

GUIDE FOR RESPONSIBLE EMPLOYEES

WORKING TOGETHER TO STOP
SEXUAL HARASSMENT AND
SEXUAL MISCONDUCT

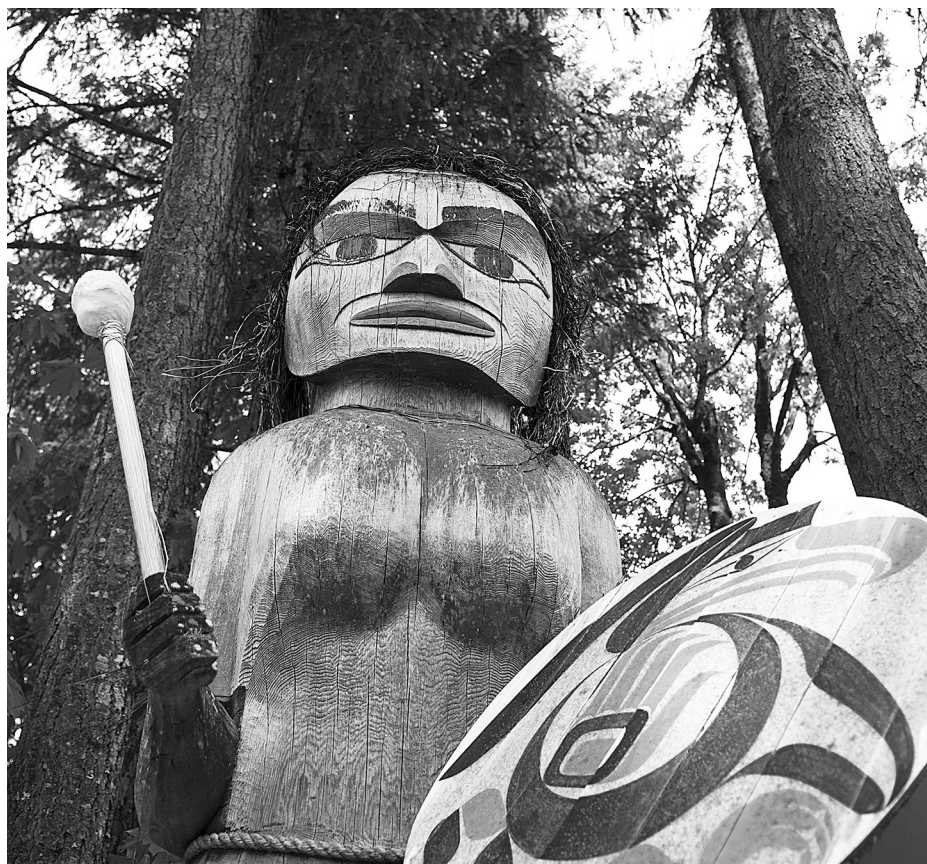


the evergreen
state college

WORKING TOGETHER TO STOP SEXUAL HARASSMENT AND SEXUAL MISCONDUCT

The Evergreen State College is working to provide an educational environment free from sexual harassment and sexual misconduct. The college's goal is to prevent such behavior, and it is committed to responding to all reports with immediate and appropriate actions.

Sexual harassment and sexual misconduct are serious concerns in any learning or working environment. They are violations that can profoundly affect the people targeted and those in their circle of support, and can disrupt the learning communities we consider central to the Evergreen learning experience. Your involvement as a *Responsible Employee* is key to stopping these types of violations.



The Welcome Figure stands at the entrance to the college, signifying hospitality and dignity.

This guide provides information about the important role of responsible employees, our faculty and staff, who are mandated by law to promptly report any information they encounter regarding possible sexual harassment or sexual misconduct. This responsibility is separate from the duty of Campus Security Authorities to report crime statistics quarterly. In addition to this guide, important information can be found in the college's online Title IX training, the Sexual Harassment and Sexual Misconduct policy, and the Evergreen publication, *Campus Response to Sexual Misconduct—Knowing Your Rights and Options*. All three are available on the college website at evergreen.edu/titleIX. You may also contact any of the college officials listed at the end of this guide for answers to questions you may have.

WHO ARE EVERGREEN'S RESPONSIBLE EMPLOYEES?

Title IX of the Education Amendments of 1972 defines "responsible employees" as those employees who:

- have the authority to take action to redress harassment;
- have the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or who
- a student could reasonably believe has this authority or responsibility.

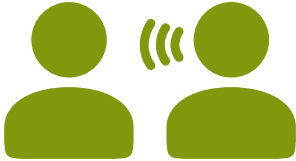
At Evergreen, all employees, including student resident assistants, are responsible employees.* As such, they are required by Title IX and college policy to report any information they have concerning possible sexual harassment or sexual misconduct (which are defined in the Sexual Harassment and Sexual Misconduct policy). This means that information about sexual harassment or misconduct shared with a faculty or staff person is not confidential.

Responsible employees are often the first to witness or hear from a student or employee about behavior that may constitute sexual harassment or misconduct. According to Title IX, when a responsible employee has such information, the college is deemed to possess that knowledge and is obligated to take actions intended to stop the behavior, prevent its recurrence, and remedy its effects. By reporting the information to the appropriate college official, the responsible employee enables the college to fulfill its legal obligation to assess the information and determine what action is called for. In this way, responsible employees contribute to a learning environment where sexual harassment and sexual misconduct are discouraged and promptly addressed.

