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Walking the Tightrope: Navigating Faculty Status as a Mandatory Reporter in the #MeToo Era

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Abstract

One of the goals of the #MeToo movement is to elevate the voices of survivors. Course content related to sexual victimization often stresses the importance of understanding the experiences of victims of crime, and it is likely that such discussions result in student disclosures of sexual victimization to faculty. At the same time, institutions of higher education have created policies, such as making professors “mandatory reporters,” which require them to report disclosures to Title IX coordinators irrespective of a student’s desire to report. This essay will unpack the complicated nature of supporting survivors on campus in the #MeToo era: Where on the one hand, victims are encouraged to tell their story, but on the other hand, institutional policies may remove their agency if they do. As #MeToo has advanced our understanding of sexual victimization experiences, it should also help us to improve our policies responding to those empowered by the movement.

Keywords

Title IX, sexual misconduct, compelled disclosure, supportive reporting

All institutions of higher education (IHEs) that receive federal funding must abide by Title IX of the Education Amendments of 1972 which prohibits discrimination in any educational activity on the basis of sex, including sexual harassment (or *sexual misconduct* in IHE speak). In compliance with Title IX guidance, IHEs must identify *responsible employees* who are mandated to report allegations of sexual misconduct to their campus’ Title IX coordinator. Importantly, responsible employees must report even in instances where the complainant (i.e., victim) does not wish to report (also known as compelled disclosure; Holland et al., 2018) or when someone discloses an incident involving another student.

Responsible employees and their reporting mandates were first described in the U.S. Department of Education’s (DoE) Office of Civil Rights’ (OCR) seminal Title IX guidance in 1997; however, increased attention on mandatory reporting and the implications of compelled disclosure on victims of sexual misconduct emerged after the OCR released a “Questions and Answers on Title IX” document in 2014 describing in detail “who is a responsible employee” (pp.15-16). OCR (2014) identified a responsible employee as *any employee*:

who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or whom a student could reasonably believe has this authority or duty (emphasis added; p. 15, see also 2011, p. 13).

OCR (2014) went on to provide additional discussion regarding how IHEs might determine which personnel constitute a responsible employee. It was upon receipt of this highly detailed guidance document that many IHEs began designating all faculty members as responsible employees (hereafter referred to as mandatory reporters) under Title IX and actively informing them about their duty regarding compelled disclosures. The widespread designation of faculty members as mandatory reporters was met with backlash from many faculty – particularly those who had long been receiving student disclosures, often with little to no input or support from campus officials (see Flaherty, 2015; Holland et al., 2020a). Of particular concern was that mandatory reporting (1) requires faculty to violate their student’s confidentiality and (2) removes student survivors’ agency regarding whether to report.

The #MeToo and #TimesUp movements pressured a range of institutions, including IHEs, to recognize sexual harassment including sexual assault. Likewise, student and student-survivor led campaigns and activist groups such as It’s On Us, Know Your IX, and Students Active for Ending Rape (SAFER) have been influential in reducing the stigma associated with reporting sexual assault and in providing students with student-specific platforms to tell their story (e.g., social media groups, on-campus and virtual student events). Thus, at the same time IHEs implemented mandatory reporting policies, these larger forces empowered many student survivors to tell their stories on their own terms. As faculty, herein lies our tightrope: these cultural movements actively elevate survivors’ voices and prioritize survivor control of their stories – tenets we stress in our classes – however, at the same time, IHEs’ decisions to widen the net of mandatory reporters actively diminish survivors’ power when they disclose experiences of victimization. As noted by Freyd (2016),

Sexual violence robs survivors of autonomy and control. This is its fundamental injury. A second fundamental injury of sexual violence can occur after the event is perpetrated when other people - even well-meaning people - learn about the violence and then further intrude on the survivor’s autonomy and control (para 1).

