Learning Practical Skills for Responding to Sexual Assault Disclosures

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Introduction
Responsible Employees

• Responsible Employee = university employee who has the duty to report and/or authority to redress sexual misconduct

• Examples:
  * all Cabinet members
  * Police & Public Safety
  * Dean of Students office
  * Housing staff, RAs, RECs
  * security personnel
  * . . . and many more!
  * all faculty members
  * Human Resources
  * coaches, trainers
  * Graduate & Teaching Assistants
  * supervisors of student workers
Confidential Resources

• Center for Counseling and Psychological Services (CAPS)*
• Student Health Center*
• Center for Wellness Promotion
• Athletics psychologist*

* Communication with starred resources is also privileged under NC law
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Code of Student Responsibility

**Sexual harassment** = unwelcome conduct of a sexual nature that creates a hostile environment (severe, persistent, or pervasive)

**Gender-based harassment** = unwelcome conduct based on an individual’s actual or perceived gender that creates a hostile environment (severe, persistent, or pervasive)

**Sexual act** = intercourse or oral sex without consent

**Sexual contact** = touching of intimate parts without consent

**Sexual exhibitionism** = engaging in sex or exposing one’s intimate parts (buttocks, genitalia, groin, breast (unless breastfeeding)) in the presence of others

**Sexual exploitation** = taking abusive sexual advantage of someone (e.g. non-consensual explicit photographs, prostituting someone, voyeurism, etc.)
Stalking = two or more acts directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or (b) suffer substantial emotional distress

Relationship violence =
* physical or sexual violence, or threat of such violence, against current or former dating partner (dating violence)

* crime of violence against current or former spouse, cohabitating intimate partner, child, parent, or other parent of child (domestic violence)

Retaliation = threats/intimidation/harassment against someone who engaged in protected activity (e.g. filed a complaint, is participating as a witness, etc.)

* All of these violations (except stalking and retaliation) include attempts to commit the acts and assisting someone else in committing the acts.
Consent =

an affirmative decision by all participants to engage in mutually acceptable sexual activity. Consent means **unambiguous, clear, knowing, and voluntary approval** given by words or demonstrated actions to engage in sexual activity. This decision must be made freely and actively by all participants. If any confusion or ambiguity on the issue of Consent arises at any time during the sexual activity, each participant must stop and clarify from the other participant(s) a willingness to continue.
Questions
What are the goals/objectives of my initial conversation with someone who has disclosed a sexual assault to me?
Initial Response

- Empower, Connect, Support
- Listen
- Remind them that it is NOT their fault.
- Ask questions in a sensitive way
- Understand that how an individual responds is complex and varied
- Help to establish safety
- Offer resources
What are some example statements of what I should (or should not!) say or ask?
Dos and Don’ts Statements

Do

- Listen without judgment- “Tell me what you are comfortable telling me about what happened to you”
- Ask questions from neutral position- “It is not my role to judge the veracity of what you share with me”
- Ask context and fact questions- “Can you tell me any specifics of what happened?”
- Validate reactions and triggers- “It seems natural for one to have anxiety, fear, or confusion associated with this experience”
- Set tone of collaboration-offer parameters of conversation- “How can we talk about this experience in a way that feels comfortable to you?” “As a campus reporter, I will tell you who I will share this with”
Dos and Don’ts Statements

Don’ts

- Don’t use accusatory tone or questions- “Why didn’t you leave?” “Why did you drink that much?” “Where were your friends?”
- Don’t ask irrelevant/unrelated questions- “Is this your first relationship?”
- Don’t give advice- “You should have protected yourself by not going to this frat party; what would you expect?”
- Don’t feel like you have to provide therapy- “I am not a counselor and I can give you information about where to get counseling”
Why does it matter how I respond? As long as I direct them to the Title IX Office, I’m okay, right?
Effect of Disclosure Experiences

- Positive disclosure experiences are associated with faster and more complete healing for survivors

- Negative disclosure experiences
  - Increased PTSD, other negative mental health symptoms
  - Increased negative academic outcomes (missing class, lower GPA, dropping out)
  - Can lead to feelings of institutional betrayal
  - Can be re-traumatizing
What is the process once I hand a student off to the Title IX Office?
Title IX Process

(1) Complaint
(2) Meetings to discuss resources, accommodations, and process
(3) Complainant decides next steps
(4) Title IX investigation
(5) Mutual resolution (if offered and accepted by both Respondent and Complainant; then no hearing and no appeals)
(6) Hearing by single trained hearing officer
(7) Decision communicated to both parties
(8) Both parties can appeal
(9) Both parties are kept informed of changes
Case Manager is a member of the professional staff in the Title IX Office and will coordinate a variety of programs and services for survivors and accused persons related to complaints of sexual misconduct, relationship violence, stalking, and retaliation.
Case Management and Student Support

