

Confidentiality, Access to Resources and Reporting of Offenses

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. The University offers a number of confidential and non-confidential resources and reporting options for violations of the Gender-Based Discrimination and Sexual Misconduct policy, which include but are not limited to violations of Sexual Assault, Dating or Domestic Violence, and Stalking.

Certain University employees are considered “confidential” resources because they are not required by law to report known incidents of sexual assault or other crimes to University officials. Confidential resources generally will not share information about an individual without the individual’s express written permission.

Other employees at the University are non-confidential resources and may share information about a report with other officials at the institution so the University may take steps to offer resources and supportive measures, and/or prevent the recurrence of gender-based discrimination or sexual misconduct. If you are unsure of an individual’s reporting obligations, please ask before disclosing any information you wish to remain confidential. Even University offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek a resolution, or for the Director for Safety and Security Services to report statistical information about Clery reportable crimes.

Confidential Assistance

Confidential disclosure is defined as seeking resources and/or assistance without personally identifiable information about the disclosure being shared with anyone else. If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with counselors or health care providers in the Center for Student Wellness, clergy within the University acting in their role as clergy (friars or sisters), and/or off-campus resources such as Victim’s Services or Olean General Hospital. All of these resources will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor. Confidential resources that are University employees will submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient or parishioner.

Quick Reference Contact Information for Confidential Resources:

- **New York State Domestic and Sexual Violence Hotline – 1-800-942-6906**
- **University Center for Student Wellness: 127 Doyle Hall (first floor right side entrance) – 716-375-2310**
- **Olean General Hospital Sexual Assault Forensic Examiner (SAFE) Unit: Report to the OGH Emergency Room – 716-372-0614**

- **Cattaraugus Community Action - Victim Services:** Toll Free Crisis Hotline – 1-888-945-3970
- **New York State Police 24 Hour Hotline** – 1-844-845-7269 (for reporting to law enforcement, know that your report may not be confidential, but law enforcement is not obligated to share any information with the University)

Non-Confidential Resources and Reporting Options

University employees other than confidential resources may share reports of gender-based discrimination or sexual misconduct with the Title IX Coordinator or a Deputy Coordinator so that the University may take steps to offer resources and supportive measures and/or prevent the recurrence of misconduct.

Should a person want to formally report an incident of gender-based discrimination or sexual misconduct, including Sexual Assault, Dating or Domestic Violence or Stalking, they should report to one of the “Responsible Administrators” listed below. Responsible Administrators are representatives of the University that will ensure the reporting party has all of their resources and reporting options, and have authority to take corrective action on behalf of the University. Responsible Administrators are required to share all information, including personally identifiable information, with the Title IX Coordinator.

Responsible Administrators:

- Title IX Coordinator
- Deputy Title IX Coordinator for Students (Dean of Students)
- Deputy Title IX Coordinator for Disability Support Services (Coordinator for Disability Support Services)
- Deputy Title IX Coordinator for Faculty (Chair of the Council on Discrimination and Harassment)
- Deputy Title IX Coordinator for Athletics (Associate Athletic Director of Compliance)
- Vice President for Student Affairs
- Director for Safety and Security Services

Campus Security Authorities:

The Jeanne Clery Act mandates that certain crimes are reported for inclusion in the annual security report. In an effort to achieve the most accurate statistics possible the Jeanne Clery Act has identified Campus Security Authorities as mandated reporters. Campus Security Authority is a Clery specific term that encompasses four groups of individuals:

- A campus police or security department
- Any individual(s) who have responsibility for campus security, but do not constitute a campus police or security department
- Any individual or organization specified in an institutions statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

- An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline and campus judicial proceedings.

CSAs must report information about any Clery reportable crime, including Sexual Assault, Dating or Domestic Violence, and Stalking, to the Director for Safety and Security Services. They are required to report non-personally identifiable information (nature, date, time, general location, current disposition). CSAs will generally be able to honor a reporting party's request to anonymously report an incident. In compliance with the Clery Act, the University will complete publically available record keeping, including Clery Act reporting and disclosures, excluding any personally identifying information. A full list of CSAs can be found in St. Bonaventure University's Annual Security Report.

If a reporting party does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the reporting party may make such a request to the Title IX Coordinator or a Deputy, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases involving alleged or apparent pattern, predation, physical threat, weapons, and/or violence, the University will likely be unable to honor a request for confidentiality or anonymity. If the University determines that it must proceed with an investigation, the reporting party can choose whether he/she is going to be part of it. The burden of investigation, disciplinary charges, and consequences is not on the reporting party, but instead rests with the University. In cases where the reporting party requests confidentiality or anonymity, and the circumstances allow the University to honor that request, the University will offer interim supports and remedies to the reporting party and the community, but will not otherwise pursue formal action.

****Resident Assistants must report **all** information to the Residence Director On-Duty and are not permitted to withhold personally identifiable information.*

If a report is made to anyone other than the Responsible Administrators listed above, the reporting party risks the possibility that the information will not come to the attention of the proper University officials and may, therefore, not be acted upon.

Victim Services

A Program Through Cattaraugus County Community Action

Toll-Free Crisis Hotline 1-888-945-3970 or 716-945-3970

An assault has both a physical and psychological impact. Attention to your emotional needs is as important as the medical treatment is to your physical well-being. By talking about your feelings you can begin to identify for yourself what you need. Having all options explained to you will enable you to make the best choice.

