



Oregon SATF

Campus Advocate Role & Referral Guide: Advocates and Title IX / Investigation Staff

HOW TO USE THIS RESOURCE

The attached chart gives a quick overview of common services provided to victims of crime, and describes whether advocates, or staff charged with coordinating Title IX and other investigative efforts commonly provide these services to students in Oregon.

This chart can help practitioners clearly delineate roles and services on campus, explain services (and their limitations) to survivors, and provide additional education for stakeholders.

KEY

Green = practitioner is able to provide this service to students

Yellow = practitioner may be able to provide this service (may vary by licensure, individual training, or campus rule)

Red = practitioner is not able to provide this service due to licensure or other legal restriction

Two versions of the chart are available:

1. The first chart (pages 2-5 of this document) provides brief detail of how the practitioner intersects with the particular service based on their professional role, and cites any limitations or state mandates associated with the role.
2. The second chart (page 6 of this document) is meant to serve as a quick-reference guide (or “one-pager”) that advocates can use to help clients, colleagues or other stakeholders understand the differences between the three roles (advocates, mental health care providers and medical care providers).

This resource is not intended as legal advice, nor should it be treated as such.

The attached resource is meant to provide a visual overview of aspects of the professional roles of advocates and staff charged with coordinating Title IX and other investigative work on campus for the purpose of appropriate referrals. Please be advised that although we update materials on a continual basis, as research, new professional guidelines or case law changes, certain portions of content (including statistics) may become temporarily outdated.



Oregon SATF Campus Advocate Role & Referral Guide: Advocates, Title IX Coordinators & Investigators

	ADVOCATES (CAMPUS-BASED)	TITLE IX COORDINATOR	INVESTIGATOR(S)
<p>Can this role keep a survivor’s information private, confidential or privileged?</p>	<p>Advocates that have completed at least 40 hours of advocate training, 2 hours of privilege webinar specific to Oregon and work for a Qualified Victim Service Program <u>as an advocate</u> have legal privilege in Oregon.</p> <p>This means that they must not share information provided by a survivor without an informed, explicit, written and time-limited release of information form.</p> <p>Only parties identified on this form may have information shared with them by the advocate, and only for the purposes outlined on the release of information form. (ORS 40.264)</p>	<p>Title IX currently requires that, as a general rule, Title IX coordinators and institutions of higher education must keep confidential the identity of any person who has reported sexual harassment, or who has been reproted to be a perpetrator of sexual harassment.</p> <p>Title IX regulations, at 34 C.F.R. § 106.71(a)</p> <p>There are three exceptions:</p> <p>if disclosure is permitted under FERPA;</p> <p>if disclosure is required by law (<i>see child abuse reporting guidelines below</i>);</p> <p>or if disclosure is necessary to carry out the purposes of Title IX and its regulations, including to conduct a grievance process. An example of this might be including the name of the survivor/reporting party in the investigation notice for the respondent/perpetrator.</p>	<p>Investigators must follow the same Title IX regulation stipulations as Title IX Coordinators when it comes to sharing information about cases and investigations. (See previous column).</p> <p>However, within an investigation, the investigative notes, all evidence, and interview materials (including recordings or transcripts) must be made available to all reporting and responding parties.</p> <p>These materials may then be made available to a hearing panel, or decision makers that are responsible for deciding the outcome of the case.</p> <p>The Title IX coordinator and campus partners responsible for coordinating investigations may also have access to these materials to ensure the process is being conducted fairly and equitably.</p>
<p>Does this role have to report abuse of minors (under the age of 18)?</p> <p>(Another way of asking this: “Are staff in these roles considered Mandatory Reporters?”)</p>	<p>Campus-based advocates are mandatory reporters of child abuse (as school employee, including an employee of a higher education institution; per Oregon Revised Statute 419B.005 (3))</p> <p>Community-based advocates are <u>not</u> required to report child abuse in Oregon.</p>	<p>Must report child abuse to law enforcement or Oregon Department of Human Services (per Oregon Revised Statute 419B.005 (3))</p> <p>Including: Any employee of an institution of higher education or sub-contractor</p>	<p>Must report child abuse to law enforcement or Oregon Department of Human Services (per Oregon Revised Statute 419B.005 (3))</p> <p>Including: Any employee of an institution of higher education or sub-contractor</p>

