A Guide for Students
Reporting Options and Resources for Complaints about Sexual Misconduct and Sexual Violence

The University of Rochester is committed to the health and safety of every student, and to creating a respectful environment, where all members of our community are treated with dignity and respect.

If You are a Victim of Sexual Violence

Get to a safe place and seek help. If you need emergency assistance, call University Public Safety (585-275-3333); dial #413 on campus blue phones; or call 911 if you are off campus.

If you have experienced physical or sexual violence, it’s important to get care as soon as possible. Drugs used for emergency contraception and to prevent STDs have a limited timeframe within which to work. In addition to receiving medical attention, clinicians can assist you in collecting forensic evidence, which preserves your right to decide at a later date to go forward with University judiciary or criminal justice procedures. You do not need to file a report to receive medical services.

- If you are able, avoid disturbing or discarding anything that might have your attacker’s DNA on it prior to seeking medical help. Do not use the restroom; shower, bathe or douche; brush your teeth or gargle; brush your hair; or throw away clothes worn during the attack.

- A friend may accompany you to the emergency department.

- You may request a counselor from RESTORE, a rape crisis service agency, to meet you at the emergency department to offer support. Call RESTORE at 585-546-2777.

- Emergency contraception, also known as “Plan B” or “the morning after pill,” is available for purchase without a prescription at University Health Services. An appointment is not needed.

Taking these steps can be very difficult following a traumatic experience, but they will help preserve potential evidence should you decide to make a report.

For students who do not have medical insurance, or may not want family to learn about an emergency room visit, the New York State Office of Victim Services may be able to assist with the cost of medical services related to sexual violence. For information call 800-247-8035, or visit ovs.ny.gov/help-crime-victims.
## Seeking Help On and Off Campus

Students have confidential and private options for seeking help. You may choose any of the following resources at any time.

### Confidential Options

Individuals at the following organizations offer 24-hour, confidential support. They will not report crimes to law enforcement or University officials without your permission, except under extreme circumstances, such as a health or safety emergency.

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<thead>
<tr>
<th>Resource</th>
<th>Phone Number</th>
<th>Website</th>
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<tr>
<td>University Health Service</td>
<td>585-273-2662</td>
<td>rochester.edu/uhs</td>
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<tr>
<td>University Counseling Center</td>
<td>585-275-3113</td>
<td>rochester.edu/uhs/ucc</td>
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<tr>
<td>University Chaplains</td>
<td>585-275-4321</td>
<td>rochester.edu/chapel/faith-communities</td>
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<tr>
<td>RESTORE Sexual Assault Services</td>
<td>585-546-2777</td>
<td>restoresas.org</td>
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<tr>
<td>Willow Domestic Violence Center</td>
<td>585-222-7233 (222-SAFE)</td>
<td>willowcenterny.org</td>
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### Private Options

These individuals will maintain your privacy to the greatest extent possible, but are not confidential resources. Information will be relayed only as necessary to investigate and/or seek a resolution.

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<tr>
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<td>University Title IX Coordinator</td>
<td>585-275-7814</td>
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<tr>
<td>University Public Safety</td>
<td>585-275-3333</td>
<td>publicsafety.rochester.edu</td>
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<tr>
<td>Center for Student Conflict Management</td>
<td>585-275-4085</td>
<td>rochester.edu/college/cscm</td>
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<tr>
<td>CARE Network</td>
<td>585-275-9490</td>
<td>rochester.edu/care</td>
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Reporting Options and Complaint Process
Against Another Student

Accommodations and Interim Measures
These are available to any student who comes forward about an incident of sexual misconduct, regardless of your decision to make a formal report. They are also available to all witnesses and respondents in a complaint. Steps taken will be determined on a case-by-case basis and may include:

- Active Avoidance Orders *(one or both parties involved actively avoid each other)*
- Alternative on-campus housing, transportation, parking, or class schedules
- Changes to employment or academic assignments
- Interim suspension from campus, classes or other activities while a complaint is being investigated and/or adjudicated

The University can also assist you with obtaining an order of protection, or initiating family or civil court proceedings.

Formal Complaints
You may choose to make a formal report to law enforcement by calling 911. The University can help you make this report. You may also make a formal report to the University by contacting any of the following:

- Title IX Coordinator (585-275-7814) or a Deputy Title IX Coordinator
- Public Safety (585-275-3333)
- Center for Student Conflict Management (585-275-4085)

You have the right:

- To withdraw a complaint or involvement in the University’s conduct process at any time.
- To be accompanied by an advisor of choice when speaking with anyone at the University regarding an incident of sexual misconduct. A printed list of advisors is available at the Center for Student Conflict Management.