Survivors of relationship and sexual violence can obtain immediate, confidential assistance from Victim Services by either calling the hotline number listed above, or going to the S.A.F.E. unit at OGH. If you go to the S.A.F.E. unit, they will contact a Victim Specialist for you. The Victim

Specialist offers support by listening, empathizing, providing information and a non-judgmental presence. They can offer guidance in dealing with a family member's response or with the police and medical procedures. They understand how you may be feeling, and they can talk about what you can expect during the next few days and weeks.

The Victim Specialist will also follow up with you after the initial hospital contact with telephone calls or in person. This follow up call will allow you to ask any questions that arise and give you a chance to talk about how you are feeling with someone who is concerned yet objective. This support and information is available to any family member or friend who may accompany you. This service is **FREE AND CONFIDENTIAL**.

By receiving immediate information and support during this crisis period, you can begin your recovery from this traumatic experience. While sexual violence is very traumatic, with proper help, survivors can return to their level of functioning as before the incident occurred.

S.A.F.E. (Sexual Assault Forensic Examiner)

At Olean General Hospital

Program Information – 716-372-0614

To get an examination at the S.A.F.E. unit at OGH, go to the emergency room, discreetly inform the triage nurse that you've been sexually assaulted, and would like to see the S.A.F.E. provider. The S.A.F.E. provider is a doctor or nurse trained to help sexual violence survivors and collect physical evidence.

COMPLETE CONFIDENTIALITY: Everything that happens in the S.A.F.E. room is completely confidential. Only you can consent to releasing the results of your forensic exam or any evidence gathered by the S.A.F.E. provider. If the assault occurred within the last 72 hours, forensic evidence, including DNA, can be collected.

THE S.A.F.E. PROCESS: Once the S.A.F.E. provider arrives, they will ask you a series of questions. Be honest and give them as much detail as you can. The exam is designed to protect you and gather evidence. We know this is a difficult time for you, but the exam is necessary to hold your abuser accountable. The following steps will be taken during the examination:

- Examine your entire body, including your groin, for evidence of trauma such as bumps, abrasions or cuts, carefully making notes and collecting photographic evidence.
- Examine your hands for nail clippings and scrapings. Your abuser's hair, blood, or skin can be found on your hands, or underneath your fingernails.
- Photograph any bite marks and swab them for saliva, which may contain biological evidence, including DNA.
- Swab any stains found on you because they may contain saliva or semen.
- Collect vaginal, anal or oral swabs to check for DNA.
- Comb your pubic hair for foreign fibers or hairs.

- Search your clothing for stains and take samples from your clothes. Your clothing will also need to be collected and sent to a crime lab for further analysis. You will be given other clothes to wear home. If you remember, it is helpful to bring a change of clothes with you.

Even if there is no sign of trauma, that doesn't mean a sexual assault did not occur. The S.A.F.E. provider will look for signs that sexual intercourse occurred and collect evidence.

POST-EXPOSURE TREATMENT: Several post-exposure treatments will be offered by the S.A.F.E. provider, including HIV Post-Exposure Prophylaxis (HIV PEP). If the assault has occurred within the last two to 36 hours, the attending physician will offer treatment with a series of drugs designed to protect you from HIV, the virus that causes AIDS. Unless it is known with 100 percent certainty that your attacker is not HIV positive, we recommend you initiate PEP treatment as soon as possible. You will also be tested for HIV exposure and will be asked to return for a follow-up test at one, three and six month intervals.

AFTER THE EXAM: Sexual Violence is devastating physically and emotionally. Many survivors suffering from physiological trauma feel shame or guilt and believe they are somehow at fault for what happened. You are not at fault. Your attacker is at fault, and we're here to help you hold your attacker responsible. Your Victim Specialist will help you begin the healing process. She will explain the community resources available to help you. The Victim Specialist will also help you arrange long-term counseling and follow-up visits.

Remember, you are not alone. The S.A.F.E. program was created to help you.

SBU Center for Student Wellness

The St. Bonaventure University Center for Student Wellness offers confidential counseling services to aid in the healing process for sexual violence survivors. To schedule an appointment with a counselor, call 716-375-2310, email ccsbu@sbu.edu, or visit the St. Bonaventure University Center for Student Wellness in Doyle Hall Room 127.

Reporting to the Police

Every reporting party has the right to report the incident to the police, and the University will assist any student wishing to speak to a member of law enforcement. The University reports known crimes to law enforcement in a timely manner, but can keep a victim's name anonymous if he/she requests it.

You have up to 30 days from the date of your S.A.F.E. exam to decide if charges should be filed. Just because you talk to the police and they fill out a report about what happened does not mean your attacker will be charged. The decision to move forward is up to you. We encourage victims to make a police report so there is a record of what occurred that can be used to prosecute if and when you choose to do so. If an arrest is made, the name of your attacker may

be made public, but your name will not. All area media outlets have policies that prevent them from releasing the name of a survivor.

CONTACTING THE POLICE: You can contact the police yourself by dialing 911. If you go directly to the hospital, the staff can notify the police for you. If you report the incident to campus officials, they will assist you in contacting law enforcement. Once called, the officers will arrive and take the initial report. You have the right to have a Victim Specialist with you during questioning. Police will:

- Ask you questions about what happened and where and when it occurred
- Ask the attacker's identity or description.
- Ask who else has been notified of the incident.
- Collect and safeguard any evidence, such as clothing, sheets, etc.