**Exceptions to this designation are limited to temporary hourly employees & staff of the Office of Sexual Violence Prevention, the Counseling Center, and the Health Center.*

GUIDANCE FOR RESPONSIBLE EMPLOYEES

Be aware and receptive. Information about sexual harassment or misconduct can come to a responsible employee's attention in many ways. A student might disclose it in a writing assignment; a responsible employee might witness physical or verbal abuse; a student might request an extension of an assignment deadline because of a concern like domestic violence. When such information comes to a responsible employee's attention, they should promptly contact one of the college officials listed on page 4, even if the behaviors took place off campus or months ago.



LISTEN if someone discloses to you.

Start by believing. Revealing an experience of sexual harassment or misconduct can be very difficult. Respect the trust that person has placed in you. College officials can determine later what the facts

indicate about any possible violations of policy. You help best by listening and believing.

Listen without making judgment. Avoid questions or comments that convey doubt or blame, such as: "Oh, he probably didn't mean it," "Were you drinking?" "What were you wearing?" "Why did you...?" or "Why didn't you...?"

Always consider safety first. Call 911 or campus police IF:

- You're faced with a safety or health emergency
- There is an immediate threat of harm to a student or any other person
- The affected party has also reported the incident to law enforcement; or
- Mandated by court order or state or federal law (such as when a vulnerable adult or person under the age of 18 is involved).

Otherwise, allow the affected party to decide if police should be called to report a sexual assault.

As early and as sensitively as possible, inform the person that you are a responsible employee and that as such you must report all information you possess about possible sexual harassment or sexual misconduct to the appropriate college official, including the names of the people involved. Let the person know that there are resources both on and off campus for confidential assistance.* The intent is not to discourage disclosure to you, but to empower the person to decide what to disclose to whom.

Inform them that the college will remain ever-mindful of their well-being, can work with them to create a safety plan, and will take appropriate steps to protect them from retaliation. Retaliation against complainants, affected parties, or responsible employees will not be tolerated.

If the person requests confidentiality, says they don't want the college to investigate, or doesn't want their name divulged to the accused, let them know that in most cases the college will honor such requests, but that you must share their name, if you know it, and any information they give you with the appropriate college official. Their request will be considered by a vice president, taking into consideration the safety of the community and possible legal obligation the college may have to report to law enforcement.

Do not attempt to "investigate." Accept information a reporting party divulges. Avoid asking probing questions to minimize further trauma to an affected party.



REFER the affected party to support resources.

The Evergreen publication *Campus Response to Sexual Misconduct—Knowing Your Rights and Options* was created for students and employees who

experience sexual harassment or sexual misconduct. It includes a resource section with information about available medical, advocacy, counseling, and legal services. Versions for students and employees are located at evergreen.edu/titleIX. Provide a copy to the affected party and offer to guide them through the resource section. If practical, offer to accompany them to one of the on-campus resources. Avoid directives such as, "Be sure to preserve the evidence," or "Go to the police." These are personal choices that should be left to the individual.

In most cases, the preferred campus support resource to refer students to is the Office for Sexual Violence Prevention or Student Health Services for medical services; for employees it is the Civil Rights Officer.

The "Rights and Options" publication also contains information about how a student or employee can get assistance that is confidential without triggering action by college officials or law enforcement. In all but exceptional cases, information a student shares with the Office for Sexual Violence Prevention, Health Services, or Counseling Services is confidential and will not be shared with college officials.

County sexual assault programs (SafePlace in Thurston County and Rebuilding Hope in Pierce County) and the Washington State Employee Assistance Program are off-campus sources of confidential support for students and/or employees.

A reporting party may choose to stop divulging information to you at any time without prejudice, thereby limiting the information you report. However, complete confidentiality is only possible before they divulge information that must be reported by a responsible employee, i.e., any information suggesting possible sexual harassment or sexual misconduct.



REPORT promptly to a college official.

As soon as the situation allows, report all information in your possession to one of the following college officials:

- The Senior Conduct Administrator,
- The Civil Rights Officer, or
- The Title IX Coordinator.
- Use the online reporting form (evergreen.edu/incidentreport) or contact one of the officials by telephone, email, or in person.

Maintain confidentiality, which means don't share the information with parties other than the designated college officials, except as authorized by those officials.

When reporting, include your name, job title, contact information, and all information about the concern. You must include the names of the persons involved if you have them, even if they request their name be withheld.



Contact Information for College Officials and Resources

In a safety or health emergency, call 911 or call

Campus Police Services

Seminar 1 Building, Room 2150

2700 Evergreen Parkway NW

Olympia, WA 98505

(360) 867-6832 (24 hours a day, 7 days a week)

Office of Sexual Violence Prevention

Seminar I Building, Room 4121

2700 Evergreen Parkway NW

Olympia, WA 98505

(360) 867-5221

Senior Conduct Administrator (College official)

Office of the Vice President for Student Affairs

Library Building, Room 3009

2700 Evergreen Parkway NW

Olympia, WA 98505

(360) 867-5113

Civil Rights Officer (College official)

Human Resource Services Office

Library Building, Room 3102

2700 Evergreen Parkway NW

Olympia WA 98505

(360) 867-5371

Title IX Coordinator (College official)

Special Assistant for Diversity Affairs

Office of the President

Library Building, Room 3207

2700 Evergreen Parkway NW

Olympia, WA 98505

(360) 867-6368

Evergreen Student Counseling Center

Seminar I, Room 4130

2700 Evergreen Parkway NW

Olympia, WA 98505

(360) 867-6800

Evergreen Student Health Center

Seminar I, Room 2110

2700 Evergreen Parkway NW

Olympia, WA 98505

(360) 867-6200

If you have additional questions, contact any of these offices or officials for information or assistance.

This document is published by The Evergreen State College as required by the Violence Against Women Act of 2013.

For questions, please contact Paul Gallegos, gallegop@evergreen.edu or 360-867-6368.

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