

Relationship Violence/Sexual Assault/Stalking Response Plan For Faculty and Staff

This Response Plan will assist faculty and staff in working with a student who has disclosed that she or he has been a victim of relationship violence, sexual assault, and/or stalking. A student may receive college services whether or not an official complaint has been filed with Campus Security, or the Dean of Students Office. Faculty and staff are encouraged to read this response plan carefully. Please call the SAVE Program at 375-7321 or the Dean of Students Office at 375-7213 with any questions.

Wayne State College recognizes the importance of assisting students who are victims of these crimes in regaining personal control over their lives and the decisions they make. Several College offices coordinate efforts to offer services to victims and others impacted by these incidents.

This response plan establishes a cooperative course of action for Wayne State College in the event of an incident of relationship violence, sexual assault, and/or stalking of a student. The assistance of College offices is equally available to the victims and the accused provided they are students. (Please refer to the Relationship Violence and Sexual Misconduct Policy)

The College within legal and ethical guidelines, respectful of the victim's decision, will protect confidentiality of the victim regardless of whether or not the student chooses to file an official complaint with Campus Security or the Dean of Students Office.

Specific College entities have been identified as available for assistance to a victim of these crimes. These include the SAVE Program, Dean of Students, Counseling Center, Residence Life, Campus Security, Student Health, and the Title IX Coordinator. In addition to providing services in their particular area of responsibility (i.e. medical, psychological, law enforcement), information will be provided to the victim about other campus and community providers and will upon request provide reasonable assistance in contacting these resources.

All record keeping at the College will protect the confidentiality of the victim. The College will be respectful of the victim's decision whether or not to file an official complaint with Campus Security or the Dean of Students Office.

Disclosure of information about a reported incident involving a student can only be made in accordance with law, College policy, and provisions of the federal Family Educational Rights and Privacy Act (FERPA) relating to privacy of students records.

A College office which receives a report may keep records (1) which are essential to the provision and completion to that office's services, (2) for general statistical purposes, (3) for safety, and (4) risk management purposes (includes notification to the campus community regarding the incident if it poses a potential threat or danger to the community).

Information about crimes involving students is compiled for the purpose of assisting the College in determining what support services are needed and to determine the content of prevention programs developed for the College community. Data is compiled by Campus Security to provide statistical information for the annual campus security report required by the federal Campus Security Act (the Clery Act).

Questions about issues of privacy, record keeping, and anonymous, non-identifiable, WSC Incident Report Forms, should be directed to the SAVE Program 375-7321, the office of the Dean of Students 375-7213 or Campus Security at 375-7216.

Procedures

Step 1: Notification

A victim of relationship violence, sexual assault, and/or stalking or an alleged assailant may self-identify to any member of the staff or faculty of the College.

Step 2: Options

A. Emergency Situation

If the victim, or the alleged student assailant, is in a life threatening situation, contact emergency personnel immediately by dialing, on campus, 9-911 and then call Campus Security at 375-7216.

B. Attending to the student if the situation is not immediately life threatening.

All members of WSC's faculty and staff are encouraged, with the student's permission, to notify the SAVE Program and/or the Dean of Students who will coordinate services and insure a reasonable effort to:

- Provide the services sought by the victim or accused student;
- Inform the victim or accused student of services available from the College and other providers;
- Complete follow up services with the victim or accused student, as needed;
- With the student's permission, assist the victim in filing an official complaint with Campus Security or Dean of Students Office;
- Forward an anonymous, non-identifiable, confidential report to the SAVE Program and/or Campus Security.

C. Student does not wish to speak to ANYONE except initial faculty or staff member.

Although it is important to do all that one can to encourage the student to talk with someone from the SAVE Program, there will be times when the student chooses not to discuss the incident with anyone else. If this is the student's decision please share with the student the following information:

Emotional Needs

- Help the individual to feel back in control, allow her/him to make all decisions about what will happen;
- Reassure the individual that she/he is safe;
- Reassure the individual that she/he is not at fault;
- Encourage the student to speak with a counselor from the SAVE Program/Counseling Center at 375-7321 or call Haven House Domestic Violence /Sexual Assault Shelter's 24 hour crisis line at 375-4633.