Accommodations:
- Academic
- University Housing
- Safety Planning
- No Contact/No Engagement Letters
- Transportation

Resources:
- Center for Counseling and Psychological Services (CAPS)
- Student Health Center
- Police and Public Safety (PPS)
- Off-campus victim advocacy
- Local hospitals
Audience Questions?
Additional Resources

• Interpersonal Violence Resource Guide

• Campus Clarity video on consent

• Responsible Employee brochure

• Some helpful phrases for difficult conversations

• Title IX social media handles

• Responsible Employee video
Interpersonal Violence Resource Guide

Interpersonal Violence Resource Guide

UNC Charlotte Police and Public Safety Department ("UNCC PPS") and the UNC Charlotte Title IX Office ("Title IX Office") in compliance with the Clery Act, including amendments by the Violence Against Women Reauthorization Act of 2013, have prepared the information below for victims of dating violence, domestic violence, sexual assault, and stalking.

In general, dating violence and domestic violence are crimes of violence perpetrated by one member of a romantic, intimate partnership against the other partner. Former spouses or intimate partners can also perpetrate dating or domestic violence. Sexual assault is sexual intercourse, oral sex, fondling, or other sexual contact without the consent of one of the parties. Stalking is two or more acts directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

For more detailed definitions of these offenses, please refer to North Carolina law (N.C.G.S. §§ 14-27.20 through 14-27.33, SOB-1; http://ncleg.net/gascripts/statutes/Statutes.asp) and University Policy 406, The Code of Student Responsibility (http://legal.uncc.edu/policies/ap-406). Dating violence, domestic violence, sexual assault, and stalking are all criminal offenses under North Carolina law, even though they may be called by different names. All four offenses are also prohibited by University Policy 406, The Code of Student Responsibility.

The following information applies regardless of whether an incident of dating violence, domestic violence, sexual assault, or stalking occurs on or off campus.

What Do I Do If I’m the Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking?

First, you should go somewhere safe. Then find a trusted friend or family member who can support you as you think through your next steps.

The University encourages you to report the incident to the Title IX Coordinator, UNCC PPS, the Dean of Students Office, or Human Resources, because by reporting the incident, you will be connected with important and valuable resources and assistance. Their contact information is:

Title IX Coordinator
(704) 687-6230
titleixcoordinator@uncc.edu
Cone 349
subtitleix.uncc.edu

Police and Public Safety
Emergencies: (704) 687-2200
Non-emergency: (704) 687-8300
9351 Cameron Blvd.
police.uncc.edu

Last revised 2/14/2017
PROGRAM TO REDUCE RISKY STUDENT BEHAVIOR AND PREVENT SEXUAL ASSAULT ON CAMPUS.
What is Consent?
**KNOW YOUR TITLE IX**

**KNOWLEDGE**

As a Responsible Employee, everything that you know regarding an incident of sexual assault, sexual harassment, dating violence, domestic violence, stalking, or other gender-based misconduct (collectively “Sex- and Gender-Based misconduct”) involving a UNC Charlotte student (as alleged perpetrator or alleged victim) is imputed to the University.

The University has an obligation to respond to reported incidents as if it had all the information that you have.

The University cannot respond unless you share the information immediately with a Title IX Official as discussed under “Sharing Title IX information.”

**TRAINING**

In-person training is being conducted through departmental meetings and is available through the Title IX Office.

Additional information about Title IX, campus policies and resources, and important contacts is available at

**TITLEIX.UNCC.EDU**

**SHARING TITLE IX INFORMATION**

As a Responsible Employee, you must share immediately any information you have regarding an incident of Sex- or Gender-Based misconduct involving a UNC Charlotte student with a Title IX Official.

**Title IX Coordinator**

Cone 348 - 349 • 704-687-6130
titleixcoordinator@uncc.edu
titleix.uncc.edu

**Deputy Coordinators:**

Dean of Students
704-687-0345

Executive Director of Human Resources
704-687-0339

Senior Associate Athletic Director for Internal Affairs/
Senior Women’s Administrator
704-687-4955

Associate Dean, The Graduate School
704-687-7231

**SEX- AND GENDER-BASED MISCONDUCT**

Sexual Assault,
Sexual & Gender-Based Harassment,
Sexual Exploitation & Exhibitionism,
Dating and Domestic Violence,
Stalking, and related retaliation.

**RESOURCES & CONTACTS**

**TITLE IX OFFICE**

704-687-6130
titleix.uncc.edu

Dean of Students
704-687-0345

Police and Public Safety
704-687-2200

Clergy Compliance/ Crime Analysis Officer
704-687-5647

**CONFIDENTIAL RESOURCES**

Center for Counseling and Psychological Services
704-687-0311

Center for Wellness Promotion
704-687-7414

Interpersonal Violence Specialist
704-687-7348

Student Health Center
704-687-7400

If you have any questions about reporting or whether you are a Responsible Employee, contact a Title IX Official

704-687-6130 • titleixcoordinator@uncc.edu
Being A Responsible Employee for Incidents of Sex- and Gender-Based Misconduct
A Guide for UNC Charlotte Faculty & Staff

Who Is a Responsible Employee Under Title IX?