The following essay will unpack the complicated nature of supporting survivors on campus in the #MeToo era: Where on the one hand, victims are actively encouraged to

tell their story, but on the other hand, institutional policies may remove their agency if they do. This tightrope may be even more taunt given the almost global transition to online courses during the COVID-19 pandemic where the increased use of reflective writing assignments and discussion forums provided increased opportunities for student disclosures to faculty, particularly in courses focused on crime and victimization.

Herein, we will briefly review the literature on student to faculty disclosures and mandatory reporting, discuss ways in which faculty can serve students under mandatory reporting policies, and advance “supportive disclosure policies” that allow survivors to make empowered and informed decisions as a mechanism to improve policies in the wake of #MeToo’s survivor empowerment movement.

This essay largely relies on our personal experiences teaching university students and the practices suggested by other scholars presented in the literature. We acknowledge that while there are best practices regarding trauma-informed responses to sexual assault (e.g., SAMHSA, 2014; Walsh & Bruce, 2011; Zweig & Burt, 2007), there is little in the way of empirical evidence regarding what works best for survivors at the institutional policy level; however, where possible we will provide specific examples to support our points. We will close this essay by discussing future research needs as well as other directions on how to move forward.

Mandatory Reporting and Student-to-Faculty Disclosures

Despite widespread discussion about mandatory reporting, little data exists regarding how IHEs designate mandatory reporters, and thus, *who* is a mandatory reporter varies by institution. For example, Holland and colleagues (2018) reviewed 146 IHEs’ policies and found that just under 70% identified all faculty and staff as mandatory reporters, 19% identified *most* employees as mandatory reporters, 4% named *few* employees as mandatory reporters (i.e., top leadership), and 8% were ambiguous and could not be determined by examining policies. Thus, not all IHEs have designated faculty members as mandatory reporters, but it is generally recognized that many faculty members are mandatory reporters. Importantly, neither the New Final Rule for Title IX (OCR, 2020), nor historical guidance (U.S. Department of Education, 1997, 2001, 2014) specify that faculty members *must* be designated as mandatory reporters (U.S. Department of Education, 2020). Rather, institutions – and in some cases, state law (e.g., Texas Senate Bill 212) – developed these requirements. In April 2021, the Academic Alliance for Survivor Choice (ASC) in Reporting Policies – a group of over 100 faculty, students, and other experts who support choice and autonomy for student

survivors (including three of the present authors) – wrote a letter to Secretary of Education Miguel Cardona asking that the Administration consider limiting the use of mandatory reporting policies in any new Title IX guidance (ASC, 2021). It remains to be seen if and how President Biden’s Department of Education will change Title IX guidance regarding mandatory reporting. Taken together, we recognize that these policies will likely continue to evolve and change as administrations change over time.

Prior research indicates that faculty across academic disciplines receive student disclosures of victimization, including sexual misconduct, and that faculty teaching sensitive topics (e.g., victimology, intimate partner violence), are most likely to receive them (Richards et al., 2013). Programs are offering (and even requiring) courses that focus exclusively on victimization and gender-based violence which provide organic opportunities for students to disclose victimization experiences in class discussions, in writing assignments, or during office hours. Indeed, about one in ten programs affiliated with the Academy of Criminal Justice Sciences require a course on victimology or victimization (Bostaph et al., 2014). Greater uses of time-intensive experiential components such as faculty-led study abroad programs, and the use of social media in courses may also increase faculty members’ opportunities to learn about the victimization of their students. In addition, the increased use of online learning (especially during the COVID-19 pandemic) which often relies heavily on discussion forums, blogs, and written assignments also provide ample opportunities for students to disclose. In synchronous online courses, students may disclose during class discussions or within break-out rooms. For these particular courses, there are a multitude of ways in which students may (or may not) disclose. Faculty teaching sensitive topics who are particularly likely to receive disclosures may view mandatory reporting policies differently than other faculty, as they are more impacted by disclosures (Hayes-Smith et al., 2010).

