

## Assisting Students Who Report Sexual Misconduct: Guidance for Campus Living Staff

Sexual misconduct includes actual or attempted:

- Sexual Assault (non-consensual sexual intercourse or fondling)
- Non-consensual sexual contact
- Sexual exploitation
- Domestic and dating violence
- Stalking
- Sexual Harassment including quid pro quo harassment (this for that)

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

We recognize that Campus Living student employees may become aware of an assault in their individual student, rather than student staff (employee), capacity. The policy does not require student staff to report an incident that they become aware of unless they learn of it in their capacity as an employee of William & Mary. If you are ever in doubt of your role, contact a Campus Living professional staff member for guidance.

### Response Checklist for Campus Living 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 resource flyer** ([www.wm.edu/offices/compliance/documents/response\\_resources.pdf](http://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 757-221-2743. 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. Report the incident **immediately** to a professional staff member.

### 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.**