Informal Resolution
You may choose to seek an informal resolution. If you request this option and it is granted, there will not be an investigation, hearing, or disciplinary action. Other measures, such as mediation, will be pursued. The option to seek an informal resolution is not available in every case, such as when an allegation includes sexual violence or another aggravating factor. The pursuit of an informal resolution does not preclude you from pursuing a formal complaint in the future.

Anonymous Proxy Report
You may file an anonymous report online, known as a proxy report. This does not include any personally identifiable information, but includes the date, location, and type of incident that occurred (rochester.edu/sexualmisconduct/proxy-report.html).

Amnesty
No student who files a complaint will face University disciplinary action for use or possession of alcohol or drugs that is related to and revealed in a sexual misconduct investigation.
Student Sexual Misconduct Process on Campus

When a report results in a University investigation, specially-trained investigators in Public Safety meet with all individuals involved. Their goal is to gather all of the information about the incident with sensitivity and respect for all parties.

When the investigation is complete, a report is generated and forwarded for review to the Title IX Coordinator and a judicial officer, who works in the Office of the Dean of Students. The judicial officer then meets with all parties to discuss the hearing process.

Hearings

Sexual misconduct hearings are held in a private conference room on campus and are conducted by a hearing board made up of specially-trained University administrators. The board reviews the investigative report and any other evidence, and asks questions of all the parties with the purpose of determining, through a fair and objective process, if a violation of the Student Sexual Misconduct Policy occurred. If the board determines that a violation occurred, it informs the judicial office of this finding and recommends a sanction. The final decision is explained to the respondent and the declarant in person in separate meetings and by letter.

Appeals

Both parties involved in the hearing have the right to appeal the judicial officer’s decision. The process for the appeal is outlined fully in the hearing results letter to each student.

Sanctions

The Student Sexual Misconduct Policy allows for a range of sanctions. These include disciplinary probation, prohibition from various areas and events, educational assignments, suspension, and expulsion. Students found responsible for sexual misconduct should expect to be suspended for a minimum of one academic year.

Burden of Proof

In deciding the outcome of a complaint, University adjudicators are guided by a Preponderance of the Evidence standard. This means if the adjudicator determines that it is more likely than not that the alleged behavior occurred, they will find the respondent responsible.

Support Persons and Legal Counsel

Any student involved in a complaint—claimants and respondents—have the right to have a support person assist them throughout the complaint process. This can be a friend, family member, or anyone of your choosing. A list of specially-trained advisors is available at the Center for Student Conflict Management.

Both claimants and respondents also have the right to be accompanied by an attorney throughout the process, including interviews and hearings. Please note that the University will not pay for an attorney to assist you, and does not compensate students for legal fees.
Privacy and Confidentiality
The University will maintain your privacy to the greatest extent possible during the investigation and adjudication process, but does not guarantee confidentiality. Your identity and the information you share with the investigator is known only to individuals who have responsibility in the investigation and resolution of a complaint. In most cases, both the complainant and respondent will know the identities of witnesses and the information they provide.

Protection from Retaliation
Retaliation for complaining about sexual misconduct or any type of discrimination or harassment is prohibited. This includes retaliation for participating in an investigation or a hearing involving a complaint against a student or a non-student member of the University community. If you feel you have experienced retaliation, please contact the Title IX Office with the information.
Witness Rights and Resources

A witness in an investigation of sexual misconduct is anyone who has information related to the complaint. This can be direct knowledge, such as an eyewitness to an incident, or indirect, such as something you overheard or were made aware of by another person.

Witnesses have the following rights in an Investigation:

- To receive information and ask questions pertaining to the investigation process.
- To be informed of and have access to campus services, including confidential resources, related to sexual violence and discrimination.

If you have witnessed sexual misconduct, either directly or indirectly, you can file a complaint using any of the informal or formal options outlined in this guide. You also have access to health and counseling services, and accommodations and interim measures.

Interviewing with the Investigator

The decision to participate as a witness in an investigation is an individual one. If you have concerns about how your involvement could affect your personal, academic, or professional life, you can speak with the Title IX Coordinator or any of the Deputy Title IX Coordinators to discuss ways the University can mitigate the impact and find reasonable solutions that allow you to participate in the investigation.

If you choose to meet with an investigator as a witness, you will be asked questions related to the complaint allegations, and may also be asked to submit information such as texts, emails, or images for review. In order to protect the privacy of all those involved, as well as the integrity of the investigation, the investigator will only share information with you necessary to further the investigation. In other words, there may be details of the complaint that will not be made available to you as a witness.
Respondent Rights and Resources

If a complaint of sexual misconduct has been made against you, there are resources available at the University where you can go for information and support.

