompt a need for the institution to investigate.

Reports to the Title IX Co- Coordinators can be made via email, phone or in person at the contact information below:

Marcia Byrd or Steven Swallow
United Theological Seminary
4501 Denlinger Road
Dayton, Ohio 45426937-529-2201
Email: titleix@united.edu

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of sex or gender harassment or discrimination of which they become aware, is a violation of Seminary policy and can be subject to disciplinary action for failure to comply with Seminary policies.

Federal Statistical Reporting Obligations

Certain campus officials those deemed Campus Security Authorities – have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical

reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to VP for Finance and Administration regarding the type of incident and its general location (on or off campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include Title IX Coordinators, local police, , human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Federal Timely Warning Reporting Obligations Victims of sexual misconduct should also be aware that Seminary administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The seminary will ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Additional Policy Provisions

a. Attempted Violations

In most circumstances, the Seminary will treat attempts to commit any of the violations listed in the Non-Discrimination and Anti-harassment Policy as if those attempts had been completed.

b. False Reports

The Seminary will not tolerate intentional false reporting of incidents. It is a violation of the Student Handbook to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

c. Amnesty for Victims and Witnesses

The Seminary community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to Seminary officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to seminary officials, and that witnesses come forward to share what they know. To

encourage reporting, the Seminary pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.

Sometimes students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, as student who has been drinking underage might hesitate to help take a sexual misconduct victim to the Campus leadership). The seminary pursues a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, the Seminary will provide educational options, rather than punishment, to those who offer their assistance to others in need.

d. Notifications

Considering the proportionality of the allegation, findings may be reported to the church judicatory where the student or employee holds ecclesiastical status. This would occur with the knowledge of the person complained against and the agreed decision of the President and Academic Dean. The seminary also reserves the right to designate which seminary officials have a need to know about individual conduct reports pursuant to the Family Educational Rights and Privacy Act.