

Albion College Responsible Employee Guide

Responding to Disclosures of Sex-Based Harassment, Sex-Based Discrimination, Relationship Violence, Sexual Assault, and Stalking

RESPONSIBLE EMPLOYEES

Counseling Services staff as well as Center for Gender Equity staff, are sources of confidential support for persons affected by sex-based harassment, sex-based discrimination, relationship violence, sexual assault, and stalking. **All other Albion College employees are considered Responsible Employees, are required to report allegations of relationship violence, sexual assault, stalking, and sex-based harassment and sex-based discrimination involving students, faculty, or staff to Kelly Finn, Assistant Dean of Student Development and Title IX Coordinator.**

The reporting requirement for Responsible Employees is a federal mandate through Title IX, which is intended to connect survivors to resources and enable the College to take appropriate action to stop the behavior, prevent its future occurrence, and remedy its effects. Employees should report behavior they see directly or any behavior they become aware of, whether verbally, in writing, or through any other form of communication. The Albion College responsible employee guide outlines expectations under the College's Title IX policy, the Clery Act and the Campus Sexual Violence Elimination (SaVE) Act.

What do I do when someone discloses to me?



LISTEN



SUPPORT



REPORT



LISTEN

Believe, affirm, and hear the survivor.

Believe what a survivor tells you. Affirm their experience, and show them that you care about them. Remind them that what happened to them is not their fault. Use active listening skills and avoid distractions like your phone or computer. There is no need to ask investigative questions or to try to find out more information. Just let the survivor share what they are comfortable sharing. Avoid making judgements, and understand that each person reacts to trauma differently and in ways that may not readily make sense to you.

Let the survivor know that you have an obligation to share information about what happened with the College's Title IX Coordinator. You do not want to discourage someone to share with you, but you do want to give them the opportunity to decide what they want to disclose. Ask the survivor if they would like to speak confidentially to someone in Counseling Services or the Center for Gender Equity. Those individuals do not have an obligation to report, and they are trained to help survivors understand resources and their options to report.



Albion College



SUPPORT

Connect the survivor to appropriate resources.

If there is an immediate concern for an individual's safety, contact Campus Safety at 517-629-1234 or ext. 1234 on a campus phone.

Encourage the student to seek help through appropriate resources including:

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- **Counseling Services** (517-629-0236 or ext. 0236) provides free, confidential counseling for students, and can help survivors understand their options on and off campus. Counseling Services staff can be reached after hours by calling Campus Safety at 517-629-1234 or ext. 1234 and asking to speak with the Counselor on Call.
- **The Anna Howard Shaw Center for Gender Equity** (517-629-0613) provides confidential support for survivors of interpersonal violence. In addition to the Victim Advocate, there are student volunteers who have been trained to offer support, information, and referrals exclusively to current Albion College faculty, staff, and students who are affected by interpersonal violence.
- **Sexual Assault Services** (888-383-2192) provides 24/7 counseling, healthcare, and advocacy for sexual assault survivors.
- **S.A.F.E. Place** (888-664-9832) provides 24/7 shelter, court advocacy, social services referrals, and comprehensive counseling programs for victims of stalking, dating violence, and domestic violence.
- **Michigan Sexual Assault Hotline** (1-855-VOICES4 or 1-855-864-2374)
- **National Sexual Assault Hotline** (1-800-656-4673)
- **National Domestic Violence Hotline** (www.thehotline.org, 1-800-799-7233)

NON-CONFIDENTIAL

- Access accommodations in academic, living, transportation, and working situations by contacting the **College's Title IX Coordinator**. Survivors may request these accommodations regardless of whether or not they choose to submit a formal complaint about the incident to the College or to civil authorities. The College will provide such accommodations if they are reasonably available.
- **Albion Department of Public Safety** (911 or 517-629-3933)



REPORT

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Reporting should be viewed as connecting the survivor with the campus personnel whose responsibility it is to assist students in addressing these matters. Consider making your report in the form of a referral. Remind the student of your obligation to share the information (including date, time, location, individuals involved, and a description of the incident). Offer to make the report with the survivor, or see if the student would prefer going with you to one of those offices to report. If making the report with the student is not possible, make sure you let them know who you are going to contact and when, and follow up with the student after you report.



Online Title IX
Report Form



What happens after I report?

