

Assisting Students Who Report Sexual Misconduct: Guidance for Faculty and Staff

Sexual misconduct includes actual or attempted:

- Sexual Assault (non-consensual sexual intercourse or fondling)
- Sexual exploitation
- Relationship violence (domestic or dating violence)
- Stalking
- Sexual Harassment, including hostile environment and quid pro quo (this for that) harassment

A student who is incapacitated by alcohol (or drugs) cannot give effective consent.

Response Checklist for Faculty and Staff

Address any imminent threat. Assess situation for immediate danger or injury to the survivor, yourself, or anyone else. Contact W&M Police (757-221-4596) or 911 if needed.

DO NOT promise confidentiality. Before a student shares confidential information, 1) Inform the student of your duty to report details of Title IX incidents (including names) to the Title IX Coordinator; 2) Inform student that he or she may request confidentiality from the Title IX Coordinator (including that the school not conduct an investigation); and 3) Inform the student of his/her right to report confidentially to counseling and health service providers.

Be supportive. Let the student know that W&M wants to help, and has resources and processes to support students and investigate reports.

Give the student the attached information and resource flyer (electronic copy also available at https://www.wm.edu/offices/compliance/documents/response_resources.pdf.)

Encourage student to contact The Haven (757-221-2449), which helps students confidentially by coordinating campus services and interim measures with the Dean of Students Office, such as changes to living (Residence Life) situations, no-contact orders, and academic relief. Offer to accompany the student or arrange an appointment.

After You Complete the Checklist, Make Required Reports

All incidents must be reported to the Title IX Coordinator:

- Complete the online form <http://www.wm.edu/titleix/form> or call 757-221-3146. The report is private, and may be accessed only by designated Title IX staff .
- These staff will review the report carefully to determine what resources and support W&M can offer to the victim. They will also consider requests for confidentiality/anonymity.

If the apparent victim is a minor, the incident must be reported to the state within 24 hours. Guidance is available at http://www.wm.edu/offices/compliance/topics/child_abuse/index.php

Responses to Avoid

Do not promise confidentiality; faculty and staff are “responsible employees,” which means that unless you work in the Counseling Center, Student Health Center, or The Haven, you must report specific incidents of which you become aware. This allows trained staff to help and protect victims.

Do not provide care, counsel or guidance beyond your expertise; instead, promote the appropriate expert resources (Counseling, Dean of Students, Title IX Office, The Haven).

Do not discourage the student from further reporting. Do not act skeptical or defensive. If you have doubts about the incident, DO NOT express them to the student.

Do not minimize the incident or its impact on the victim.

Do not speculate about motives or circumstances regarding the incident.

Do not promise an outcome.