

## **Procedures for Reporting a Violation of this Policy**

Incidents of sexual and relationship misconduct are notoriously underreported on college campuses, often because the complainant does not recognize the experience as a criminal offense and/or a college policy violation or due to their lack of knowledge of and/or discomfort with campus and community resources. By seeking assistance and reporting sexual and relationship misconduct and any other conduct covered by this policy, you can begin your own healing process and promote the standards of community and respect that are a part of Simpson College. Helping the complainant look at options for reporting and taking care of themselves is the focus of this policy. The College encourages victims of sexual and relationship misconduct to talk to somebody about what happened, so victims can get the support they need, and so the College can respond appropriately.

## **Reporting Options**

Different individuals on campus have different abilities to maintain a victim's confidentiality when they receive a report of prohibited misconduct.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." These resources include professional licensed counselors (515-961-1332), the College chaplain (515-961-1684), or Student Health Services (515-961-1604) while they are acting in a confidential role.
- Others may talk to a victim in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosures to these individuals will not trigger a College investigation into an incident against the victim's wishes. These resources include public health care employees and members of the Simpson Sexual Assault Response Advocate (SARA - 515-330-6392) when they are acting in a confidential role.
- Employees who do not fit into one of the above categories are required to report all the details of an incident (including the identities of both the complainant and alleged respondent) to the Title IX coordinator. A report to these employees (called "responsible employees") constitutes a report to the College – and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

Along with the on-campus options described below, Simpson College strongly encourages a survivor of sexual or relationship misconduct to make a report to local law enforcement and to speak with a rape crisis or other counselor, on or off campus. Sexual assault and many other types of sexual and relationship misconduct constitute criminal behavior. Law enforcement officers are trained to handle sexual assault and other cases involving sexual and relationship misconduct. An officer can be dispatched to campus to meet with the person calling, to assist the survivor in obtaining medical attention and emotional counseling, and to write a formal report of the incident. The police report and any supporting evidence are turned over to the County Attorney's office, which decides whether there is sufficient evidence to prosecute.

## Confidential Reporting Options

When an individual is affected by an incident involving sexual and/or relationship misconduct or any other conduct covered by this policy within or outside of the Simpson College community, that person can talk to professionally licensed campus counselors or chaplains who can provide completely confidential advice and assistance. Campus counselors (515-961-1332) are available free of charge to help students and can be seen on an emergency basis. Simpson's Student Health Services (515-961-1604) is also a confidential reporting

option. Students may also receive confidential support from a SARA advocate (515-330-6392) who can also provide confidential advice and assistance. SARA individuals can maintain confidentiality except for statistical reporting (which does not involve identifying the individual) required by the federal government (see below).

Any of the above individuals will listen and explain options to the person who makes a confidential report. They will also supply the reporter with information regarding medical care. This gives the reporter control over decisions pertaining to options<sup>1</sup>. Talking to any of the individuals listed as a confidential reporting option **does not** constitute an *official college report to a responsible employee*, which is explained immediately below.

#### Official College Report to a Responsible Employee

Any individual subjected to sexual or relationship misconduct or any other conduct covered by this Policy by a Simpson College student (on campus, or in a program or activity under Simpson College jurisdiction), or any Simpson College student who is a victim of such conduct is encouraged to report the incident formally to the Title IX Coordinator (515-961-1536) or any other “responsible employee.”

A “responsible employee” is a College employee who has the authority to redress the matter, who has the duty to report such incidents, or who a student could reasonably believe has this authority or duty. At Simpson College all employees (including student employees such as Community Advisors or student Security staff) are considered “responsible employees” unless the employee is covered by the confidential reporting options listed above.

When a complainant tells the Title IX Coordinator or any other responsible employee about an incident of sexual or relationship misconduct or any other conduct covered by this Policy, the individual has the right to expect the College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. Additionally, a responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual or relationship misconduct or any other conduct covered by this Policy shared by the complainant including the names of the alleged victim and perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report.

A responsible employee should not share information with law enforcement without the victim’s consent, unless the victim has also reported the incident to law enforcement.

If the complainant wants to tell the Title IX Coordinator or any other responsible employee what happened but also maintain confidentiality, the responsible employee should tell the complainant that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the complainant’s request for confidentiality. The College will weigh the request for confidentiality against the College’s obligation to provide a safe, non-discriminatory environment for all students,

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<sup>1</sup> In addition to College confidential options, students may choose to consult off-campus professional/licensed mental health counselors, certified victim advocate, legal counsel or members of the clergy, who can also maintain confidentiality.

including the complainant. If the College honors the request for confidentiality, a complainant must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

There may be times when the College may not be able to honor a complainant's request for confidentiality in order to provide a safe, non-discriminatory environment for all students. In cases when confidentiality is requested, to the extent it is reasonably possible, a complainant may be provided requested support services such as a change in living or academic/work arrangements and increased monitoring, supervision, or security at locations and activities where the alleged misconduct or violence occurred.

#### Anonymous Reporting Option

An anonymous reporting option exists through the Office of Security's website: <http://simpson.edu/security/silent-witness-form/>. As with any anonymous report, the College's ability to follow-up is somewhat limited due to its inability to question further about the report, but the College will investigate the anonymous report and/or use the information to supplement an on-going inquiry.

#### **Federal Statistical Reporting Obligations**

The Federal government requires campus security to publish an annual Campus Security Report describing the types of sexual and relationship misconduct that have occurred and their general location (on or off campus or in the surrounding area; no addresses are given). These reports contain statistical information only. All personally identifiable information is kept confidential. This report helps to ensure greater community safety by providing the community with a clear picture of the nature and extent of campus crime. The College requires that all employees (except professional/licensed counselors and clergy) provide statistical information regarding known sexual misconduct, dating violence, domestic violence and stalking to Campus Security.