

Nyack College

Staff & Faculty Guide for Responding to Sexual Misconduct and Violence

The following guide will help you navigate what to do if a student discloses to you an incident of Sexual Misconduct and Violence.

All Faculty and Staff are **REQUIRED** to report student incidents of Sexual Misconduct and Violence to the Title IX Coordinator.
(For exceptions, see page 2)

Prior to Disclosure: If you believe a student is about to tell you about an incident of sexual misconduct or violence, explain your reporting duties before they make the disclosure. If the student wants to talk to someone **without** any information being reported, refer them to the on-campus and off-campus confidential or anonymous support resources.

Following a Disclosure: Be sure to take these three important steps.

Step 1

Reassure and Assess Safety

Provide the student with non-judgmental support and ensure the student is safe. If there is immediate danger, call 911.

Step 2

Refer

Explain your reporting duties AND refer students to resources. The "Sexual Assault, Dating Violence, Domestic Violence and Stalking" Brochure and Website are helpful.

Step 3

Report to the Title IX Coordinator

At the earliest possible time (no later than 24 hours) after the disclosure, report the incident to: Karen Davie, Title IX Coordinator at 845.675.4608 or karen.davie@nyack.edu.

Additional Information and Guidance for Nyack College Staff & Faculty Responding to a Disclosure by a Student of Sexual Misconduct and Violence

Nyack College will not tolerate any type of sexual assault, dating violence, domestic violence, or stalking committed by students, faculty, staff, or against any student, faculty or staff by any individual not belonging to the campus community. Nyack College is committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College-wide and campus programs, activities, and employment. The College recognizes the significant trust relationships faculty and staff have with students, and the difficulty that may come with responding to a disclosure of Sexual Misconduct and Violence, as you aim to help the student and meet your obligations to help ensure the safety of our community. This guide provides basic steps, guidance, and information to assist you in these situations. Please understand however, that this brief guide cannot and does not address every aspect of responding to disclosures of Sexual Misconduct and Violence. If at any point you have questions or want additional guidance or information, please contact the Title IX Coordinator.

REQUIREMENT TO REPORT & EXCEPTIONS. ALL faculty and staff are required to report incidents of Sexual Misconduct and Violence of which they become aware to the Title IX Coordinator. The requirement extends to all faculty and staff because of the College's commitment to provide a safe and nondiscriminatory campus, as well as its responsibilities under Title IX. The only exception to this requirement is the Student Counseling Center. Additionally, Nyack College has external Victim Advocates who serve as anonymous support resources for students. [If you have any questions about your reporting status, please contact the Title IX Coordinator to verify.]

TYPES OF INCIDENTS COVERED. This guide covers incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, and other Sexual Misconduct and Violence experienced by a student, regardless of where or when it occurs, or by whom, whether between people of different sexes or the same sex, and regardless of the student's gender identity. [If you are unsure if an incident falls into any of these categories, contact the Title IX Coordinator, who can assist with making the determination prior to your reporting of personally identifying information.]

EXPLAINING YOUR REPORTING DUTIES. If you believe a student is about to tell you about an incident of Sexual Misconduct and Violence, explain your reporting duties *before* they make the disclosure. If this is not possible, do it soon after the disclosure. You can explain that even though you are obligated to share the information with College personnel specially trained to respond, the student's privacy will be respected; identities and details will be shared only with those who need to know to support the student and to address the situation through the College's processes. You can tell the person that someone will explain these processes in detail and that the student will be involved in decisions about what happens as a result of the disclosure. If the student does not wish to disclose the incident or provide further details to you, refer them to the on-campus and off-campus resources, found in the "Sexual Assault, Dating Violence, Domestic Violence and Stalking" Brochure found at: www.nyack.edu/SafetyAndSecurity.

Example: *"Thank you for coming to talk to me about such a serious issue. I need to tell you that if I become aware that sexual misconduct and violence has occurred, I am required to inform the Title IX Coordinator who is specially trained to respond so that steps can be taken to ensure your safety and the safety of our community. Your privacy will be respected, but if you prefer to talk to someone who does not have an obligation to report, there are other options. On-campus you can speak with someone in the Student Counseling Center. There are local off-campus resources as well."* You can then provide them with a copy of the "Sexual Assault, Dating Violence, Domestic Violence and Stalking" Brochure or direct them to: www.nyack.edu/SafetyAndSecurity

PROVIDING NON-JUDGMENTAL SUPPORT. One of the most important ways to provide support is to listen without judging or blaming. Remember that no matter what the circumstances, no one deserves to be subjected to Sexual Misconduct and Violence. Allow the student to talk about their experience. The person may not know what to call what happened; do not define the experience for them. Follow their lead; do not take control of the situation or try and do something to "fix" it. Having experienced Sexual Misconduct and Violence can cause the person to feel a loss of control; let the student make their own decisions, and support their decisions. Also understand that everyone responds uniquely to Sexual Misconduct and Violence. Some common reactions may include shock, fear, embarrassment, guilt, anger, depression, and/or feeling overwhelmed. Be a support person and help the student find support.

ENSURING THE STUDENT IS SAFE. If there is immediate danger, call 911. The "Sexual Assault, Dating Violence, Domestic Violence and Stalking" Brochure and www.nyack.edu/SafetyAndSecurity webpage have additional information for contacting police in non-emergencies and for local hospitals, in addition to other resources. Remember, it is always the victim's choice whether or not to report to the police.

REFER THE STUDENT TO RESOURCES. Provide the student with the "Sexual Assault, Dating Violence, Domestic Violence and Stalking" Brochure found at: www.nyack.edu/SafetyAndSecurity.

REPORT INFORMATION TO THE TITLE IX COORDINATOR. At the earliest possible time (no later than 24 hours) after you receive information that a student has experienced Sexual Misconduct and Violence, you must report it to the Title IX Coordinator. You will need to report all relevant details about the incident(s) disclosed by the student. This includes the names of the student, the accused, and any witnesses, as well as any other relevant facts, including the date, time, and specific location of the incident. Once you have reported to the Title IX Coordinator, you do not need to take further action. Understand, however, that you may be contacted for follow-up information as the College responds to the report.