Studies suggest that those most likely to work closely with victims of crime (e.g., advocates, service providers) are less supportive of mandatory reporting policies and have identified a range of potential harms to victims (Brubaker & Manicini, 2017; Holland et al., 2019). Critics of these policies point to potential problems and unintended consequences such as the removal of victims’ agency, exacerbation of trauma, and associated reduction in reporting, as well as confusion for employees regarding their duties to their students and IHEs (Holland et al., 2018b; Weiss & Lasky, 2017). A significant body of research has reviewed the impact of disclosure experiences of sexual assault on survivors and their recovery (e.g., Ahrens et al., 2007; 2010). A victim-centered approach to disclosures will return the power lost during the

assault back to the survivor. Indeed, “empowerment, voice, and choice” is one of the six principles of a trauma-informed approach for working with survivors identified by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) (2014, p.9). Mandatory reporting policies which compel faculty to disclose student survivors’ stories are in direct contradiction to these ideals. Such policies remove the survivors’ autonomy and ability to make decisions that best align with their lived experience. This may be even more problematic in instances where someone besides the survivor discloses and the mandatory reporter is compelled to report the incident to Title IX. In these cases, the student who experienced the victimization may be unaware the incident was even disclosed until the Title IX coordinator contacts them.

At the same time, supporters of mandatory reporting point to the possible advantages of such policies, including their potential to uncover more instances of sexual violence, better hold IHEs accountable for responding to sexual violence, connect survivors with resources, and simplify decision-making for university employees (Holland et al., 2018). The effectiveness of mandatory reporting policies on increasing/streamlining investigations and victim services is dependent on students disclosing to a mandatory reporter and, in turn, mandatory reporters then reporting to the appropriate office. This two-step process requires understanding and buy-in from both student survivors and mandatory reporters. The second step of this process is critical as a mandatory reporter’s response to a disclosure can have serious implications for the well-being and overall healing process for the victim (Holland & Cortina, 2017).

Overall, it appears that mandatory reporters and students are aware that mandatory reporting policies exist (Amin, 2019; Newins & White, 2018; Newins et al., 2018). Further, extant research has found that students (Amin, 2019; Mancini et al., 2016; Newins & White, 2018; Newins et al., 2018), faculty (Newins & White, 2018; Newins et al., 2018), and members of the public (Mancini et al., 2019) generally favor such policies. However, these findings must be interpreted with caution, as individuals voicing support for mandatory reporting may not have a detailed understanding of the policies (Amin, 2019; Holland & Cortina, 2017). Further, persons who know a victim or who are survivors may be less supportive of mandatory reporting (Amin, 2019; Holland et al., 2019; Holland et al., 2020a). Student survivors may be less likely or feel unsure about talking to faculty about their own experiences even if they are supportive of mandatory reporting as a general policy (Newins & White, 2018; Newins et al., 2018). Further, research is unclear as to whether mandatory reporting policies increase reporting to Title IX coordinators. Newins and colleagues (2018) found that while

faculty were likely to say they would report a disclosure¹, students were not as definitive as to whether they would actually disclose to faculty. Consistent with this conclusion, Mancini and colleagues (2016) found that roughly half of their sample of undergraduate students (56%) said mandatory reporting would increase the likelihood they would report a sexual victimization; however, at the same time, 62% of these same participants were worried their peers would be less likely to report under the policy (Mancini et al., 2016).

Since data collection for these aforementioned studies, the #MeToo movement has raised conversations regarding sexual victimization and survivor choice, and some recent research suggests that mandatory reporting policies may actually decrease the likelihood of reporting to Title IX coordinators (Holland et al., 2020a; Holland et al., 2020b). In addition, the DoE proposed (2017) and finalized (2020) major changes to the formal Title IX investigation and adjudication process, with the New Final Rule for Title IX (2020) now requiring a live hearing and live cross examination of complainants and respondents. Furthermore, within hours of the confirmation of President Biden's Secretary of Education Miguel Cardona, 115 Democratic lawmakers sent a letter requesting that he review the 2020 New Final Rule (Spieir, 2021), and the Department of Education has scheduled public hearings on Title IX for June 2021 (U.S. Department of Education, 2021). As a result of this ongoing attention to Title IX, students may now be more aware of what happens if they disclose to a mandatory reporter and the incident is investigated and/or may be wary of engaging in a Title IX administrative process that now mirrors that of a criminal trial. As such, students' and faculty members' support for mandatory reporting policies and students' likelihood to report to a mandatory reporter may have changed. This remains an important area for continued research.

