



## Department Administrative Policy and Procedure

**Subject:** Protocol for Sexual and Interpersonal Violence Reports Involving Students

**Number:** UW DAP 11-9.2

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### I. PURPOSE

To provide a process for responding to reports of domestic violence, dating violence, stalking, sexual assault, or family abuse that involve University of Wyoming University students.

### II. DEFINITIONS

**Albany County Sexual Assault Response Team (SART):** The Albany County Sexual Assault Response Team is a coordinated community response team that reviews policies and procedures and conducts case reviews. Members of SART include, but are not limited to, the University Title IX Coordinator, the University Dean of Students, or their designee, the Laramie County Police Department, the County Attorney's Office, Ivinson Memorial Hospital Sexual Assault Nurse Examiner (SANE) Nurses, and the SAFE Project.

**Impacted Party:** The student who has been identified through reporting as a potential victim of Sexual and Interpersonal Violence.

**Sexual and Interpersonal Violence:** Incidents of sexual assault (non-consensual touching and penetration), dating violence, domestic violence, family abuse, and stalking. See the Student Code of Conduct and Equal Opportunity Report and Response (EORR) policies for current definitions of sexual assault, dating violence, domestic violence, and stalking.

**Student:** Any person who is actively enrolled at the University or within one year of their last date of attendance at the University.

### III. POLICY

The University's Dean of Students Office (DOS) responds to reports from law enforcement, residence life, Equal Opportunity Report and Response (EORR), referrals from SAFE project, and online reports through UW CARES and ReportIt. Once an incident report is reported to DOS from one of these entities or a student, DOS will reach out to the responding party and/or Impacted Party or Parties to provide information related to process and general support in response to the incident.

**A. Reports of sexual assault, dating violence, domestic violence and stalking:**

1. DOS will provide the Impacted party with support and reporting options and will request a meeting. If the Impacted Party would like the services of SAFE Project Campus Services, DOS will help determine their availability and include them in the meeting. If an advocate is not available, they will inform students of SAFE Project services and that a referral could occur.
2. DOS will provide the University's confidentiality policy, obligation regarding employees as mandatory reporters, and what happens with information shared with DOS. If a student is a minor, DOS will inform the minor that all of those within DOS are mandatory reporters of child abuse and are required by law to report any suspected or disclosed abuse against a minor to the appropriate law enforcement agency and the Department of Family Services.
3. In general, DOS will complete an intake form to obtain the student's contact information and information about the incident and safety concerns and will provide the following resources:
  - a. **Immediate Danger.** If a student is in immediate danger, DOS will encourage them to call 911 or speak with University of Wyoming Police Department (UWPD) or the appropriate law enforcement agency. If a student cannot call themselves, DOS will call for them and coordinate with a SAFE Project Advocate to assist in safety planning.
  - b. **Medical Assistance.** If emergency medical assistance is needed, DOS will discuss receiving a forensic medical exam. If immediate medical assistance is not needed, they will discuss proper follow-up care including any reproductive, physical, and mental health needs.
  - c. **Place of Residence.** If a student lives on campus, then DOS will review on-campus room changes, off-campus living arrangements, and on-campus employment safety concerns with them. If a student requests off-campus shelter services, they will be referred to the Albany County SAFE Project.
  - d. **Support Services.** DOS will offer and review supportive measures and referral services with students, including but not limited to:
    - 1) Medical assistance
    - 2) Academic resources and on-campus counseling.
    - 3) No Contact Orders, if applicable.
    - 4) University reporting and investigative options.
    - 5) Referrals to medical support, including SANE exams.

- 6) Law enforcement reporting options and referral to the appropriate law enforcement agency, including information only reports.
  - 7) Advocate role and options for their presence.
- e. **Protection Orders.** DOS will inform students of protection orders and that the SAFE Project Campus Services Advocate can help assist them in filling out the appropriate paperwork with the county.
- 4. DOS and many other University services are not available after-hours. DOS will discuss other community resources, such as the SAFE Project and relevant additional services provided within Laramie for students after-hours. DOS will engage in planning next steps with students for these resources after-hours.
  - 5. DOS will engage in standard case management practices, typically including follow-up meetings or check-ins with students, as well as referring cases to [UW CARES](#) within the DOS office for necessary threat assessment.
  - 6. DOS will determine if completing the [Danger Assessment](#), Stalking and Harassment Assessment and Risk Profile ([SHARP](#)), or other threat assessment should occur with students.
  - 7. DOS will explain that FERPA prevents University staff from sharing details directly to SAFE project without a student's expressed permission. DOS will review the FERPA release form with students

#### IV. ADDITIONAL STEPS

- A. The University may take action to trespass an individual from University locations if an individual's actions are deemed to be harmful and/or disruptive to the University and/or its individual members, or where the individual's actions are contrary to law. UWPD, in collaboration with campus administrators, can trespass an individual temporarily or permanently, as outlined in the [Standard Administrative Policy and Procedure on Trespass](#).
- B. Incidents that fall within the Clery Act<sup>1</sup> reporting obligations are reported to UWPD for documentation. UWPD and campus administration will determine if a timely warning should be sent to the campus community.

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<sup>1</sup> The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act is a federal statute requiring colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information.

- C. In situations where Residence Life staff respond to an evolving or immediate incident or report of Sexual or Interpersonal Violence, UWPD will be called to respond. Before beginning the intake process, staff will ask student(s) if they want a confidential advocate from SAFE project present. Depending on their response, a SAFE project advocate will be called, and then Residence Life staff will complete an intake form with students.
1. If Residence Life staff cannot complete an intake form with a student, DOS will.
  2. When Residence Life staff complete an intake, an incident report is created and referred to DOS for additional follow-up.
- D. In situations where law enforcement is investigating, and a student files a formal complaint with the University for an investigation under the Student Code of Conduct or relevant EORR campus policies, University staff within DOS and EORR will inform the law enforcement agency and determine a timeline for proceeding. Unless otherwise prohibited by state or federal law, the University will honor requests to “stand-down” for a reasonable amount of time, under documented extenuating circumstances.
- E. In situations where the University receives a report of Sexual or Interpersonal Violence that involves an employee, EORR utilizes a similar approach outlined above. Additional actions can be taken, and further supportive measures put into place through EORR or Human Resources.
- F. Cases will be reviewed at SART with permission from the involved parties.

## V. CONFIDENTIALITY AND RECORDS

Family Educational Rights and Privacy Act (FERPA) of 1974 protects student education records from disclosure to unauthorized persons. Reports of Sexual and Interpersonal Violence are considered confidential to the extent possible. However, there are numerous exceptions under FERPA that allow the University to release or disclose the reports, including, but not limited to: to school officials with legitimate educational interests, pursuant to a judicial order or subpoena, or in connection with a health or safety emergency. In addition, FERPA allows for nonconsensual disclosure of records by postsecondary educational institutions in connection with disciplinary proceedings concerning crimes of violence or non-forcible sex offenses as defined by FERPA regulations.

**Responsible Division/Unit:** Vice President for Student Affairs, Dean of Students

**Source:** 34 CFR § 99.31 and 34 CFR §99.39

**Links:** <http://www.uwyo.edu/regs-policies>

**Associated Regulations, Policies, and Forms:** None

**Approved:** 9/6/2024