



The following checklist is for use as a general guideline should a potential victim come to you for support. **As an employee of the university, as soon as you have notice of a potential issue it is your responsibility to follow these procedures.** Note that notice does not need to be a written formal complaint. Notice can come in any form. Even rumors of a potential issue can serve as notice.

If it appears that a potential victim is about to reveal specific information, IMMEDIATELY ask whether the individual wants the information to remain confidential. Inform the individual that if he/she wishes to maintain confidentiality, he/she should not reveal any personally identifying information about the potential offender, as that will put the university on notice. **If the individual needs more time to explore options confidentially, direct the individual to a confidential resource (Example: The Office of Gender Equity).** Notify the individual that confidentiality may impede certain university efforts to maintain campus safety.

Responsible Employee Checklist (Bare Minimum)

- Immediately notify potential victim that responsible employees have an obligation to **respect privacy, but cannot maintain confidentiality**
- Explain that responsible employees **must** notify the Title IX Coordinator if there is notice of an issue
- Mention that the Title IX Coordinator can assist with arranging interim measures
 - Title IX Coordinator** information: <http://www.hawaii.edu/titleix/coordinators/>
- Direct the individual to appropriate resources
 - Resources described by function:** <http://www.hawaii.edu/titleix/help/>
 - UH Policies & Procedures:** <https://www.hawaii.edu/policy/>
 - Confidential Resources:** <http://www.hawaii.edu/titleix/confidential/>
 - These resources include University health services, counseling, rights awareness, advocacy, and safety planning
 - Resources for the Complaint Process:** <http://www.hawaii.edu/titleix/procedure/>
 - Community Resources:** <http://www.hawaii.edu/titleix/community/>
 - Make sure individual is aware of their rights outside of the University context, including but not limited to the right to pursue legal recourse.
- If you have notice of a specific issue, notify Title IX Coordinator as soon as possible (**within 1 day of having notice**)

Additional Tasks Depending on Familiarity with Appropriate Procedures

When in doubt, consult with the Campus Title IX Coordinator for clarifications

- Explain which UH Policies and Procedures might apply

- Explain Complaint, Voluntary, and University-Initiated options
- Explain that there are also additional resources outside of the University, and which options might be most relevant
- Discuss interim measures as appropriate (Examples: Changing seating arrangement, modifying group assignments, etc.)
 - Mention specific interim measures that may be possible depending on the situation
 - Mention that the Title IX Coordinator can assist you with arranging interim measures
 - Discuss each possibility with the potential victim to confirm the measure is desirable (Should not wait – **Any notice is enough to begin taking interim measures**)
 - Mention that there may be other interim measures available that are beyond the scope of your own authority, but that the Title IX Coordinator can assist you with arranging interim measures

Sample Script Examples for Professors to Students by Topic

This information is not meant to be read verbatim. It is meant to be used as a general guideline, to help assist employees with notifying an individual of their rights.

While written from the point of view of a professor talking to a student, keep in mind the content is applicable for any employee with a responsibility to report.

Information: Responsible employees have an obligation to respect privacy, but cannot maintain confidentiality

“Before you tell me anything more, I just want you to know that as your professor, I must balance your privacy rights with my duties under university policy. This means that while I will respect your right to privacy to the fullest extent possible, I cannot maintain perfect confidentiality. This policy exists because certain incidents pose a safety risk to the university community as a whole. Accordingly, these reporting policies are meant to ensure continued safety within the UH community by notifying the Title IX Coordinator, who oversees the University’s centralized review, investigation and resolution process for reports of sexual misconduct, and also coordinates the University’s compliance with Title IX.”

Interim Measures

“The University has a duty to ensure that all safety and emotional and physical well-being concerns are being addressed. What this means is that you have a right to immediate help, regardless of whether you wish to proceed formally or informally.

Some of these measures, such as a no contact order, would require the other person to be named specifically, and would make them generally aware of your actions against them. While we have a retaliation policy that specifically prohibits retaliation, I want you to know that your safety is important. So, if you have any safety concerns regarding interim measures that may be imposed, please notify the Title IX Coordinator as soon as possible.

Additionally, the Gender Equity Office can assist you with safety planning, and going through possible interim measures.”

Resources

“UH has a lot of resources available, and you have a lot of rights while going through this difficult situation. I’m going to provide you with some resources now, and you can also look at them at your leisure on the Title IX website.”

If the student has already revealed specific information

“Since you have told me [incident containing personally identifiable information], I have an obligation to report this information to the Title IX Coordinator. I want you to know that out of respect for your privacy, this information is shared only on a need to know basis, and your requests for confidentiality are taken into consideration.

For example, if you want to explore your rights with a confidential office, I encourage you to contact the Gender Equity Office.

Or, if you wish to process the event with a professional counselor, I encourage you to contact the Counseling Center

There are also other confidential offices with specific resources available.”

VAWA for CSAs: If a student has revealed or seems like he/she will reveal information regarding Clery reportable offenses

“If you reveal specific information that relates to crimes that occurred within campus geography, I need to report those crimes for the Annual Fire and Safety Report. This information is made publically available to ensure transparency and accountability in the system while also protecting your rights to privacy. Only aggregate data is revealed.

If you have any questions about how information is collected and used, please contact Public Safety / Campus Security.”