



# Sexual Misconduct



## UNA EMPLOYEE RESPONSE GUIDE



### Listen

Believe what is being told to you. There is no need to ask investigative questions, provide counseling, or make judgments about what happened. This person sought you out as a trusted source to listen. Everyone responds differently to trauma. The person may not react the way you would.

Because you are a mandated reporter, convey that you have an obligation to share information about sexual misconduct with Title IX and will safeguard their privacy. The goal of sharing the information is to provide safety options, campus resources and investigation options.

**\*Mandated Reporters:** All UNA employees are considered "mandated reporters." That means that any employee (that is not otherwise designated as a Confidential Reporting option) who receives notice of sexual harassment, sexual violence, dating/ domestic partner violence, or stalking is obligated to report the information to the Title IX Coordinator.

UNA requires all employees to immediately report allegations of sex- or gender-based harassment or discrimination to the Title IX Coordinator by calling (256) 765-4223 or by Suite 202 in the GUC. Sharing this information connects people to safety measures and enables the University to take appropriate action to address any hostile environment that may exist. Report behavior that you observe directly or are notified about verbally, in writing or through electronic communication. UNA's response is guided by the Sexual Misconduct Policy. Reports can be made online at [report.una.edu](http://report.una.edu).



### Support

If there is concern for any person's safety, contact UNA Police Department at (265) 765-4357. In the event of an emergency or an immediate concern for someone's safety, contact 9-1-1.

Ask how you can help. Encourage the person to seek help through appropriate resources, which may include:

- Student Counseling Services provides confidential support, counseling and crisis intervention located in Rice Hall, 1<sup>st</sup> Floor, (256) 765-5215.
- Assistance with supportive measures and resources (no contact order, change in housing/work arrangements, etc.) through Title IX at (256) 765-4223.
- Confidential healthcare, including a medical-forensic exam, along with crisis counseling, legal advocacy and safety planning are available at no cost through One Place of the Shoals at (256) 284-7600. One Place has a 24-hour crisis line at (256) 767-1100.
- Confidential counseling, housing relocation assistance, violence intervention and support groups are available through SafePlace of Northwest Alabama at (256) 767-6210.



### Report

Share all known details of the incident (date, time, location), the names of all the parties involved, including potential witnesses, and a description of the incident with the Title IX Coordinator, by using the online reporting form at [report.una.edu](http://report.una.edu).

Individuals reporting an incident will receive confirmation that the office received their report. To protect privacy, confidentiality and due process, Title IX will only update involved parties about the investigation.

If criminal behavior is involved, ask if the person would like you to call the police. If so, contact the UNA Police Department at (256) 765-4357, or the police agency where the incident occurred.

UNA's Sexual Misconduct Policy provides for amnesty in many situations that involved drug and alcohol use or abuse.

Parents of UNA students are not notified of sexual misconduct reports brought to Title IX without a request from the student and a signed FERPA release.

## What happens after the report?

Title IX will contact the person through email and ask to meet. If the person doesn't want to meet, the case will be evaluated to determine if action is needed by the University, and if not, it will be closed.

If the person decides to meet, they may bring a support person and/or an advisor. The Title IX Coordinator will review safety measures and available resources and discuss which option is best for the situation, such as an informal resolution or a formal resolution with an investigation.

During an investigation, trained investigators will collect and review evidence and conduct individual meetings with each person associated with the incident. If a student is found responsible for violating the Policy, sanctions may be administered up to suspension and expulsion. If a faculty or staff member is found responsible for violating the Policy, disciplinary action may be administered up to termination. If a crime is involved Title IX will recommend filing a police report and will discuss options for pursuing a separate criminal case.



Listen



Support



Report



TITLE IX

## What behaviors should be reported?

Any instance of sex or gender-based discrimination or harassment should be reported. This includes instances of sexual assault, dating/domestic violence, stalking, non-consensual sexual contact, and sexual exploitation. Retaliation or potential retaliation for bringing forward information should also be reported.

## Who must report?

To reduce risks to the University community, all students, faculty, staff and visitors should make sure information about sexual misconduct is reported. Employees that are not confidential resources are obligated to report sexual misconduct to Title IX.

## Where is the jurisdiction for reporting?

There is no geographic jurisdiction for sexual misconduct reporting. Prohibited behaviors involving UNA community members that occur on or off campus, or even on study abroad, may have an impact on education or employment should be reported to the Office of Title IX or at [report.una.edu](http://report.una.edu).

## When should prohibited behaviors be reported?

Report information immediately. This will allow for a quick response and assistance for the person targeted by the behavior. The University will make every effort to remedy a complaint in a timely manner.



# Prohibited Behaviors

as defined in the UNA Sexual and Gender-Based Misconduct Policy

**Quid Pro Quo:** any employee of the University that conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual or sex- and/or gender-based conduct.

**Hostile Environment:** unwelcome sexual or sex- and/or gender-based conduct occurs that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

**Sexual Assault:** - any sexual act, directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent.

**Dating Violence:** violence, or sexual violence, that is committed against a person who is or has been in a social relationship of a romantic or intimate nature. Dating violence includes, but is not limited to, sexual or physical abuse or threats of such abuse.

**Domestic Violence:** any felony or misdemeanor crimes of violence by a current or former spouse of intimate partner or as otherwise defined by UNA's Sexual Misconduct Policy.

**Stalking:** 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.

**Non-Consensual Sexual Contact:** any non-consensual intentional touching or physical contact, or attempts thereof, that is done for the purpose of the Respondent or a third-party's sexual gratification or arousal.

**Sexual Exploitation:** the taking or attempted taking of non-consensual sexual advantage of another for one's own advantage or benefit or to benefit a person other than the one being exploited.

**Retaliation:** any acts or attempts to take adverse action against any individual for the purpose of interfering with any rights, including the rights guaranteed under this policy, including action against a Complainant, Respondent, or Witness because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.



Learn More



For additional information including complete definitions and resources, view the Policy at [una.edu/titleix](http://una.edu/titleix).

Online training modules on preventing sexual harassment and violence are available for all faculty, staff, students and student employees. To learn more, visit [una.edu/titleix](http://una.edu/titleix) or contact the Office of Title IX.

If you are ever unsure of what to do about a disclosure or an allegation of sexual or gender-based misconduct, contact Title IX at (256) 765-4223, or stop by Suite 202 in the GUC.