

Responding to Sexual Misconduct

An Employee Guide (Indiana University South Bend)

Indiana University is committed to preventing and responding promptly to all forms of sexual harassment, including incidents of sexual assault or other sexual violence. All employees of the University have an obligation to help ensure this commitment. The purpose of this guide is to provide all employees with information to be able to respond appropriately to any complaints or reports of sexual harassment or sexual violence brought to their attention.

Things you should know about sexual assault and sexual violence:

- 1 in 5 women report having been sexual assaulted during their undergraduate life.
- 3% of all men in college report that they have been sexually assaulted in their lifetime.
- Sexual assault survivors are more likely to experience depression and anxiety.
- Sexual violence may affect a student's academic performance.
- Someone who has been sexually assaulted or raped may not use those words to describe what happened.

How to provide support:

You may be the first person an individual reaches out to about what has happened to them. It is important you know how to respond to provide them helpful information, direct them to the appropriate resources, and explain the University's process.

Do not promise absolute confidentiality. Make clear up front that you are obligated to report information brought to your attention to University officials. Direct anyone seeking complete anonymity to a **Confidential Employee** identified on campus. These include licensed, professional mental health counselors at the *Student Counseling Center (574-520-4125)* and Campus Health and Wellness employees at the *Student Activities Center (574-520-5557)*.

Do not pressure the individual to provide more information than he or she is comfortable sharing. Your role is not to draw conclusions or determine what has happened, but rather to listen, provide helpful information about campus policies, and refer them to appropriate resources.

Do not try to counsel. Encourage them to seek counseling services offered by the University from confidential licensed, professional counselors. These include the following:

Student Counseling Center, 574-520-4125 (students)

IU Employee Assistance Program, 888-234-8327 (employees)

Do encourage the individual to consider filing a report with IUPD and to visit the campus health center or local hospital if they have not already done so.

Do take care to protect the privacy of all involved. Beyond reporting, as required below, do not share personal information or facts with others unless instructed by the Title IX Coordinators or their designees.

Do learn more about the available resources and applicable University policies and procedures and share this information. For more information on the University's process and resources visit stopsexualviolence.iu.edu.

Who must report:

If you receive a complaint of sexual assault or sexual violence, the University is deemed to be on notice and must take immediate and appropriate steps to investigate or otherwise determine what occurred. The University has a total of 60 days from the date **you** learn of the incident to investigate and take appropriate action.

All employees that supervise, advise, instruct, or directly interact with students and those whom students might reasonably believe have some authority to take action on behalf of the University have a duty to report their knowledge of such conduct. This includes, but is not limited to, the following:

- instructors
(faculty, adjunct faculty, lecturers, AIs, and anyone offering classroom instruction or office hours);
- advisors
(departments and those acting as such, school advisors, and University Division advisors);
- coaches, trainers, and other athletic staff that interact directly with students;
- student affairs staff and administrators;
- all residential hall staff;
- any employee who works in an office that interacts with students; and
- all supervisors and university officials.

If you have any doubt whether you have an obligation to report, you should report.

Most employees are required to report incidents brought to their attention. Only a few individuals on campus are considered *Confidential Employees* and therefore exempt from reporting.

Where to report:

You are obligated to promptly report all known information to one of the following officials on campus:

Emily Springston, University Title IX Coordinator (812-855-4889/ emapatte@iu.edu)

Susan Lee, IUSB Deputy Title IX Coordinator (574-520-4524/ leesus@iusb.edu)

After the Title IX Coordinator or a Deputy Coordinator receives a report of sexual assault or violence, they will initiate contact with the individual to offer assistance and ensure that he or she has information regarding University and community resources and is aware of his or her reporting options, rights, and protections under the law and University policy.

The individual will not be required to bring a formal complaint, file a formal report with police, or participate in any university investigation or procedures unless they so choose. Information gathered will be used for mandatory reporting purposes and to assist the University in preventing future incidents.

How to help prevent sexual assault & violence:

Visit stopsexualviolence.iu.edu to learn more about campus resources, educational initiatives for sexual violence prevention, and bystander intervention.