DESIGNATED CONFIDENTIAL RESOURCES
Interim Guidance for Responding to Sexual Misconduct Disclosures

When individuals experience sexual misconduct (sexual harassment, sexual assault, relationship violence, and sex-based stalking), they may disclose their experience to a victim advocate, mental health provider, or health care provider. More information is available in interim USU policies and procedures 339, 339A, and 339B.

The university provides medical professionals and medical staff, professional counselors, non-professional counselors, and advocates as “Designated Confidential Resources” so individuals who have been impacted by sexual misconduct have access to support services in a confidential setting.

IMMEDIATE THREATS

If you think there is an immediate threat to an individual, dial 911.

IF YOU RECEIVE A SEXUAL MISCONDUCT DISCLOSURE

1. INFORM the individual that you will keep the information they share about sexual misconduct confidential, and that their personally identifiable information will remain confidential. Be sure to also explain any relevant exceptions to your ability to keep information confidential, including data reporting requirements. All non-professional counselors must explain that their notes and information are not privileged and therefore may be discoverable in any legal action.

2. NOTIFY the individual that their disclosure to you as a designated confidential resource will not be reported to the USU Title IX Coordinator or result in an Office of Equity response. Be sure to explain any reporting or information sharing exceptions, such as providing information for a timely warning notice to comply with the federal Clery Act.

3. PROVIDE the individual with information about other designated confidential resources and the reporting options listed on sexualrespect.usu.edu. Explain that if the individual chooses to report to the USU Title IX Coordinator, the Title IX Coordinator will share information about support services and various additional reporting options.

4. REPORT the date, time, and location of the incident, if it occurred within Clery Geography and is required by your role**, to USUPD within 24 hours. All designated confidential resources are required to report to the USU Title IX Coordinator all information about allegations of sexual misconduct that have been committed by another designated confidential resource.

**Only non-professional counselors and advocates are required to report anonymous data to USUPD.

If you have questions, please refer to the FAQs at equity.usu.edu/sexual-misconduct/employees. You can also contact the USU Title IX Coordinator by calling 435-797-1266, visiting Distance Education 404 in Logan, or via email at titleix@usu.edu.

Utah State University
OFFICE OF EQUITY

Updated August 1, 2022
What are the sexual misconduct reporting obligations for all Designated Confidential Resources?

Under interim USU policy 340, Designated Confidential Resources are required to report to the Title IX Coordinator all information concerning allegations of Sexual Misconduct that are alleged to have been committed by another Designated Confidential Resource.

Designated Confidential Resources are responsible for understanding their other sexual misconduct reporting obligations beyond those outlined in interim USU policy 340.

What must be reported to the Title IX Coordinator?

The following must be reported at equity.usu.edu/report:

- The name of the person who experienced the sexual misconduct;
- The name of the person who reported the sexual misconduct to the Designated Confidential Resource, if different from the person who experienced it;
- The name of the person(s) alleged to have engaged in sexual misconduct;
- The name of any witnesses or individuals who have information about the incident(s);
- The date, time, and location of the alleged incident(s);
- The nature of the incident(s);
- All documentation the Designated Confidential Resources has received related to the incident (including all written notes);
- The date the incident was reported to the Designated Confidential Resource; and,
- All other relevant information known to the Designated Confidential Resource.

What are the additional reporting obligations for non-professional counselors and advocates?

Non-professional counselors and advocates are required to provide information about the date, time, and location of the reported incident to USUPD to assist with sending timely warnings. USUPD will assess, based on the information, whether a timely warning needs to be sent in order to comply with the Clery Act. USUPD provides information reported by non-professional counselors and advocates to the Office of Equity so they can track patterns and trends in the campus community.

What are timely warnings?

Crime alerts (timely warnings) are sent in compliance with the federal Clery Act, a consumer protection law that aims to provide transparency around campus crime policy and statistics. Alerts are sent out as soon as possible for specific crimes listed in the Clery Act that:

- Are reported to the campus police (or a campus security authority),
- Occur on campus (as defined by the Clery Act), and
- Are considered to represent a serious or continuing threat to students and employees

USUPD issues crime alerts as soon as pertinent information is available that points to a serious or ongoing threat to campus safety, as required by law.

More information about timely warnings is available at dps.usu.edu/timely-warning.