<p>Does this role have to report self-harm or harm to others as part of their job?</p>	<p>Advocates are only required to report self-harm or harm to others if the advocate has actual knowledge and harm is imminent (within the proximity of the advocate, and means are available).</p>	<p>Title IX Coordinators may be required by school policy to report certain behaviors (including suicidal ideation, self-harm, or harm to others) to campus practitioners, including (but not limited to): campus law enforcement, counseling and medical practitioners, emergency response teams, local law enforcement, behavioral intervention specialists, residential life staff, or emergency services via 911.</p>	<p>Investigators may be required by school policy to report certain behaviors (including suicidal ideation, self-harm, or harm to others) to campus practitioners, including (but not limited to): Title IX coordinator, campus law enforcement, counseling and medical practitioners, emergency response teams, local law enforcement, behavioral intervention specialists, residential life staff, or emergency services via 911.</p>
<p>Can this role provide emergency response?</p>	<p>Yes. Advocates will often respond in-person to hospitals, police stations and campuses for immediate crisis response.</p> <p>Immediate crisis support for survivors may look like seeking emergency medical assistance, helping the survivor ground/calm themselves, safety planning, etc.</p>	<p>Typically, no. If the Title IX coordinator has simultaneous roles on campus (Dean of Students, etc.) some emergency response work may be included. However, the Title IX Coordinators primary role in emergency response is not solely to provide support to survivors.</p>	<p>No. Investigators do not provide emergency response for the purpose of supporting survivors.</p>
<p>Can this role accompany a survivor to a SAFE (medical forensic) exam or the hospital?</p>	<p>Yes. Trained to accompany survivors during a SAFE exam. Hospitals <u>are required by Oregon law (SB 759)</u> to call an advocate when a survivor presents for a SAFE exam.</p>	<p>No. Title IX Coordinators do not accompany survivors to a SAFE exam.</p>	<p>No. Investigators do not accompany survivors to a SAFE exam.</p>
<p>Can this role accompany a survivor to make a report to law enforcement, or be present for LE interviews?</p>	<p>Yes. Advocates are <u>required</u> under Oregon law to receive training about and to understand how to navigate local criminal justice processes, and can accompany survivors to interviews, restraining order hearings, trial and sentencing.</p>	<p>Typically, no. Title IX Coordinators usually do not accompany survivors to court or interviews with law enforcement.</p> <p>However, if a survivor would like to report to both local law enforcement AND the school, Title IX Coordinators may coordinate with local law enforcement and investigators to reduce the amount of interviews a student must participate in.</p>	<p>No. Investigators do not accompany survivors to court or interviews with law enforcement.</p> <p>However, if a survivor would like to report to both local law enforcement AND the school, investigators may coordinate with local law enforcement to reduce the amount of interviews a student must participate in.</p>
<p>Can this role accompany a survivor throughout Title IX (or school conduct) proceedings, including interviews and hearings?</p>	<p>Yes. Campus-based advocates are <u>required</u> to understand the Title IX reporting process, can explain reporting options available to students, and can accompany survivors through the process as support persons.</p>	<p>No. The Title IX Coordinator can provide materials and information about the process to all parties involved (survivor, respondent, witnesses) and be available to answer questions, but should not provide direct support to the survivor throughout the duration of an investigation, interviews or hearings.</p> <p>The Title IX Coordinator can also assign a process advisor to the student for assistance.</p>	<p>No. Investigators do not accompany survivors through the Title IX process as support persons.</p>