In the following section we detail ways in which faculty members operating under these policies might encourage every student to make an informed choice about disclosures, and support student survivors in ways which are trauma-informed and victim-centric. It should be noted that much of the discussion stems from our own personal experiences with mandatory reporting policies and approaches we have taken in the classroom, and we use examples to support our points where possible. We ground these strategies in principles of trauma-informed care, namely "empowerment, voice, and choice" (SAMHSA, 2014, p.9). While in no way exhaustive, they provide a starting place for faculty looking to support student survivors as they focus on actions that can be taken by individual faculty members given differences in policies,

practices, and resources across institutions, and as federal and state policies regularly evolve and change.

Encouraging Student Choice and Supportive Reporting

Faculty spend significant time in the classroom building rapport with students as they guide them through challenging material and help them unpack uncomfortable topics. Faculty are experts in their given discipline, and some hold both academic credentials and experience in the field (e.g., as a victim advocate). Taken together and adding course content on crime and victimization, in our experience, creates an environment where students are likely to disclose personal experiences with victimization to faculty members.

In practice, mandatory reporting policies look different across IHEs. At many IHEs faculty report allegations of sexual misconduct to the Title IX coordinator and the Title IX coordinator or deputy coordinator reach out to the disclosing student(s). However, some IHEs have adopted other models. For example, at Tulane University, faculty (and other mandatory reporters) make a Care Connection by reporting to a trained advocate in their Case Management and Victim Support Services, not the Title IX coordinator (Tulane, 2021, para 2). The Care Connection triages reports: accepting ‘no thank yous’ from students who do not want action to be taken, supporting students who want only interim measures, and sending students who want to file a formal complaint to Title IX (Tulane, 2021, para 2-3). It is likely that there are additional innovative mandatory reporting models in use at other IHEs. Similarly, in bathrooms on campus at Rutgers University, posters on sexual assault present ways to seek support (e.g., medical exam, counseling, accommodations) and ways to report (university police or Title IX office). They even include a QR-code that quickly links to the Title IX website. This novel approach to signs, that have been in bathrooms for a long time, quickly and efficiently highlight the difference between support and report.

Given differences in reporting models across IHEs, self-reflection and self-inventory are also important for faculty. Do you know about and understand Title IX and your own institution’s mandatory reporting policy? Are you aware of any exceptions that your institution has for mandatory reporting (e.g., disclosure in a class assignment or at an event meant to raise awareness for sexual violence like a Take Back the Night event)? Do you know:

- who serves as your Title IX coordinator and where they are located on campus?
- the process for reporting should a student disclose sexual misconduct to you?

- what will happen once you make a report and what services are available on and off campus for victims?
- services in surrounding areas where commuter students may live?

Students may be disclosing to you because they know you are a mandatory reporter and they are seeking trustworthy information on how to make a formal report. Alternatively, they may be disclosing to you without understanding you are a mandatory reporter and will want and deserve accurate information regarding, “what happens now?” Students will be best served when faculty receive their disclosures with both empathy and the knowledge necessary for students to make informed choices.

Faculty must also consider whether and how they will personally relay the syllabus statement to their students. Will you just assume students read it or will you read the statement at the beginning of the semester and offer students a time to ask questions? Will you revisit this statement when you cover sensitive and potentially triggering material? Faculty might also consider administering syllabus quizzes that include a specific question on mandatory reporting. Any of these options may make a difference. For example, a female student in a Victimology course taught by one of the authors noted this about syllabus statements in an assignment:

...in my experience, Title IX has not been properly explained at all during my time in college. All professors are required to put Title IX in their syllabus, but it is skimmed over every syllabus week. At the most, professors will inform students that they are required to report any sexual victimization to the authorities, which comes off as “don’t tell me because I can’t help you....