The College is required by the Violence Against Women Act to provide reporting options and other resources in writing to survivors of sex-based harassment, sex-based discrimination, dating violence, domestic violence, sexual assault, and stalking. After a report is made, the Title IX Coordinator will reach out to the student to conduct an intake assessment. If the survivor does not wish to meet or file a complaint, the Title IX Coordinator will send them an email informing them of the supportive, confidential resources that are available, as well as a copy of the Title IX policy. There are supportive measures that can be put in place if a student does not wish to file a complaint, such as academic accommodations, housing accommodations, or a no-contact order, among other options.

There are two routes a student may be able to take if they choose to file a complaint: informal resolution or formal resolution. Informal resolution may be utilized in some circumstances if the College deems appropriate and both parties agree to it. If a formal resolution is deemed appropriate, all parties involved will meet with a trained investigator. Students have the right to bring an advisor of their choice with them to any meetings.

Complaints against students are processed in accordance with the Title IX policy. Complaints against employees of the College are processed in accordance with the Title IX policy.

In order to protect other members of the College community, the College may sometimes pursue disciplinary action against an individual even when the person who made the report chooses not to participate in any way.

Survivors have the right to and are encouraged to pursue a complaint against the accused in the legal system if a crime is alleged to have occurred. Campus Safety and the Victim Advocate can and will assist survivors in filing a criminal complaint as requested.

Prohibited Behaviors

SEXUAL ASSAULT

Sexual Assault is engaging or attempting to engage in one of the following activities with another individual without consent or where the individual cannot consent because of age or temporary or permanent mental incapacity:

- Sexual penetration (anal, oral, or genital), including penetration with a body part (e.g. penis, finger, hand, or tongue) or an object, however slight;
- Intentional touching of the intimate body parts of another, or intentional touching with one's intimate body parts, for the purpose of sexual gratification. Intimate body parts include but are not limited to the mouth, neck, buttocks, anus, groin, genitalia, breast, or the clothing covering these parts; however, sexual contact can occur with any part of the body;
- Sexual intercourse (anal, oral, or genital) when prohibited by state law, including sexual intercourse between individuals who are not permitted to marry, and sexual intercourse with a person who is under the statutory age of consent.

DATING VIOLENCE

Dating violence is violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the reported Complainant and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship.

DOMESTIC VIOLENCE

Domestic violence meaning felony or misdemeanor crimes committed by a person who:

1. Is a current or former spouse or intimate partner of the reported Complainant or a person similarly situated to a spouse of the reported Complainant;
2. Is cohabitating, or has cohabitated, with the reported Complainant as a spouse, dating or intimate or sexual partner; or
3. Shares a child in common.

STALKING

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress.

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SEX-BASED HARASSMENT

The following constitute acts of Sex-Based Harassment under this policy:

1. Hostile environment harassment: Unwelcome, sex-based conduct, that based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's program or activity. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following: the degree that the conduct affected the Complainant's ability to access the College's educational program or activity; type, frequency, and duration of the conduct; ages, roles, previous interactions and other relevant factors about the parties; location and context of the conduct; and other sex-based harassment in the program or activity.
2. Quid pro quo harassment: An employee, agent, or other person authorized by the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.
3. Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as defined in this policy.

SEX-BASED DISCRIMINATION

Acts of sex-based discrimination prohibited under this policy include discrimination based on: Sex stereotypes, Sex characteristics, Pregnancy or related conditions, Sexual orientation and Gender identity.

These definitions are found in the Albion College Title IX Policy (albion.edu/offices/title-ix/title-ix-policy). For more information regarding the College's Title IX policy and process, visit albion.edu/title-ix.

SUPPORTING PREGNANT AND PARENTING STUDENTS

Albion College does not discriminate against any student, or exclude them from the College's education program or activity, including any class or extracurricular activity, based on a student's current, potential, or past pregnancy or related condition from pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.

Students wishing to request reasonable modifications for pregnancy or related conditions may contact the Title IX Coordinator. The Albion College Title IX Coordinator will work with the student and campus partners to provide reasonable modifications to policies, practices, or procedures if requested. Reasonable modifications can include, depending on the student's individual circumstances, the following: breaks to express breastmilk or to attend health-related needs; breaks to eat, drink, or use the restroom, intermittent absences, access to online education, changes in schedule or sequencing of classes. Other reasonable modifications as appropriate may also be available.

The College is required to provide access to resources for pregnant and parenting students. When an employee of the College is informed of a student's pregnancy or related condition, by the student or a person with the legal right to act on behalf of the student, the employee must notify the Title IX Coordinator utilizing the online Title IX reporting form. The Title IX Coordinator will then contact the student, providing information about the Title IX Coordinator's ability to provide reasonable modifications, voluntary leaves of absence, lactation spaces, and responsibility to provide comparable treatment to other medical conditions.

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