



## REFERENCE GUIDE

# Responsible Employee Guidelines

## Who is a Responsible Employee?

A responsible employee includes any employee:

- who is a Campus Security Authority (CSA);
- who has the authority to take action to redress sex discrimination,
- who has been given the duty of reporting incidents of sex discrimination or any other misconduct to the Title IX coordinator or other appropriate school designee; or
- an employee whom a person could reasonably believe has this authority or duty.

## Your Responsibilities

If you are a responsible employee, you must:

- **report all incidents of potential sex discrimination** (including sexual harassment and sexual violence) that you know about, or should have known about, to the Title IX coordinator;
- **communicate to students, faculty and staff** who are considering disclosing or have disclosed information about sexual discrimination or sexual violence that, as a Responsible Employee, you are required to report such information to the Title IX coordinator;
- **contact the Title IX coordinator** with questions or concerns;
- **complete all applicable NC State training** on reporting requirements and stay current on training requirements.

## Key Points to Remember

- Report concerning behaviors or incidents whether or not they occur on campus.
- Do not attempt to investigate. Instead, seek basic information and report the incident as soon as possible.
- Do not judge or use judgmental language when taking a report.
- Do not confront the alleged perpetrator.
- Sexual violence is only one form of conduct that responsible employees must report. Responsible employees must also report any discrimination, harassment or violence related to sex, pregnancy, sexual orientation or gender identity to the Title IX coordinator.

## Definitions

### Consent

an affirmative decision to engage in sexual activity given by clear action or words. It is an informed decision made freely, willingly and actively by all parties. Behavior will be considered “without consent” if no clear consent, verbal or nonverbal, is given. Consent cannot be procured by physical force, compelling threats, intimidating behavior or coercion. A person cannot give consent if incapacitated as a result of alcohol or drug consumption (voluntary or otherwise), unconscious, unaware or asleep during the act, under the legal age to provide consent, or otherwise lacking the capacity to consent. A lack of protest or resistance is not a valid form of consent. Silence is not a valid form of consent. A prior relationship or prior sexual activity is not sufficient to demonstrate consent. Consent can be revoked or withdrawn at any time, even during a sexual act. If consent is withdrawn, the sexual act is no longer consensual.

### Dating Violence

conduct arising out of a social, personal, romantic or intimate relationship or a dating relationship that inflicts physical injury upon another person or is a pattern of coercive behavior that is used by one person to gain power and control over another; may include the use of physical and sexual violence, verbal and emotional abuse or any conduct that places another in fear of, or at risk of, physical injury or danger.

### Domestic Violence

conduct arising out of a personal, romantic or intimate relationship where the parties are current or former spouses, persons who live together or have lived together, have child in common, are current or former household members that inflicts physical injury upon person fitting this definition; or is a pattern of coercive behavior that is used by one person to gain power and control over another. It may include the use of physical and sexual violence, verbal and emotional abuse, or any conduct that places another in fear of, or at risk of, physical injury or danger.

# Definitions

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## Hostile Environment

severe and pervasive conduct that interferes with a person's regular activities.

## Quid Pro Quo

benefits are offered in exchange for the giving of sexual favors or the denial of benefits when sexual advances are refused.

## Relationship or Interpersonal Violence

includes dating violence, domestic violence and stalking; occurs when one person in a social relationship of a romantic or an intimate nature uses abuse to maintain power over a partner. Abusive behaviors can be physical or emotional, including but not limited to threats of self-harm or harm to others, pervasive and derogatory name calling, belittling, isolation or engaging in sexual acts while in a dating or domestic relationship when one of the individuals does not consent.

## Sex Discrimination

unequal treatment based on sex, sexual orientation or gender identity; for example, groping or other inappropriate touching; offensive photographs or comments; verbal or physical attacks based on sex, sexual orientation or gender identity; pregnancy discrimination; unequal compensation based on sex, sexual orientation or gender identity; failure to hire or promote based on sex, sexual orientation or gender identity; sexual assault, domestic or dating violence or stalking.

## Sexual Harassment

unwelcome conduct of a sexual nature.

## Sexual Violence

contact without consent; for example, rape, sodomy (oral or anal sex), sexual battery (e.g., grabbing breasts, buttocks, private areas, forcible fondling).

## Stalking

engaging in a course of conduct directed at a specific person, whether in the context of a social or intimate relationship or otherwise, that would cause a reasonable person to feel fear for their safety or the safety of others or suffer substantial emotional distress. Stalking, including cyberstalking, may include, for example, non-consensual communication, including in-person communication or contact, surveillance, telephone calls, voice messages, text messages, emails, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts or any other communications that are undesired and/or place another person in fear of, or at risk of, physical injury or danger.

# When You Receive a Report

## COLLECT INFORMATION

Remember, as a responsible employee, you **CANNOT** be a confidential resource, as you have an obligation to report the incident. Before an individual reveals information to you that they may wish to keep confidential, you should ensure that they understand:

- your obligation to report the incident to the Title IX coordinator, lead deputy Title IX coordinator or OIED's Equal Opportunity and Equity unit.
- the individual's option to request that NC State maintain their confidentiality (which NC State will consider); and
- the individual's ability to share information confidentially with the Counseling Center, Student Health Center or a religious counselor.

## REPORT THE INCIDENT

Responsible employees must report the incident to the Title IX coordinator or lead deputy Title IX coordinator. Responsible employees may also report it to OIED's Equal Opportunity and Equity unit. Reports must be made within 24 hours or as soon as possible. If you are a CSA, you are also obligated to make a CSA report to NC State Police.

The specific Responsible Employee Report should include all relevant details shared about the alleged incident. This includes:

- name of the alleged;
- perpetrator (if known);
- individual who experienced the alleged conduct;
- other individuals involved in the alleged conduct;
- date, time and location of the incident.

## PROVIDE INFORMATION & RESOURCES

### 1. Inform the individual of resolution options and provide them with a copy of the Resources and Reporting guide:

- criminal investigation by NC State Police;
- filing an administrative Title IX complaint with the Office for Institutional Equity and Diversity (OIED);
- Title IX investigation by OIED's Equal Opportunity and Equity unit; and/or
- information about a conduct hearing by the Office of Student Conduct.

### 2. Connect the survivor to resources:

- Safe at NC State website ([go.ncsu.edu/safe](http://go.ncsu.edu/safe))
- Sexual Assault Helpline (919.555.4444)
- Women's Center
- Counseling Center
- Student Health Center
- Violence Prevention and Threat Management
- Faculty and Staff Assistance Program

## REPORTING OPTIONS

**Office for Institutional Equity and Diversity  
Equal Opportunity and Equity** (all sex-related complaints, responsible employee reports)

919.513.0574, web: [go.ncsu.edu/complaint](http://go.ncsu.edu/complaint)

**NC State Police** (all crimes)

919.515.3000 or 911, web: [go.ncsu.edu/cleryreport](http://go.ncsu.edu/cleryreport)

**NC STATE**

Office for Institutional Equity and Diversity  
Equal Opportunity and Equity  
231 Winslow Hall