

Responsible Employee Resource Guide

Responding to Harassment,
Discrimination, and Sexual Misconduct
Concerns

April 2018

01 KNOW:



- At the VSC, EVERY employee is considered a “responsible employee,” unless acting within his or her role as a specifically-designated confidential resource.
- A “responsible employee” is a mandatory reporter, and is required to promptly report allegations of sexual harassment, sexual misconduct, domestic violence, dating violence, sexual assault, or stalking to the Title IX Coordinator, Dean of Students, the President, or, if the employee works in the Office of the Chancellor, to the Director of Human Resources.
- A “responsible employee” under Title IX is not the same as a “campus security authority” under Clery Act (although some employees may be both).



02 RESPOND:

- If someone tells you they have experienced sexual misconduct, sexual harassment, intimate partner violence, or stalking:
- If the individual's safety is in immediate danger, call 911 or Campus Public Safety.
- Explain that you are not a confidential resource and you have a duty to report their alleged policy violations.
- Offer support and listen to the individual.
- Share information about available confidential resources and offer to accompany the person or assist them in setting up an appointment.
- Share information about victim support options on campus and in the community, including availability of protective measures.
- Advise person that he/she will have the option whether or not to pursue an internal and/or criminal complaint.



03 ACT:



- The report must contain all known relevant details, such as: 1) Description of the incident/conduct; 2) Names of those involved and any potential witnesses; and 3) Date, time, and location.
- Failure by an employee to report such incidents may result in disciplinary action.
- DO NOT investigate alleged incidents, unless this is part of your job duties or you are assigned to investigate.
- All disclosures **MUST** be reported to the Title IX Coordinator on your campus.



Identifying When to Report a Concern

Concerns involving real or perceived sexual misconduct, harassment, or discrimination **MUST** be reported.

Examples

A student tells you that his partner gave him a black eye for socializing with classmates after a study group meeting.

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A faculty member tells you that a former student is stalking her and leaving threatening messages on her phone.

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A student-employee asks to be transferred to a different building because a staff member exposed himself to the student-employee.

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A resident of the dorm you supervise comes to you, as a friend, because her partner forced her into having sex. She asks you not to report it because she willingly engaged in sex with her partner the night before, and is afraid of what their mutual friends will say.

You receive an anonymous note stating that a faculty member fondled several students at an end of the semester gathering.

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You meet with an employee about why she has missed work recently. She advises you that a coworker has been making sexually suggestive comments to her, which is making her uncomfortable.

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A student comes to you "in confidence" because he was raped after blacking out at an off-campus party.

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You find a new staff member crying in her office. She explains to you that she felt coerced into having sex with a well-respected administrator, but doesn't want to report it because she's afraid of getting fired.

Helpful Tips

How to manage a sexual misconduct disclosure

- Give the individual the opportunity to tell their account once without interruption. Their recollection may not be linear, and they may need additional time to collect their thoughts and emotions.
- Listen to what the individual tells you. Sometimes individuals need to talk about the attack or incident. It is not your job, nor is it the place, to push or demand any information or details. Asking them a bunch of questions up front may overwhelm them and interfere with their memory.
- Thank the individual for sharing the information with you.
- Don't interrogate; the investigation process is separate, and will happen later.
- Resist the impulse to reassure or minimize. Saying things such as "It could have been worse," may easily be interpreted as suggesting you are minimizing or trivializing their experience. Telling the victim "It will be okay" might come across as having a lack of understanding, and is a promise you cannot make. What can you say? "I'm sorry this happened to you," or "How may I help?"
- Don't blame the individual for her or his decisions; whether he or she ran out, stayed present, had a drink or two, stayed out later - do not communicate your opinion about what the student was doing at the time. Asking questions about "why" may come across as blaming the victim. ("Why were you sitting on the bed?" "Why didn't you just leave?") Instead, consider asking a question such as, "Will you help me understand where you were sitting when this occurred?"
- This is not the time to share your own experience of a sexual assault, or to share how you might have handled the situation differently. Respect the information. You must share the information with the Title IX Coordinator, but not with others. This is not your information to share, no matter how tempting it may be.

- Don't promise an outcome. Saying things like, "We'll get him expelled, I promise" might set the individual up for an expectation that is not met. At this moment you have no idea what the outcome of any disciplinary process might be.
- Respect the information. You must share the information with the Title IX Coordinator, but not with others. This is not your information to share, no matter how tempting it may be.
- You can provide information about resources, but the individual must make their own decisions.
- Realize that you may also have strong feelings about the trauma. If needed, seek support for yourself too.

The above information is only a guide and is not legal advice. Please visit [VSC.edu](https://vsc.edu) for the complete 311-A/311 Policies and Procedures.

