



## Employee Guide for Responding to Sexual Misconduct Disclosures *Office of Equity & Compliance*

### Introduction

As HutchCC faculty and staff you are uniquely positioned to assist students who have experienced sexual harassment, sexual violence, intimate partner violence, stalking, and other forms of discrimination because you often see the warning signs first (e.g., absence from class or work, decreased productivity, lower grades, social withdrawal, etc.). Students typically tell people they trust, so you may be one of the first to whom a student confides. This brochure contains information to assist you in responding to individuals who are experiencing or have experienced misconduct.

### Mandatory Reporting

All HutchCC employees not identified as confidential by College policy, are designated as **Responsible Employees** (aka mandated reporters) for all the details they are aware of about an incident. They are required to share this information with the College's Coordinator of Equity & Compliance (aka Title IX Coordinator). Giving a responsible employee notice of an incident constitutes official notice to the institution. Incidents of sexual misconduct will be taken seriously when official notice is given. Such incidents will be investigated and resolved in a prompt and equitable manner under the College's [Equal Opportunity, Harassment, and Nondiscrimination Policy and Procedures](#), which is discussed in a later section of this document.

### If Someone Discloses Sexual Misconduct to You ... Remember LASRR ('laser')

#### Step 1: **Listen**

- care for the individual and ensure they are safe
- avoid judgmental questions—don't ask questions that start with "Why?"

#### Step 2: **Accept**

- tell the individual that you believe them and acknowledge the courage they have shown in talking to you
- don't blame them or let your facial expression or body language convey doubt or judgment
- *"You are not alone. I believe you. It's not your fault."*

#### Step 3: **Support**

- tell the individual you are going to help them
- your support and belief in the individual may be critical to their safety and healing

#### **Step 4: Resources**

- refer them to options (e.g., Sexual Assault/Domestic Violence Center, law enforcement, campus counseling, etc.)
- help them make plans, but let them make their own decisions

#### **Step 5: Report**

- inform the individual of your reporting obligations
- report all details to HutchCC's Coord. of Equity & Compliance (Title IX Coord.) ASAP

#### **What Do I Say?**

Sexual assault or misconduct can be a difficult topic to discuss, particularly given your reporting responsibilities. Below is a suggestion for how you might approach the conversation:

*"I appreciate what you have been able to share with me. Before you tell me more, I want to let you know that I will need to contact Jacob Gunden, our Coordinator of Equity & Compliance. He is the one person on campus whose responsibility is to know about incidents like this and he helps support students and coordinate possible next steps. If you would prefer to speak with someone confidentially, let me guide you to one of our licensed counselors at the Student Success Center."*

#### **Key Terms**

The following are definitions of sexual misconduct prohibited by Hutchinson Community College Policy.

##### **Consent**

Consent is:

- knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity;
- active, not passive and can be withdrawn at any time; silence or the absence of resistance alone is not consent.

##### **Sexual Harassment**

Sexual harassment is:

- unwelcome sexual, sex-based, and/or gender-based verbal, written, online, and/or physical conduct.

##### **Hostile Environment**

A hostile environment is created when sexual harassment is:

- sufficiently severe, persistent/pervasive, and objectively offensive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the institution's educational and/or employment, social, and/or residential program.

##### **Non-Consensual Sexual Intercourse**

Non-consensual sexual intercourse is:

- any sexual penetration or intercourse, however slight, with any object by a person upon another person that is without consent and/or by force.

## ***Non-Consensual Sexual Contact***

Non-consensual sexual contact is:

- any intentional sexual touching, however slight, with any object by a person upon another person that is without consent and/or by force.

## ***Sexual Exploitation***

- Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that the behavior does not otherwise constitute one of the other sexual misconduct offenses.

## ***Intimate Partner Violence***

Intimate partner violence is:

- violence or emotional and/or psychological abuse between those in an intimate relationship toward each other.

## ***Stalking***

Stalking is:

- a course of conduct directed at a specific person, on the basis of actual or perceived membership in a protected class, that is unwelcome, and, would cause a reasonable person to feel fear.

Stalking also occurs if:

- repetitive and menacing (e.g., pursuing, following, harassing, and/or interfering with the peace and/or safety of another)

## ***Retaliation***

Retaliation is:

- any adverse action taken against a person participating in a protected activity because of a person's participation in that protected activity. (subject to limitations imposed by the First Amendment and/or academic freedom)

## **Resources: [\*Denotes the resource is confidential]**

### ***Campus***

- **HutchCC Office of Equity & Compliance** – 620-665-3512
  - Oversees the College's response to reports of sexual misconduct, including sexual harassment, sexual assault, relationship violence, and discrimination.
  - Provides students information about available reporting options with HCC, as well as guidance and support regarding academic and housing concerns.
- **HutchCC Counseling Services\*** – 620-665-3377 (M-F, 8am-5pm)
  - Provides professional and confidential counseling to current HutchCC students.

## **Off Campus**

- **Hutchinson Area Student Health Services\*** *Non-Emergency* – 620-662-7416, 516 E. 14<sup>th</sup> St., Hutchinson, KS 67501
- **BrightHouse\*** [Brighthouse](#), *Crisis Line* – 1-800-701-3630, 335 N. Washington St., Hutchinson, KS 67501
  - Crisis line available 24 hours a day.
  - Advocates for survivors.
  - Provides confidential, non-judgmental support to victims of sexual assault and domestic violence.
  - Trained staff will help survivors through the medical exam, police questioning, and court appearances, as well as assistance in filing protection-from-abuse orders and victim compensation claims.
- **The Kansas Crisis Hotline\*** ([Crisis Help Online](#)), 1-888-END-ABUSE (363-2287)
  - Toll-free, 24-hour statewide hotline linking victims of domestic violence and sexual assault to local services.
- **National Sexual Assault Hotline\*** – 1-800-656-HOPE (4673)
- **Hutchinson Regional Medical Center** ([Hutchinson Hospital](#)), *Emergency* – 911, *Non-Emergency* – (620) 665-2000, 24/7, 1701 E. 23<sup>rd</sup> Ave., Hutchinson, KS 67502

## **Reporting Options:**

- **Hutchinson Police Department, *Emergency*** – 911; *Non-Emergency* – (620) 694-2819
  - Provides assistance in pursuing legal action both on and off campus.
  - Offers transportation to the local hospital for related medical services.
- **HutchCC Coordinator of Equity & Compliance** (aka Title IX Coordinator) – 620-665-3512
  - Jacob Gunden – Parker Student Union (Main Campus), [email Jacob Gunden](#) or [Equity and Compliance Coordinator](#)
- **HutchCC Campus Security, *Emergency*** – 620-665-3379, Day & Evening
- **HutchCC TIPS –*Non-Emergency*** online reporting portal
  - Allows for truly anonymous reporting (if desired) of a wide-variety of incidents.
  - Please be aware that the College cannot provide a follow-up to anonymous reporting, so some form of contact information is beneficial.
  - Access by clicking [“TIPS” icon](#) located in the black footer of any official HutchCC webpage, from the Office of Equity & Compliance’s webpage.
- **Office of Civil Rights (OCR) U.S. Department of Education** ([OCR Information](#)) – (Customer Service Hotline) – 1-800-421-3481 ([Email OCR](#))

*Hutchinson Community College does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, military status, sexual orientation, or any other protected category under federal, state, or local law, or by college policy. The following person has been designated to monitor compliance and handle inquiries regarding the non-discrimination policies: Coordinator of Equity & Compliance, 1300 N. Plum, Hutchinson, KS 67501, 620-665-3500, [email Equity and Compliance](#)*