



Sexual Misconduct

Student Employee

Responsible Employee
or Mandatory Reporter

Training Guide

Fall 2020

Content Warning



This training document addresses sensitive content. This document explores the topic of sexual misconduct; which is an umbrella term for the following: sexual harassment, sexual assault, stalking, intimate partner violence (domestic/dating violence), and sexual exploitation. These topical areas may be difficult for some people to address. We encourage you to take your time working through the material and encourage you to reach out for support; you may speak with your supervisor or directly email:

The Title IX Coordinator
Jennifer Raup— jraup@bloomu.edu

Or

The Coordinator of the Women's Resource Center
Albra Wheeler awheeler@bloomu.edu

Thank you for your leadership!

Leading and Succeeding

Goals



This guide is designed for you to read and then take a brief knowledge check to ensure you have learned all the important points of this asynchronous training.

The Title IX Coordinator and/or the Coordinator of the Women's Resource Center would be happy to conduct a brief online meeting follow up to touch upon the important points and answer any questions you might have. You may also email questions to the Title IX Coordinator, Jennifer Raup at jraup@bloomu.edu.

At the end of this training you should:

1. Understand your responsibility as a responsible employee and how to report.
2. How to help a survivor of sexual misconduct
3. Where to locate resources and Title IX related information

BACKGROUND



What is Title IX (TIX)?

Title IX is a federal law (educational amendment) that was enacted in 1972. To put it VERY simply it is the government's way of making everyone's educational opportunity free from discrimination. It's about equity!

"No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." (US Department of Education)

What is Sexual Misconduct?

BU often uses the terms Title IX and sexual misconduct interchangeably. Sexual misconduct covers the topics of: sexual assault including rape, sexual harassment, sexual exploitation, stalking, and intimate partner violence (dating or domestic violence). This can happen in person, online, or possibly even through a third party.

Why is TIX/Sexual Misconduct important?

Beyond the obvious, which is the fact that these issues can have a serious and detrimental impact on an individual, the government requires institutions to provide training, education, and outreach; policies and procedures; and a high standard of due process in relation to this topic.

BU's Keys to Success



- Transparency
 - Outreach (training/education)
 - Community-wide support
 - YOU!
-

This page provides you with a very brief background on Title IX and Sexual Misconduct.

We want you to have the basic facts and not overwhelm you with too many details.

This guide is designed to supply you with the minimum that you need as a student leader to help BU full-fill its compliance obligations in relation to Title IX.

As a student leader, YOU are a key component to BU's compliance and community-wide effort to begin to create cultural change in relation to sexual misconduct!

The logo for Boston University, featuring the letters "BU" in a bold, serif font. The "U" has a horizontal bar across its middle.

POLICIES



What are the policies?

Currently, we have three policies related to TIX and sexual misconduct. Bloomsburg University's policies can be found online.

1. The Student Sexual Misconduct Policy
https://intranet.bloomu.edu/policies_procedures/4790
2. The Harassment and Discrimination Policy
https://intranet.bloomu.edu/policies_procedures/4789
3. The Student Code of Conduct
https://intranet.bloomu.edu/policies_procedures/4802

Changes are coming soon due to new Federal regulations released May 2020— website will be updated with NEW policies soon!

How might I use the policies?

We get that you may not read, in detail, each and every policy. However, it's a good idea to know that they are available and where to find them.

We find that most students read the policies after they or a friend have been impacted by sexual misconduct.

Please reach out to the Title IX Office if you ever have any questions about the policies!

As a student leader, it is important to ask questions and not make assumptions.

There can be a lot of misinformation or assumptions made by the campus community, so as a leader, you can help us by also being an ambassador for our message.

Bloomsburg University cares!

We conduct a lot of outreach, education, and support efforts!

Bloomsburg University does not victim blame!

MORE INFORMATION

Below are some important definitions and content from the policy:

DEFINITIONS:

Consent— A knowing and voluntary agreement to engage in specific sexual activity at the time of the activity. In order to be valid, consent must be knowing, voluntary, active, present and ongoing. Consent is not present when it is the result of coercion, intimidation, force, or threat of harm. Consent is not present when an individual is incapacitated due to alcohol, drugs, or sleep, or otherwise without capacity to provide consent due to intellectual or other disability or other condition.

