

### **What if a student discloses an incident that falls under the policy as part of a class assignment or class discussion?**

This disclosure is reportable to the Title IX Coordinator.

### **Do Student Employees have an obligation to report?**

The following groups of student employees are Responsible Employees: All graduate student employees and undergraduate student employees who are Resident Advisors, Teaching Assistants, and Student Patrol Officers. These student employees, unless designated a confidential employee, must report to the Title IX Office if they learn about prohibited conduct under the Sex-Based Misconduct Policy during the course of their employment. “During the course of their employment” means becoming aware of an incident during and through the course of their work, such as someone disclosing to the student employee because of their role as a Resident Advisor, Teaching Assistant, or Tutor, for example.

### **Do Complainants have to self-report?**

A Responsible Employee who is themselves a target of prohibited conduct under the Sex-Based Misconduct Policy is not required to report their own experience, though they are encouraged to do so.

## **NOTIFIED OF STUDENT PREGNANCY OR RELATED CONDITION: RESPONSIBILITY TO SHARE INFORMATION**

When a student, or a person who has a legal right to act on behalf of the student, informs any employee of their pregnancy or related conditions, the employee must inform the person of:

- The Title IX Coordinator’s contact information
- That the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student’s equal access to the recipient’s education program or activity.

### **Do Student Employees have to provide this information when a student informs them of their pregnancy or related condition?**

The following student employees have this responsibility to share information when acting in the scope of their employment: All graduate student employees and undergraduate student employees who are Resident Advisors, Teaching Assistants, and Student Patrol Officers.

### **Does the employee have to report the pregnancy or related condition disclosure to the Title IX Coordinator?**

No, the employee should provide the student with the appropriate information and let the student decide their next steps. If the Title IX information was shared verbally, the employee may follow up via email. Examples of an email response can be found at [go.illinois.edu/pregnancy](http://go.illinois.edu/pregnancy).

### **Do Confidential Employees have to share information?**

Yes. All employees, including confidential employees and certain student employees, are obligated to share the required information when a student or a person who has a legal right to act on behalf of the student, informs the employee of their pregnancy or related condition.

## **RESOURCES**

### **Title IX Office**

614 E. Daniel Street, Suite 303  
Champaign, IL 61820  
(217) 333-3333 or toll free (844) 616-7978  
8:30 a.m.–5 p.m., Monday–Friday  
Danielle Fleenor, Title IX Coordinator  
[titleixcoordinator@illinois.edu](mailto:titleixcoordinator@illinois.edu)

**We Care: Sex-Based Misconduct Support, Response, and Prevention** [wecare.illinois.edu](http://wecare.illinois.edu)  
**Title IX Office: Pregnancy & Related Conditions**  
[go.illinois.edu/pregnancy](http://go.illinois.edu/pregnancy)

# TITLE IX REPORTING AND INFORMATION SHARING OBLIGATIONS FOR EMPLOYEES

## NOTIFIED OF SEX-BASED MISCONDUCT

### Who are Responsible Employees?

With the exception of Confidential Employees, all staff, faculty, and certain student employees (as outlined below) are Responsible Employees. Responsible Employees are university employees who are required to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute Prohibited Conduct under the Sex-Based Misconduct Policy.

The following groups of student employees are also Responsible Employees: Undergraduate student employees who are Resident Advisors, Teaching Assistants, and Student Patrol Officers, and all graduate student employees.

### Who are Confidential Employees?

Confidential employees are U of I employees who are not required to notify the Title IX Coordinator when a person informs them of conduct that reasonably may constitute Prohibited Conduct under the Sex-Based Misconduct Policy. There are three types of confidential employees:

#### Employees whose communications are privileged or confidential under Federal or State law.

- Examples of those who have confidentiality bestowed by law may include medical professionals, attorneys, and mental health professionals/counselors.
- For confidentiality to apply, the employee must be in a confidential relationship with the person reporting, such that at the time of receiving the notice or disclosure they are within the scope of their duties to which privilege or confidentiality applies.

#### Confidential Advisors located in the Women's Resources Center

- A Confidential Advisor's confidential status is only with respect to information received about sex-based misconduct in connection with providing services related to the disclosure.

An employee conducting an Institutional Review Board-approved human-subjects research study, designed to gather information about sex discrimination.

- The employee's confidential status is only with respect to information received while conducting the study.
- Please note that that if a disclosure is made in an IRB study that is not designed to gather information about sex discrimination, it must be reported to the Title IX Coordinator.

### What information do Responsible Employees share with the Title IX Coordinator?

Responsible Employees must report to the Title IX Coordinator as soon as possible after receiving the report, all relevant details about the allegations that the person has shared. This includes the names and contact information of the parties involved, other individuals involved or witnesses, as well as relevant facts, including the date, time, and location. While you do have an obligation to report what is shared with you with the Title IX Coordinator, please note that you should not investigate or try and ask more questions to obtain additional details about the incident. Investigation and response to reports of sex-based discrimination or harassment requires specific training.

### What is Prohibited Conduct under the Sex-Based Misconduct Policy?

Prohibited Conduct includes sex discrimination; sex-based harassment, which is hostile environment harassment, quid pro quo harassment, sexual assault, dating violence, domestic violence, and stalking; and other misconduct which is unwelcome conduct of a sexual, sex, or gender-based nature, sexual exploitation, sexual violence, and retaliation. Sex-based includes on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Full definitions are available in the policy [cam.illinois.edu/policies/hr-79](http://cam.illinois.edu/policies/hr-79).

### Where should Responsible Employees submit a report to notify the Title IX Coordinator?

Online: [wecare.illinois.edu/report](http://wecare.illinois.edu/report)

If an employee has questions about reporting or issues with the online form, they should contact the Title IX Office.

### What information does a Confidential Employee have to share with a person who disclosed?

A confidential employee must explain to any person who informs the confidential employee of conduct that reasonably may constitute Prohibited Conduct under the Sex-Based Misconduct Policy:

1. The employee's status as confidential for purposes of the Sex-Based Misconduct Policy, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex-based misconduct;
2. How to contact the Title IX Coordinator and how to make a report or complaint; and
3. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as help initiate an informal resolution process or an investigation under the grievance procedures.

### What if a Confidential Employee is serving as an instructor and is told of an incident of sex-based misconduct?

If an employee is performing duties that are not confidential or privileged, such as teaching, or is not providing confidential advising, the employee must report to the Title IX Coordinator.

### What about disclosures at Public Awareness Events, like Take Back the Night?

Disclosures at U of I public awareness events require reporting to the Title IX Office, but they are not disclosures obligating a university response unless there is an imminent and serious threat. Employees attending the event must report any disclosures to the Title IX Coordinator for a safety analysis. The university will use this information to inform its efforts to prevent sex-based harassment.