As mentioned previously, we speak from our personal experiences trying to maintain balance in this regard. One of the authors of this manuscript who teaches a course heavily focused on violence against women uses multiple points in the semester to remind students about the university policies regarding disclosures and mandatory reporting. That is, instead of merely reading the statement on syllabus day, the instructor unpacks the rationale for the statement. However, instead of framing it as just another policy at the institution – where students may not necessarily see how or why it relates to them – she explains the importance of all students understanding this policy (just as students would understand other well-known policies such as what constitutes academic misconduct). Further, she stresses that discussing these policies is not an attempt to stifle students’ voices or experiences; rather, it is to ensure that should a student disclose, it is an empowered and informed decision. That is, there is a

focus on being transparent about why the policies are brought up and how it relates to students.

This approach can be applied to both face-to-face and online settings. Further, it can be used in both synchronous and asynchronous online courses, as the dissemination of the information can be done through various mechanisms (e.g., verbally, through power point slides, in emails, at the top of each discussion post, through the chat feature in video calls). Moreover, using multiple approaches to disseminate this information is encouraged. As many of us know, students learn in different ways. It is important to note that there is not a “silver bullet” approach; students may still inadvertently disclose without truly recognizing the impact of their disclosure, however, it does increase the number of points that the faculty member attempted to relay this information to students in meaningful ways. The risk of redundancy is worth it if it protects someone’s autonomy and empowerment to make their own decisions.

Syllabus statements – and reiterating these statements throughout the semester – are only the beginning. There are many other situations that might arise where faculty have to consider how they approach the potential for disclosures; this applies to both online and face-to-face settings. The former has become even more important to consider with the increase in classes held online due to the COVID-19 pandemic and the inherent changes that will continue in postsecondary education. In both face-to-face and online (synchronous and asynchronous) settings, faculty must consider how to balance the commonplace use of discussion boards, break out rooms, or group settings with encouraging meaningful discussion about difficult topics that have the potential to initiate university involvement from disclosures.

Certainly – and perhaps obviously – faculty should not ask pointed questions about students’ personal experiences with topics that would naturally evoke a disclosure (e.g., do not ask students to speak on their own experiences with sexual violence). However, even with prompts that encourage students to think deeper about certain topics (e.g., societal rape myth acceptance; narratives about survivors’ experiences with the criminal justice system; identifying hurdles to leaving an abusive relationship) without asking them to explicitly draw on their own experiences, the potential for student disclosures arise. For example, it is not outside the realm of possibility for students to respond to an online discussion board post or in-class discussion question about an issue related to sexual violence and bring in their own experiences to contextualize their reply. Unfortunately, however, at universities that do not have exemptions for disclosures made during class assignments this might prompt a

mandatory reporter to gather the information and submit to their Title IX office, regardless of whether the student intended to evoke such a response. Thus, faculty must balance the need to push student learning further by encouraging discussion while also implementing safeguards so that students do not inadvertently disclose when they do not mean to initiate a formal university response.

In addition to the above-mentioned recommendations regarding prompts, one of the authors carefully constructs prompts so that responses are informed by research. That is, prompts require the student to cite at least one academic source. Instructions encourage students to not use singular first-person pronouns. The faculty member explains that statements such as “I think she did not leave the relationship because” can be easily reframed to “She did not leave the relationship because.” Additionally, responses are kept short (one page) so that students do not feel obligated or compelled to disclose because they just need to keep writing to fulfill a page length requirement. Again, the explanation of instructions reinforces the need to ground responses in research but also to ensure that disclosures are *empowered* and *informed*.

Despite these approaches to encourage students to disclose only when they are making that informed decision, faculty must consider how to interact with the student at the point of disclosure, weighing the desire to minimize the information a student shares in a compelled disclosure with the risk of shutting the student down. At the center of this decision must be the maximization of student choice, as power and choice are taken from a survivor during a sexual assault. This may be even more challenging if the student discloses in a written document (email or online assignment) or in a virtual environment where common indicators of support (handing flyer for services; tissues) may not translate the same. In service to maximizing student choice, the next section reviews an alternative model to mandatory reporting: supportive reporting policies.