Respondent— Any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual misconduct as defined by BU policy,

Complainant— An individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual misconduct as defined under BU policy.

Report- Information submitted to the Office of the Dean of Students regarding alleged actions or behaviors of a student or student organization. This report could relate to a Student Code of Conduct violation including sexual misconduct or could be for informational purposes only. A report may be accompanied by a request for supportive or interim measures.

Complaint- Filing a complaint is a request for Bloomsburg University to investigate further and take any necessary or appropriate action.

Supportive Measures- Individualized services or action offered to a complainant or respondent.

OTHER INFORMATION:

Alcohol and Drug Use Amnesty for Students— A witness to or individual who experiences sexual misconduct, acting in good faith, who discloses any incident of sexual misconduct to the University officials or law enforcement will not be sanctioned under the University's code of conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident (s) sexual harassment or sexual violence.

Timeline for a Complaint to file a Complaint— There is no time limit for reporting allegations of sexual misconduct, however, the University strongly encourages the prompt reporting of sexual misconduct to allow the University to respond promptly and effectively.

Anonymous Reporting— An individual may also file a formal complaint about sexual misconduct using via online. While anonymous reports are accepted, the University's ability to address misconduct reported anonymously is significantly limited.

- Responsible employees cannot use the online anonymous report to fulfill their reporting obligations!

Possible Supportive Measures— housing changes, work assignment change, escort, transportation, counseling, medical services, assistance with filing a criminal complaint, PFA assistance, no contact orders, faculty notification.

FYI- If an incident of sexual misconduct occurred when an individual was a minor, the University will need to follow appropriate protocols in relation to reporting child abuse. The Title IX Coordinator will take care of this requirement!

RESPONSIBLE EMPLOYEE



What is a Responsible Employee?

A responsible employee is an individual who the University has designated as an employee that is required to report any TIX or sexual misconduct to the Title IX Coordinator.

Even student employees are considered responsible employees. You are a responsible employee!

You are required by law and policy to report any acts of or information in relation to sexual misconduct which could be: sexual harassment, sexual assault, rape, fondling, dating violence, domestic violence, or sexual exploitation.

Most student employees only need to report this information if they learn the information during the course of their duties or actions in relation to their employment with Bloomsburg University.

How Do I Report?

We MUST keep the information that a complainant shared with you as private as possible! We know that there will be a desire to share the information, especially with a supervisor. We encourage you to send the information directly to the Title IX Coordinator at jraup@bloomu.edu or titleixcoord@bloomu.edu or call 570-389-4808.

You can let your supervisor know that you have or need to make a Title IX report.

It is imperative that you provide the Title IX Coordinator with all of the details that you know and as quickly as possible. You can send an email 27/7!

When you complete your reporting obligations. The Title IX Coordinator will:

- Reach out and conduct any necessary follow up
- Respect the wishes of the complainant
- Provide support and resources

The goal of reporting is to be able to protect you and our students, it is not about intruding on someone's personal experiences. We will always be respectful and supportive!

PLEASE NOTE: Students should not be afraid to come forward even if alcohol or other drugs were involved; BU does not pursue alcohol violations related to sexual misconduct.

EXAMPLES & WHAT IF'S



Example of When You Report

At work you hear a student in a common area on their cell talking about how they think they may have been raped last night at a party. But they can't remember...

While at work, a co-worker tells you about how they were groped by a friend in their Residence Hall room and how uncomfortable they are not about that person...

Because of your role as a student leader, a student tells you about a time when they were sexually assaulted in their past...

What If...

The situation happened a while ago?

- Report it anyway, they still may need support, remember the TIX Office will be respectful

You hear about something related to sexual misconduct while you are sitting in class? You are not "on the clock"; the student didn't know you heard them, and they did not know that you are a responsible employee. Plus you don't even know them.

- You do not need to report

What if I do not report?

- It's the law and BU policy. You could possibly lose your job if you do not report.

What if I'm not sure if I should report something?

- If you ask yourself, "should I report this" the answer is always YES! Better safe than sorry.

What if someone doesn't live on campus or the incident didn't occur on campus?

- Location does not matter, still report

What if I forget to report right away?

- Don't be afraid to report even if there has been a lapse in time from when you learned about the incident

What if I'm "off the clock" and my best friend tells me something?