Physical Needs

- If physical injuries are obviously serious or life threatening they take precedence over all other concerns. Call 9-911 or Campus Security 375-7216;
- Even if injuries appear minor, get medical attention as soon as possible, many injuries may not be apparent. In addition, an immediate medical examination (ideally in the first 24 hours or within 72 hours), can provide evidence should the individual choose to proceed with criminal charges.
- In the case of a sexual assault, advise the individual that if she/he showers, bathes, douches, brushes teeth, eats, drinks, changes clothing or even combs hair before the exam, evidence needed for prosecution could be destroyed or lost. (Any clothing that has been removed should be placed in a clean brown paper bag *not plastic* and taken with the student to the medical exam. In addition the individual should bring comfortable clothing to put on following the exam as the clothing they were wearing may be kept as evidence).
- Inform the student that the Wayne Police Department or Nebraska State Patrol pays for the cost of a sexual assault exam kit. If the student is covered by insurance all deductibles or out of pocket expenses for the exam kit will be reimbursed by law enforcement agencies.

- Advise the student that hospital staff are required to notify law enforcement whenever treatment is provided for injuries resulting from a crime. Remember it is the individual's choice to file a report with law enforcement and/or proceed with criminal charges.
- Advise the student that a medical exam can also allow for the emergency treatment of STI's (sexually transmitted infections), pregnancy, and HIV. Student Health can also provide testing for these conditions and is available to all students by calling 375-7470.

Legal Needs

- Respect the individual's right to make all choices for her/himself.
- Respect the Individual's right to change her or his mind.
- Provide the individual with information regarding reporting
 - Campus Security 375-7216
 - Wayne Police Department 375-2626 or 911
 - Dean of Students Office 375-7213

Reporting the crime does not obligate the individual to proceed with criminal charges or WSC disciplinary action – it does document the incident and leaves the option open until the individual has time to decide what to do.

Documentation:

- If it is believed that this incident may represent a threat or be dangerous to the College community, please inform the student of your obligation to protect the community by providing anonymous information via a non-identifiable report and or consultation with the SAVE Program staff.
- If there is no foreseen danger to the campus community, please complete the anonymous report form following your meeting with the student and submit it to the SAVE Program.

Step 3: Filing and Disclosure

A. Filing an official complaint with Campus Security or the Dean of Student's Office

At the request of the student, the SAVE Program staff will assist the student in filing an official complaint with the appropriate law enforcement agency, and/or to the Dean of Student's Office. Reporting to law enforcement is NOT required to receive information about or services available to victims, and/or assistance in contacting these services.

Students accused of relationship violence, sexual assault and/or stalking or self-identified as perpetrators, may obtain confidential assistance and counseling at the Counseling Center 375-7321 or in cases involving physical injury at Student Health 375-7470.

B. Disclosure when student choose not to file an official complaint with Campus Security.

While respecting the confidentiality and anonymity of the victim, the College has a responsibility to protect the safety of other members of the College community. If the victim chooses not to make a formal complaint to Campus Security that an incident has occurred on College premises, SAVE Program staff will report in an expedient manner, as soon as is practical, the following information to Campus Security and the Dean of Students:

- The allegation that an incident occurred;
- **Information from which the victim or accused might be identified will not be reported;**
- General information about the surrounding circumstances (e.g. time, location, weapons, types of vehicles involved, etc.) which might assist the college in establishing an assailant's pattern of behavior, while protecting the identities of those involved.

Relationship Violence/Sexual Assault/Stalking Response Plan Faculty/ Staff Procedure Checklist

Faculty/Staff: _____ Date: _____

Instructions: The faculty/staff member working with the student reporting an incident should initial each item in the list below she or he has completed. This checklist must be filed as soon as possible, with the WSC Incident Report Form, to The SAVE Program. The checklist will show which services have already been provided.

The faculty/staff person has taken the following actions:

- _____ Established rapport and explain issues relating to confidentiality provide information on the limits of confidentiality, noting that an anonymous WSC Incident Report will be filed with the SAVE Program.
- _____ Encourage student to speak directly with the SAVE Program staff for support in understanding, evaluating, and choosing among the services described in this procedure. Offered to facilitate such a meeting. If student agrees, called SAVE Program staff to meet the student at a designated location. If this is not feasible, continue with checklist.
- _____ Encouraged student to seek medical services if needed, at an emergency room, medical clinic or at Student Health. Offered accompaniment to the student (by self, SAVE Program staff, or other trained victim advocate).
- _____ Offered the student emotional support and problem-solving help. (The primary goal is to help the student secure needed professional services.) Listen, believe, inform, and support.
- _____ Encouraged the student to file a report with Campus Security if the incident was on campus, and with both Campus Security and local police if the incident was off campus. Offered to accompany student.
- _____ Encouraged student to seek counseling services on campus through the SAVE Program/Counseling Center. Offered to accompany student to the appointment.
- _____ Informed the student of campus disciplinary hearing process for incidents of relationship violence and/or sexual misconduct and that this process can be confidentially discussed with the SAVE Program and/or Dean of Students without filing charges.
- _____ Asked if student has a safe place to stay. Assisted student in reviewing the support service options (medical, legal, student judicial, psychological, housing and academic).
- _____ Filed an anonymous WSC Incident Report Form with SAVE Program Personnel.

The purpose of this report is so the SAVE Program personnel and the Dean of Students can assess the danger this incident may present to the individual and the campus community and to initiate safety precautions as needed. The individual's name will not be released unless the individual gives written permission to do so. An individual who continues to feel at risk in regard to their safety, who want additional security or a room change, or who want to pursue disciplinary action via the college judicial system should be referred to the Dean of Students.

- _____ Consulted with SAVE Program/Counseling Center staff to obtain support and debriefing.

Being confronted with a disclosure of relationship violence, sexual assault, and/or stalking can be a very difficult situation. Often the person who is speaking with the survivor may not know what to say or how to react. For this reason SAVE Program staff provides the following as examples of some things you may want to say to be supportive of a survivor of sexual assault:

I'm sorry this happened to you.

This wasn't your fault.

No one deserves to be raped.

I'm glad you chose to tell me.

You need and deserve to know your rights and options.

I want to help you.

Please take your time.

Let me know if you would like to stop, or take a break, at any time.

Remember a key predictor of whether or not a survivor gets the help they need, is often the reaction of the first person they tell. Believe them, provide information, and support their decisions.

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Wayne State College Incident Report

This form is intended to convey information needed to track the college response to the incident being reported, as well as to assess the danger the incident presents to the community at large. All efforts must be made to maintain the survivor's anonymity: no information should be included which might identify the survivor. Return to the SAVE Program, at the WSC Counseling Center. 375 7321

Reporter's Name: _____ Dept/Service: _____ Phone: _____

Date of Report: _____ Date of conversation with survivor: _____

Incident: Sexual Assault _____ Stalking _____ Relationship Violence _____ Sexual Misconduct _____

Survivor's Age: _____ Academic year: _____ Gender: _____

Date of Incident: _____ Time of Incident: _____ Occurred on campus? Yes ___ No ___

If the incident occurred on campus, indicate where:

Residence Hall _____ Other campus building (identify) _____
Outdoors _____ Vehicle _____

If outdoors describe location: _____

If the incident did not occur on campus: Wayne _____ Other (identify) _____

Describe incident (check all that apply):

___ Sexual contact (fondling, kissing, petting but not penetration) without consent.

___ Intercourse (oral, anal, or vaginal penetration with penis or other object) without consent.

___ Other (describe) _____

Was the absence of consent due to the survivor being incapacitated by:

Alcohol? Yes ___ No ___ Other drugs? Yes ___ No ___

Other? _____

Describe the kind of coercion or force used by the perpetrator:

___ None

___ Verbal pressure

___ Position of authority (boss, teacher, coach, supervisor, etc.)

___ Threat of physical force (threatened to hit, hold or otherwise injure)

___ Actually used physical force (hit, held down, twisted arm, etc.)

___ Gave survivor alcohol or drugs so survivor was incapacitated

___ Weapon

Number of perpetrator(s): _____

Describe: Male ___ Female ___ Race ___ Age ___ Height ___ Weight ___

Survivor is a: Student ___ Faculty ___ Staff ___ Other ___ (identify) _____

Perpetrator(s) is/are a: Student ___ Faculty ___ Staff ___ Other ___ (identify) _____

Describe nature of relationship between survivor and perpetrator(s) prior to incident (check one):

___ Stranger _____ Spontaneous relationship (i.e. met at bar or party)

___ Planned first date _____ Friend or non-romantic acquaintance

___ Dating _____ Relative

Other departments/individuals the survivor reported this incident to:

___ Residence Life _____ Student Health _____ Dean of Students

___ Counseling Center _____ Campus Security _____ Other (identify) _____