Supportive Reporting Policies

While not all IHEs designate all faculty as mandatory reporters, many do. The University of Oregon has instituted arguably the most student survivor-centered policy regarding disclosures of sexual violence. The policy makes explicit the goals of “clarity and transparency” in identifying responsible employees to allow “students to make informed decisions” about disclosures (University of Oregon, 2019, p. 3). The University of Oregon categorizes all employees into three categories:

1. Designated Reporters: employees who have the authority to address prohibited conduct and whom students would reasonably expect to have the authority to remedy prohibited conduct (i.e., "responsible employees" for Title IX purposes);
2. Student Directed Employees: other employees who do not have the ability to address the discrimination or to implement corrective measures in response to a disclosure, but who are required to offer students information, resources, support, and the ability to report if that is the student's choice;
3. Confidential Employees: employees who have a professional commitment and/or legal privilege that may enable them to successfully oppose an application for a court order seeking disclosure of communications (p. 3-4).

The policy lists the titles of Designated Reporters and Confidential Employees, and then notes that, "most faculty, staff, administrators, and student staff are Student-Directed Employees" (University of Oregon, 2019, p. 8). As summarized by Dr. Jennifer Freyd (2017), one of the policy's architects,

Here is how it should work for trusted faculty and teachers: (1) Our duty as faculty members is to our students; (2) If a student wants a report to move forward then it must move forward; (3) If a student wants confidentiality then we must provide it; (4) Harm comes from not respecting the rights and autonomy of individuals (para 21).

Therefore, the University of Oregon operates under a "required supporting" rather than a "required reporting" policy (Freyd, 2016, para14).). It seemingly connects victim-centered approaches that respect survivor decision-making and encourage empowerment with university responsibilities to respond to sexual misconduct.

Some faculty may be interested in championing change at their own universities or at the state or federal level. As previously mentioned, the ASC in Reporting Policies is a national working group dedicated to advancing supportive reporting policies. This collaborative working group is open to faculty and students interested in working on research and policy development to address university policies that do not foster individual choice and autonomy for student survivors

(<http://alliancesurvivorchoice.org/>). For faculty interested in advancing student survivor choice, the ASC provides a wealth of resources and supports for requesting change at individual institutions (e.g., research based talking points, example policies) as well as opportunities to support larger change (e.g., by writing op-eds, signing open letters). It is also worth noting that faculty at all levels of power can be influential in supporting change. For example, while an untenured Assistant Professor might not have the power or opportunity to influence the highest-level university decision-

makers, if they champion efforts in their sphere of influence (e.g., department meetings, committee work) they are likely to directly or indirectly influence other faculty who do have such power.

Moving Forward

There is much work to be done to ensure that IHEs provide students with the most supportive environments possible to learn, and in some cases, live. We have already identified ways to support student-centered classroom environments and aspirational institutional-level policy changes, below we identify directions for future research.

First and foremost, more research is needed on the influence of mandatory reporting policies on students, faculty, and staff, and their relationship to the proposed goals of these policies. That is, future research must examine whether such policies increase institutional accountability and response to sexual violence, improve student safety, or more adequately respond to the needs of survivors. Further, while extant research suggests that mandatory reporting policies are generally not supported by survivors and those who work with them (e.g., Amin, 2019; Holland et al., 2019; Holland et al., 2020a), far less is known about how specific subgroups of student survivors are affected. As one example, it is unclear whether mandatory reporting policies differentially impact students who identify as sexual or gender minorities, who already perceive lower levels of university support (Mennicke et al., 2019) and who might not be out to family or peers. Research is sorely needed to unpack these nuances among survivors with different experiences and their support for mandatory reporting.