A Responsible Employee is any employee who:
- Has the authority to take action to redress sexual harassment or sexual violence;
- Has the duty to report sexual harassment or sexual violence to appropriate officials; or
- Is someone a student could reasonably believe has this authority or duty.

Examples of Responsible Employees at UNC Charlotte include:
- All faculty members,
- Teaching assistants,
- Housing staff,
- Police and public safety,
- Security personnel,
- Athletics staff including coaches and trainers,
- Human resources, and
- Staff with supervisory responsibilities.

How to Respond to a Student Who Reports an Incident to You

Most importantly, listen, be empathetic, and let the student know that you will help and support him/her/them through this difficult time. Tell the student that you will need to share the information with a Title IX official so the University can respond appropriately and provide the student with helpful resources. Other than sharing the information with the Title IX Coordinator, you will keep any shared information private.

Let the student know that the Title IX Office will coordinate resources and accommodations for the victim/survivor. A trained Title IX official will talk with the victim/survivor about what he/she/they want the University to do with the incident information. Except in rare cases, UNC Charlotte will honor the request of a victim/survivor not to pursue conduct charges. A victim/survivor will not be required to participate in student conduct proceedings if the victim/survivor does not want to do so.

Tell the student that it is the victim/survivor’s choice whether to report the incident to Police and Public Safety (PPS). Let him/her/them know that you can provide assistance in contacting PPS if he/she/they chooses to notify PPS. If the student wishes to proceed, call Police and Public Safety.

Tell the student about confidential campus resources including:
- the Center for Counseling and Psychological Services
- the Center for Wellness Promotion, and
- the Student Health Center.

Provide the student with a copy of the Interpersonal Violence Resource Guide, which is available at titleix.uncc.edu.

What Happens After You Report an Incident

First, the Title IX Office will reach out to the alleged victim/survivor to schedule a care and concern meeting to discuss resources available on campus to support the student, interim measures, accommodations, and the Title IX process.

Next, the Title IX Case Manager/Official then requests a meeting with the victim/survivor to discuss whether he/she/they wants to be confidential and how the victim/survivor wants the University to respond to their information.

In most cases, the University can respect the student’s wishes even if they don’t want to bring formal conduct charges against the accused. Under certain circumstances, the University may decide to move forward with a full investigation and conduct charges despite the victim’s wishes, but the victim/survivor is fully informed before the investigation moves forward. The Director of Student Conduct determines whether to issue conduct charges.

Finally, at the conclusion of the investigation, the Title IX Investigator drafts an Investigative Report and submits it to the Office of Student Conduct. The case is then resolved through a mutual resolution or a formal hearing.
RESPONSIBLE EMPLOYEE

But why do I need to know about this?

Because any person perceived as a “responsible employee” of the university is required to report sexual misconduct.
RESPONSIBLE EMPLOYEE

Well, here are some best practices…

If a student shares information with you about possible sexual misconduct, insert a pause in the conversation…

WHAT SHOULD I DO?
Thank you for sharing with me. Before you go on, I need to let you know that I have an obligation to let the appropriate university official know about this.
THEN…

“I’m here to listen, but if you would prefer to keep this confidential, I can refer you to someone who can help.”
Let students know that information they provide will not become public. It will only be shared with campus officials who need to know.

But I’m afraid that it won’t be kept confidential.
BEST PRACTICES FOR RESPONSIBLE EMPLOYEES

TITLE IX COORDINATOR = JENNIFER NEWELL

OTHERS…
Dean of Students
Campus Safety
Counseling and Psychological Services (CAPS)
Health Center

Okay, but who should I contact?
Deliberate indifference is when ANY responsible employee is made aware of possible sexual misconduct but does nothing about it.

If that happens, the University may be subject to court ordered SANCTIONS OR INVESTIGATION.
If you are made aware of possible sexual misconduct, YOU are responsible for reporting.
Stay updated!

Title IX Website – titleix.uncc.edu

@titleixuncc

Title IX Office, UNC Charlotte

titleixuncc

Follow Title IX to receive daily updates, news, and tips! Be a #FortyIXer!
#thurple

On Thursdays, we wear purple.

DOMESTIC VIOLENCE AWARENESS MONTH

SHINE THE LIGHT 2017

Throughout the month of October, Dickson Gate will be lit purple for Domestic Violence Awareness.

On Thursdays, wear purple & join UNC Charlotte as we collectively Shine the Light on Domestic Violence to show there is no place for violence in our community.

#thurple