If you need help and are unsure where to begin, you are encouraged to reach out to the Title IX Coordinator (585-275-7814) or one of the Deputy Title IX Coordinators. A list with contact information is at rochester.edu/sexualmisconduct.

Other resources include:

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Participating in the Investigation

The University expects respondents to participate fully in all aspects of the investigation. As with all alleged conduct violations, there is no presumption that a policy has been violated. You may choose not to participate in any part of the process. However, the University may proceed without your involvement. Respondents will be held accountable for any outcomes issued, even if they decline to participate.
Reporting Options and Complaint Process Against A Non-student Member of the University Community

Accommodations and Interim Measures

These are available to any student who comes forward about an incident of sexual misconduct, regardless of your decision to make a formal report. Steps taken will be determined on a case-by-case basis and may include:

- Active Avoidance Orders *(one or both parties involved actively avoid each other)*
- Alternative on-campus housing, transportation, parking, or class schedules
- Changes to employment or academic assignments

Formal Complaints

You may choose to make a formal report to law enforcement by calling 911. The University can help you make this report. You may also make a formal report to the University by contacting any of the following offices:

- Title IX Coordinator (585-275-7814)
- Public Safety (585-275-3333)
- Center for Student Conflict Management (585-275-4085)
- Department chair
- Office of Human Resources (585-275-8747)
- Office of the Intercessor (585-275-9125)
- Office of Counsel (585-273-2167)
- Dean of your college or professional or graduate school

Formal complaints of sexual misconduct against a non-student member of the University community are handled under the University’s Policy Against Discrimination and Harassment, also known as Policy 106: rochester.edu/working/hr/policies/pdfpolicies/106.pdf.

You have the right:

- To withdraw a complaint or involvement in the University’s investigation process at any time.
- To be accompanied by an advisor of choice when speaking to anyone at the University about an incident, if the complaint alleges sexual assault, stalking, or dating or intimate partner violence.

Informal Resolution

You may choose to seek an informal resolution with the Title IX Coordinator. The informal resolution option is not available in every case, such as when an allegation includes sexual violence.
The Policy 106 Process

Once you have made a formal complaint under Policy 106, the University will first seek your consent before conducting an investigation. You may decline to consent. Your decision will be honored, unless it is determined that failure to investigate may result in harm to you or other members of the University community. While every effort will be made to protect the privacy of all parties, confidentiality cannot be guaranteed in the investigation.

An investigator will interview you and other witnesses with relevant knowledge of your complaint and will attempt to complete the investigation within 30 to 45 days.

The investigator will then provide a written report to the appropriate adjudicator of your complaint. A list of decision makers can be found in Policy 106, Appendix B. For example, if the complaint is against a faculty member, the adjudicator will be the Dean of the School where the faculty member holds their primary appointment.

Within 15 business days of receiving the report, the adjudicator will determine whether a violation of Policy 106 has been established and send a written determination to you, the accused, and any appropriate administrative personnel. The determination includes a summary of the findings of the investigation and describes any corrective action to be taken as well as other recommendations based upon the findings.

In addition to receiving a copy of the written determination letter, the complainant and the accused may also make an appointment to view a copy of the investigator’s written report.

The complainant or the accused can appeal this decision within 15 business days.

Protection from Retaliation

Retaliation for complaining about sexual misconduct or any type of discrimination or harassment is prohibited. This includes retaliation for participating in an investigation or a hearing involving a complaint against a student or a non-student member of the University community.
Non-sex-based Harassment and Discrimination

If you believe that you have been discriminated against because of your age, color, disability, ethnicity, military/veteran status, national origin, race, religion or creed, or on the basis of any other protected class, you have several options for reporting the incident:

Report Against Another Student

“Submit a Concern” on the student CARE website: rochester.edu/CARE. Harassment and discrimination complaints not related to sex will be addressed pursuant to the Standards of Student Conduct procedures.

Report Against a Non-student Member of the Community

Submit a confidential formal complaint under the University’s Policy Against Discrimination and Harassment, (Policy 106): rochester.edu/working/hr/policies/pdfpolicies/106.pdf.

Questions?

Questions about the Student Sexual Misconduct Policy, Policy 106, conduct process, resources, or your rights can be directed to the Title IX Coordinator: 585-275-7814; titleix@rochester.edu.

Relevant Policies

This guide highlights aspects of the Student Sexual Misconduct Policy and Policy 106. You can read the full policies online (PDFs), or print hard copy.

- Student Sexual Misconduct Policy:
  rochester.edu/sexualmisconduct/assets/pdf/StudentSexualMisconductPolicy.pdf

- University Policy Against Discrimination and Harassment (Policy 106):
  rochester.edu/working/hr/policies/pdfpolicies/106.pdf

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