

Faculty and Staff Sexual Harassment and Sexual Misconduct Quick Reference Guide



WHAT & WHEN TO REPORT

San José State University is committed to creating and sustaining an educational and working environment free from harassment, discrimination and retaliation. The Title IX policy and process regarding these prohibited forms of misconduct are set forth in CSU [Executive Order 1096](#) (employees and third-parties) and [Executive Order 1097](#) (students). If you experience any such misconduct, you are strongly encouraged to utilize the various support resources and report the incident/s to the Title IX Office. Your safety and well-being are a top priority for the University.

What to Report to the Title IX Office:

- Sexual Harassment/Discrimination
- Sexual Misconduct
- Stalking
- Dating/Domestic Violence (Interpersonal Violence)
- Retaliation for filing a Complaint regarding the above

Note that there is no deadline for reporting a Title IX violation. You should immediately contact the Title IX Office at 408-924-7289 or titleix@sjsu.edu.

ALWAYS REMEMBER: FOR EMERGENCY & URGENT MATTERS, CALL 911, 408-924-2222 OR 4-2222 from a campus phone

DUTY TO REPORT AND RESOURCES

Most University employees have a **duty to report** sexual harassment/discrimination and/or sexual misconduct incidents involving students or other employees once they are on notice. Pursuant to the CSU Executive Orders, the University must take immediate and appropriate steps to investigate what happened and resolve the matter promptly and equitably. To report a potential Title IX violation, you should immediately contact the Title IX Office at 408-924-7289 or titleix@sjsu.edu.

The University will need to determine what happened and will need to know the names of the victim(s) and the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident. You are not required to and should not conduct your own inquiry. Please report the details you know to the Title IX Office and the Title IX Officer will conduct an appropriate inquiry.

Exceptions to the duty to report requirement are limited to the Survivor Advocate, Counseling and Psychological Services and the licensed medical professionals in the Student Wellness Center.

Faculty and staff who wish to seek confidential help are encouraged to contact the Employee Assistance Plan, (800) 367-7474, http://www.sjsu.edu/hr/benefits/life_matters/ or the Survivor Advocate at (800) 572-2782.

WHAT HAPPENS ONCE A REPORT IS RECEIVED?

The Title IX Office provides resources to a survivor/victim in all cases where the identity is known. In addition, the Title IX Office offers:

Complainant

- Explanation of process
- Explanation of Rights and Responsibilities
- Written information on CSU Policies
- Available Resources (including Survivor Advocate)
- Right to Advisor

Respondent

- Explanation of process
- Explanation of Rights and Responsibilities
- Written information of CSU Policies
- Available Resources
- Right to Advisor

[Executive Order 1096](#) provides the process for a Title IX formal or informal investigation sought by faculty or staff. A Title IX investigation is independent from the criminal process. A survivor/victim may request a Title IX investigation, file a report with law enforcement or do both or neither. Title IX investigations regarding faculty or staff comply with any applicable Collective Bargaining Agreement provisions.