

Talking Points for “Responsible Employees”

These disclosures are often difficult, and you may be the first person to whom they have spoken. We know that the first conversation is often the most important. Prohibited Conduct can leave victims feeling powerless, and they need support from the beginning to regain a sense of control. We also know that if victims do not feel supported in these first conversations, they may not seek the help or resources they need.

These Talking Points should help guide your conversations if approached about Prohibited Conduct, with the goal of helping them get whatever information, assistance, and support they need. As a starting point, use the UWRP Sexual Assault and Sexual Harassment: What you need to know brochure for information about the options available for assistance and support.

Some specific “talking points” include:

- **You are not a confidential resource. If you believe that a person is going to disclose information to you about an incident of Prohibited Conduct, you could say:**

“I am so sorry this has happened/is happening to you. I’m glad you are telling me about this. Before you go on, I need to let you know that I am required by University policy (and federal law) to report what you tell me to the University’s Title IX Coordinator, who will review the information provided and determine whether further action is necessary in order to ensure your safety and the safety of the University community. If you would rather keep this information confidential, there are other University employees (called “Confidential Employees”) you can talk to.”

If they are unsure or says he or she wants to talk instead to a Confidential Employee, provide a copy of the Sexual Assault & Sexual Harassment brochure.

- **If they indicate that he or she wants to discuss the incident with you, remember that you are not conducting an investigation; you should not ask questions to elicit more information than they want to share with you.**
- **Tell them that he or she should preserve any evidence relating to the incident reported:**

“Upon receipt of a report, the Title IX Coordinator will contact you to discuss the incident, provide information about resources and support, and discuss your preference as to how to proceed. Although you may not yet have decided whether to pursue or participate in any University resolution (and you may ultimately decide not to pursue or participate in any University action), it would be a good idea for you to preserve now any evidence you may have (including photographs and any relevant electronic evidence, such as text messages, emails, voicemail messages, phone records, and posts on Facebook, Snapchat, Instagram or other social media sites) for use in any investigation that may occur (including any criminal investigation, if you later decide to report the incident to law enforcement.)”

- **If they disclose information about an incident to you and—despite your reporting obligation—makes a “Request for Confidentiality” (i.e., requests that his or her identity not be disclosed to the alleged offender, that no investigation be pursued, and/or that no University action be taken), you should say something along these lines:**

“Although I am required to report this information, I will also inform the Title IX Coordinator of your Request for Confidentiality. Your Request for Confidentiality will be carefully considered by the Title IX Coordinator to determine whether there is a risk of serious harm to you or to any member of the University community. The University will honor your Request for Confidentiality if it can do so consistent with its obligation to ensure your safety and that of the University community. I can’t promise you what will be decided, but I will be sure that the Title IX Coordinator is aware of your Request for Confidentiality.”

- **Our primary goal is to ensure their safety and well-being. Let them know that there are many services available to them, including confidential resources, at the University and in the local community.**

“The University offers a wide range of resources and support. Confidential resources for crisis and ongoing counseling and support, both at the University and in the local community are listed in the brochure. I strongly urge you to seek help.

You may also seek assistance from the Title IX Coordinator with certain remedial measures (designed to address your safety, well-being and continued access to University programs and activities) and/or protective measures; these may include no-contact directives, academic or work modifications, and relocation of living or working space.”

- **Tell them that he or she can also report the incident to law enforcement:**

“You may also decide at any time to make a report to law enforcement. The law enforcement process is completely independent from the University’s process. If you do ultimately decide to report the incident to law enforcement, the sooner you do so, the more evidence there will be when the police investigate.”

- **Ask them about his or her immediate safety.**

“Do you feel safe leaving here today? If you feel that you are in immediate danger, you should call 911. You may also contact the Title IX Coordinator to discuss support that may be available to you right now, including safety planning, the issuance of a no-contact directive, and other available remedial and protective measures. The UWRF Campus Victim Advocate is confidential for safety, support, and services to victims and survivors of sexual assault and violence 715-425-6751 or 1-800-345-5104 (24-Hour Crisis Line)

[Note: if they elect to make an immediate phone call, provide private access to a phone.]