<p>Can this role provide a survivor with <i>short-term</i> mental and emotional health support?</p>	<p>Yes. Advocates support survivors through crisis-management, including grounding techniques, identifying coping skills and resource referrals/connections.</p> <p>Advocates do not utilize strategies like CBT, etc.</p>	<p>No. Title IX Coordinators do not provide mental and emotional health support for students in this capacity.</p>	<p>No. Investigators do not provide mental and emotional health support for students in this capacity..</p>
<p>Can this role provide a survivor with <i>long-term</i> mental and emotional health support?</p>	<p>No. Advocates do not provide ongoing mental health care (therapeutic) for survivors.</p> <p>If a student needs ongoing mental health care and wants to be connected to a licensed provider , the advocate can provide referrals, assist with making the appointment, and assist students with addressing transportation, childcare, or other needs that may impact ability to make appointments.</p>	<p>No. Title IX Coordinators do not provide mental and emotional health support for students in this capacity.</p>	<p>No. Investigators do not provide mental and emotional health support for students in this capacity.</p>
<p>Does this role provide a survivor with safety planning (identifying strategies to promote safety and reduce risk of future violence)?</p>	<p>Yes. Advocates are <u>required</u> to provide safety planning as a main function of their job.</p> <p>Advocates (or their agency / organization) may provide 24-7 safety-plan follow up with crisis lines and in-person services.</p>	<p>May assist survivors with safety assessment and planning. May also provide referral for advocates to provide safety planning services.</p> <p>May or may not be available on an emergency or on-call basis for follow-up if it does not interfere with their role.</p>	<p>Investigators do not provide safety assessment and planning services for students.</p> <p>They can connect students with an advocate or Title IX Coordinator to provide safety planning services.</p>
<p>Does this role aid survivors in seeking academic remedies, no-contact orders, protective orders, emergency housing, campus escorts, and other supportive measures?</p>	<p>Yes. Advocates are <u>required</u> to assist survivors in accessing and understanding academic accommodations, no-contact orders, protective orders, emergency housing, etc. on campus and in the greater community.</p>	<p>Yes. Title IX Coordinators are required by Title IX regulations to offer and coordinate “supportive measures”, or non-punitive measures designed to preserve a student’s meaningful access to their education.</p> <p>Many Title IX Coordinators will also work with advocates to coordinate these supportive measures on behalf of the student.</p>	<p>Investigators do not provide or coordinate supportive measures.</p> <p>They can refer the student to the advocate or Title IX coordinator for assistance and support.</p>
<p>Does this role provide treatment of Sexual Offenders / Perpetrators / Respondents?</p>	<p>No. Advocates do not meet with sexual offenders when that is the primary reason for seeking services.</p>	<p>No. Title IX Coordinators do not provide sexual offense treatment.</p>	<p>No. Investigators do not provide sexual offense treatment.</p>
<p>Does this role meet with survivors in person, talk on the phone, meet virtually (in a platform like Zoom) and communicate with survivors via text or email?</p>	<p>Yes. Advocates may communicate with a survivor in the means that is most appropriate/safe for the survivor and that follows the professional guidelines as outlined by the advocacy agency/program.</p>	<p>Maybe. Title IX Coordinators may communicate with a survivor in the means that is most appropriate/safe for the survivor and that follows their institution’s policies, protocols, and procedures for appropriate contact during investigations.</p>	<p>Maybe. Investigators may communicate with a survivor in the means that is most appropriate/safe for the survivor and that follows their institution’s policies, protocols, and procedures for appropriate contact during investigations.</p>

<p>Does this role provide support for friends and allies?</p>	<p>Yes. Advocates provide support for friends and allies of survivors (including family members, partners and/or children as necessary).</p>	<p>Title IX Coordinators do not provide direct emotional support for friends or allies, however may refer students, friends, and family members to campus and community resources as appropriate or when requested.</p>	<p>No. Investigators do not provide support for friends or allies.</p> <p>If appropriate, the investigator may connect the interviewee (potentially a witness that is a friend or family member) with the Title IX Coordinator for support resources.</p> <p>Investigators will want to discuss how they can provide support and resources in a way that does not interfere with their neutral investigative role.</p> <p>This is best done in coordination with the Title IX coordinator.</p>
<p>Does this role connect survivors with other resources (such as counseling services, local sexual assault or domestic violence agency, law enforcement, culturally-specific services or legal advocacy)?</p>	<p>Yes. Resource referral is a primary function and <u>requirement</u> of the advocate role.</p>	<p>Yes. Title IX Coordinators are <u>required</u> under Oregon law to provide students with notification of their rights and options, which includes contact information for campus and local resources.</p> <p>Title IX Coordinators often connect survivors with other resources as appropriate.</p>	<p>No. Investigators do not connect survivors, or any party, with other resources outside of the investigative process.</p> <p>However, they can connect the student with the Title IX Coordinator or advocate for support in connecting with campus and local resources.</p>



OREGON SATF Campus Advocate Role & Referral Guide: Quick Reference Sheet

	ADVOCATES	TITLE IX COORDINATORS	INVESTIGATORS
Legal Privilege	yes	no	no
Emergency Response	yes	maybe	no
Hospital/SANE Accompaniment	yes	no	no
Law Enforcement Accompaniment	yes	no	no
Title IX Proceedings Accompaniment	yes	no, but can assign a process advisor to assist student	no
Short-term Mental & Emotional Support	yes, non-therapeutic	no	no
Long-term Mental & Emotional Support	no (refer to mental health care provider)	no (refer to mental health care provider)	no
Mandatory Reporting for Minors (under age 18)	yes* (*community-based advocates are not mandatory reporters of child abuse)	yes	yes
Reporting of self-harm or harm to others	maybe	maybe	maybe
Safety Planning	yes	yes, in some circumstances as appropriate or requested by student	no
Aid survivors in seeking academic accommodations, no-contact orders, protective orders, emergency housing, campus safety escorts, and other accommodations	yes	yes, may coordinate with advocate to implement supportive measures	no, may refer student to advocate or Title IX Coordinator
Treatment of Sexual Offenders / Perpetrators / Respondents	no	no	no
Meet with survivors in person, talk on the phone, Zoom, via text and email	yes	maybe	maybe
Provide support for friends and allies	yes	no, may provide referrals	no
Connect survivors with other resources, such as counseling, local sexual assault or domestic violence agency, or legal advocacy	yes	yes	No, may connect student with the Title IX Coordinator or advocate