- You do not need to report if the information is received off the clock and can not be related to your role

Graduate Assistants and Community Assistants working for the Office of Residence Life have a unique role and additional protocols that should be followed in relation to reporting!

TIPS



Be Transparent: Make sure students you work with know that you are a responsible employee and what that means. If you have regular meetings with students, you could make that a part of an initial agenda or put it in writing in a hand out. Just make sure they know if they tell you something related to sexual misconduct, you have to report that information, but it will remain private and only with those who need to be made aware.

No Promises: Don't make promises! Be kind and empathetic, but you cannot make any promises!

Don'ts- If a student discloses an incident of sexual misconduct you should NOT:

- **Do not insist** on calling the police, this is a personal decision made by the victim/survivor
- **Do not** involve more people than necessary. You may be tempted to get someone in your "chain of command" involved, think VERY critically of WHO truly needs to be involved (we recommend the Title IX Coordinator is your first call or email)
- **Do not** investigate the matter. BU's standard operating procedure is to not ask any questions and to just listen. The questioning takes place if there is an investigation.
- **Do not** ask victim blaming questions, i.e., "What were you wearing?", "How much did you have to drink?"
- **Do not** panic. Remember the 3 C's! Calm, cool, collected. An individual has determined that you are a safe person to speak with and that they are comfortable with you. Use that to reassure yourself that you have the ability to support the individual.

Do's- If a student discloses an incident of sexual misconduct you SHOULD:

- Ask the student if they are in immediate danger (if they are, call the police)
- Ask the student if they need immediate medical attention (if they do, seek medical attention)
- Let the student know that you believe them and that you are there to listen non-judgmentally
- Ask if they would like to reach out to the Title IX Coordinator or have you reach out on their behalf (if the Title IX Coordinator is not available try the Office of the Dean of Students or Women's Resource Center or after hours resources)
- Encourage the individual to seek assistance regardless if alcohol/substances were involved
 - BU does not focus on any potential policy violations
- Report the disclosure to the Title IX Coordinator (call or email)

EXAMPLES



Here are some examples of things you might say to someone who has disclosed sexual misconduct:

- Thank you for coming forward with this. Or Thank you for sharing. Or thank you for coming to me.
- I'm sorry this happened to you.
- May I please come in and speak with you some more? Or would it be okay if we talked some more in my/the office or other space that is maybe more private? (this is NOT to gather details, just to offer support)
- Before we get too far into talking, I need to let you know that I am a responsible employee/mandatory reporter, which means that I am required by law to provide certain statistical/factual information to the Title IX Coordinator. It doesn't mean I tell a whole bunch of people what I learn from you. We work really hard to keep your information very **private**. But I will need to let Jen Raup, our staff member who works with students working through this type of situation, and she will probably reach out to you, initially via email.
- Are you feeling safe? (if No, then say you really need to call someone who can help us, then call up or call for help/assistance from a supervisor)
- Do you need medical attention? (if Yes, then say you really need to call someone who can help)
- You may also ask if it is okay to check in with them the next day (or another pre-determined time)



SURVIVOR SUPPORT



If someone discloses that they were sexually assaulted...

- **Believe them.** A person has very little to gain by making up a story about sexual assault.
- **Listen to them.** A victim of sexual assault needs someone who will listen to what they have to say without blame or judgement.
- **Be supportive, but do not tell them what to do.** A person that has been sexually assaulted has had every ounce of power and control taken from them. The only way they are going to gain that power back is by making decisions for themselves.
- **Give them information,** and encourage them to connect with someone who can review all their options, rights, and resources.

STUDENT RIGHTS

- **Report** the sexual misconduct;
- **Have every effort made** to respect their privacy;
- A **fair, prompt, and impartial** process;
- **Resources** such as counseling or medical treatment;
- **Request accommodations** such as: a change of living arrangements and/or academic schedules, or no contact order
- **Be free** from intimidation or harassment by the alleged respondent or others;
- **Have an advisor** or advocate throughout any University process;
- **Receive consideration** for amnesty for conduct violations (i.e. alcohol policy) related to the same incident in question;
- **Seek Student Code of Conduct charges and:**
 - ⇒ Provide input on whether or not to move forward with Student Code of Conduct charges and/or participate in a hearing;
 - ⇒ Have the option to actively participate in the entire student conduct hearing, including the opportunity to present evidence and witnesses;
 - ⇒ Have a conduct hearing decided by the preponderance of evidence standard (i.e. it is more likely than not the Student Code of Conduct violation occurred);
 - ⇒ Protection against discussion of non-relevant, past, sexual history during a hearing;
 - ⇒ An appeal process
- **Receive written notification** regarding options and procedures;
- **A remedy** for any discriminatory effects and steps to prevent recurrence.