Future research should also consider the impact of mandatory reporting on graduate student survivors. Most research on sexual violence among college students generally focuses on undergraduate students (see McMahon et al., 2021); however, graduate students experience sexual victimization, too (e.g., Boyle & McKinzie, 2021; Cantor et al., 2020; McMahon et al., 2021). Furthermore, they often work more closely with faculty advisors and work with the same faculty mentors over longer periods of time (in some cases years) than most undergraduate students. As such, there are likely increased opportunities for graduate students to disclose and likely more injurious consequences for the student survivor in the case of a compelled disclosure. Likewise, many graduate students serve as instructors and are thus considered mandatory reporters themselves. Focused attention is needed regarding the impact of mandatory reporting policies on graduate student instructors.

In addition, it is probable that online learning – whether it is synchronous or asynchronous – and learning management systems will remain important components of higher education moving forward. In courses that encourage writing or that are writing intensive, and especially courses on sensitive topics, the potential for disclosure will remain. While we identify ways to provide survivors the choice to make an *empowered* and *informed* disclosure, technology – just like mandatory reporting policies – will undoubtedly continue to change. New platforms for virtual learning will likely lead to new issues regarding student disclosures and we must understand and attend to these impacts.

Further, additional research is needed regarding the impact of student disclosures on faculty and the emotional labor that faculty expend responding to student disclosures. Research by Hayes et al. (2010) discusses the role strain that faculty experience as they try to be objective and fair teachers and support providers for students who disclose sexual victimization, and as the *token faculty* in the department that consistently receive disclosures. As faculty teaching courses on violence and victimization, we are token faculty. We routinely receive student disclosures as well as emails and phone calls from our colleagues about how to respond when they receive a disclosure. This work is not represented in our service requirements, it is not factored into the calculations for merit raises or tenure and promotion, there is no running count of disclosures on our CVs. We do this work because we want to support our students. While we do not have any concrete best practices to offer regarding how to convey this information most effectively to administrators, we feel strongly that administrators, namely Chairs and Deans, should understand the additional service that is required in teaching these courses where disclosures are most likely to occur. Let us be clear that institution-wide mandatory reporting requirements do not impact all faculty equally.

Finally, we call for IHEs to enhance their trainings on Title IX to include information on how to respond to student disclosures and to ground these trainings in trauma-informed principles. In our own experiences – and we have heard from many of our colleagues at other IHEs – IHE trainings on Title IX focus primarily on the IHE's legal obligation under Title IX, (i.e., that faculty must report disclosures), not how to respond (i.e., what to say and do to support students). At the same time, interactive, trauma-informed trainings that include information on what to say and do to support students during disclosures are in use at some IHEs. For example, the University of Cincinnati (UC) partnered with LawRoom to create a training that uses an interactive simulation of what to do when a student discloses and instructs faculty on why the

selected response was (or was not) correct. Similar trainings are deployed at Wright State University and University of Hawaii (see references for links to IHEs' training descriptions). Thus, as evidenced by UC and other IHEs, trauma-informed training can be provided to faculty, and on a large scale. At the same time, we understand that Title IX is an unfunded mandate and that widespread improvement of trainings will only likely be possible if IHEs are provided the resources to do so.

Conclusion

The #MeToo movement has certainly impacted our students and our classrooms. As educators teaching topics such as sexual victimization, we are put in a difficult situation when the trauma-informed practices we teach (e.g., prioritizing survivors' control of their stories), do not fully align with the policies we, as faculty, must follow. As a result, we find ourselves walking the tightrope whereby we must operate within the confines of institutional policy while also doing our best to support and empower student survivors. We have identified a series of strategies that we employ day-to-day as we work at institutions where we are designated as mandatory reporters, but we recognize that these are far from exhaustive. Likewise, we look to supportive reporting policies as a mechanism for prioritizing both student survivors and institutional responsibility, while also acknowledging that there are still many gaps in our understanding regarding the impacts of mandatory reporting policies on students, faculty, and the campus at-large.

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Footnotes

1. In some states, mandatory reporters may be criminally penalized if it is determined that they fail to make a report or make a false report (e.g., SB 212; Texas). [↩](#)