

UNIVERSITY OF DELAWARE

Guidelines for Responding to Sexual Misconduct Disclosures

Please review the attached checklist and ensure you are discussing all of the items with any victim of sexual misconduct. There are steps in these guidelines that are required by Delaware State Law. Additional copies of this form are available at www.udel.edu/sexualmisconduct. If you require disability-related accommodations to access any aspect of this process, please contact Disability Support Services at 302-831-4643 or email dssoffice@udel.edu.

- Determine if the victim requires immediate medical attention. If so, call 911.
- Unless you are a confidential resource (Center for Counseling & Student Development, victim advocate in Student Advocacy & Support or pastoral), advise the victim that you can protect their privacy but you cannot promise confidentiality. Tell the victim that you are required to report the incident to the university's Title IX Coordinator but you will not tell anyone else. Let the victim know that the Title IX Coordinator may be in touch with them.
 - **Per Delaware State Law (eff. 6.1.18)**, you are required to make an offer to the victim to notify law enforcement on their behalf. Ask the victim if they would like you to contact the police immediately. If so, call 911, 831-2222 for UDPD and 366-7111 for Newark PD. If the victim requests this notification you must call within 24 hours. (This applies only if the incident was sexual assault and occurred on our campus or involved a minor [see additional reporting requirements for Protection of Minors policies at <http://sites.udel.edu/oei/protection-of-minors-policy/>]). If not, you should respect the victim's wishes at that time. Advise the victim that they have the right to contact or not to contact the police at any time.
 - You are required to inform the victim of the Delaware Victims' Bill of Rights at <http://delcode.delaware.gov/title11/c094/index.shtml>, and you are required to provide UD's list of resources (<http://sites.udel.edu/sexualmisconduct/getting-help/>) which include medical, counseling, and advocacy services on and off campus.
 - You are required to document the steps taken, as outlined above, to the University's Title IX Coordinator at titleixcoordinator@udel.edu immediately.
- Thank the victim for telling you what happened. You can also ask if they would like you to check in on them in a few days/weeks.
- Provide the victim with a copy of the **Complainants' Rights** and a list of resources (found on www.udel.edu/sexualmisconduct), refer them to the website, or send a PDF electronically. Discuss the options they have (TimelyCare's 24/7 "Talk Now" telehealth service, counseling, etc.), if you are comfortable and have the knowledge to do so. To talk to a licensed clinician at any time, download the TimelyCare app or login online at <https://app.timelycare.com/auth/login>. TimelyCare is free to all UD students.
- Advise the victim that they have the right to file a complaint or not to file a complaint with the University through the Title IX Coordinator. Information is available at

www.udel.edu/sexualmisconduct which describes the processes or the victim may be in touch with the Title IX Coordinator directly to better understand the process.

- Advise the victim that there may be times when the University must take action against a perpetrator, even if that is against the victim's wishes. The University undertakes these decisions very carefully and would inform the victim and take appropriate steps to ensure the victim's safety prior to taking any action against the perpetrator.
- Some people are in situations where they don't feel safe going to classes, going home, or going to work. Let the victim know that there are people on campus that can help them feel safe. Advise the victim that assistance can be provided by the University (Title IX Coordinator, Victim Advocacy, Deputy Title IX Coordinators, Student Advocacy & Support) for changing academic, living (including emergency housing for off-campus students), transportation, and working situations if requested by the victim and if reasonably available, regardless of whether the victim chooses to report the situation to the police.
- Inform the victim that retaliation by the alleged perpetrator or anyone else is prohibited and will be punished by the University. The University wants to make sure the fear of retaliation doesn't prevent the victim from reporting the incident either to the police or formally to the University. If the victim experiences any retaliation, he or she should immediately contact the Title IX Coordinator at the University.

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