Self Care

Resource are for you too!

Someone disclosing sexual misconduct can be difficult for the support people too!

Get help and support if you need it, the Women's Resource Center often meets with supporters to process how to continue to care for the impacted student and themselves.

Remember it is important for you to:

- **Get enough sleep**
- **Fuel your body, eat well**
- **Drink plenty of water**
- **It's okay to have alone time**
- **Do something for yourself**
- **Meditate**
- **Identify your needs**

Don't allow the impacted student to overshadow your needs for wellness!

PROGRAMMING TRAINING WORKSHOPS

This training is the tip of the iceberg. We encourage you to request more training or attend a workshop or program presented by the Women's Resource Center or the Title IX Office!



Contact Me for More Information:
jraup@bloomu.edu

The Women's Resource Center and the Title IX Office present or offer a variety of trainings, presentations, or workshops throughout the year.

Title IX Kahoot

Positive Bystander Intervention

The Continuum of Harm

Title IX on the 9th Discussion Series

Red Zone

Consent 101

... and more

The Red Zone

The first six weeks on a college campus when students are more susceptible to Sexual Assault.

RESOURCES

MONDAY-FRIDAY 8am—4:30pm

Title IX Coordinator

(570) 389-4808, titleixcoord@bloomu.edu

The Title IX Coordinator can provide **students, faculty, and staff** a comprehensive review of all rights, options, accommodations, and resources available. Individuals may choose a combination or variety of options that best fit their needs.

Or students may also receive the same information and services at :

The Office of the Dean of Students

Kehr Union Building, Room 101;
(570) 389-4734

The Women's Resource Center

Schuylkill Hall; (570) 389-5283

In the event a student cannot reach a staff member listed above, students may also contact a University helpline during business hours (570) 336-4994.

MONDAY-FRIDAY AFTER 4:30pm

Women's Center Inc.

(Town of Bloomsburg),

Victim Advocates: 24/7 staff,
1-800-544-8293

Emergency: 911/Police

University Police (570) 389-2211 or
Town Police (570) 784-4155

Mental Health: TAP Line 1-800-222-9016

OFF CAMPUS RESOURCES

The Women's Center, Inc.

570-784-6631

24 Hour Hotline 800-544-8293

Town of Bloomsburg Police Department

570-784-4155, Emergency Phone: 911

Geisinger-Bloomsburg Hospital

570-387-2111, Hours: 24/7

Geisinger Medical Center, Danville

570-271-6211

Planned Parenthood, Wilkes Barre

570-824-8921

Victims Compensation Assistance Program

800-233-2339 or 717-783-5153

Pennsylvania Coalition Against Rape

Hotline: 888-772-7227

Rape Abuse and Incest National Network

(RAINN) 800-656-4673

For details, locations, and a more comprehensive list please see the website:
www.bloomu.edu/Title_IX

STUDENT RESOURCES

Women's Resource Center, Schuylkill Hall

(students only)

570-389-5283, M-F 8:00 am to 4:30pm

Dean of Students Office, Kehr Union 101,

(students only)

570-389-4734, M-F 8am to 4:30pm

Student Health Center, Kehr Union 324

570-389-4451, M-F 8am to 6pm

Center for Counseling & Human Development,

Confidential Resource

Warren Student Services 240

570-389-4255, M-F 8am to 4:30pm

Conclusion



Sexual misconduct is not always an easy topic to discuss. We all have ways that we can help become a part of the greater solution to making cultural change! It begins with educating yourself.

Thank you for your leadership and support!
We hope to see you at more events and programs to continue your education and training on sexual misconduct!

Remember: _____

You are a responsible employee and must report all information in relation to sexual misconduct!

Resources and support are available!

You can help those impacted by helping us give them back their power!

Contact Us With Questions or To Set Up A Training:

The Title IX Coordinator

Jennifer Raup— jraup@bloomu.edu

Or

The Coordinator of the Women's Resource Center

Albra Wheeler awheeler@bloomu.edu
