

# Rights in Cases Involving Sexual Assault, Domestic/Dating Violence and Stalking

*Pursuant to Article 129-B, Section 6444 of the New York State Education Law, anyone reporting an incident of sexual assault, domestic or dating violence or stalking shall be advised of their rights to:*

1. Notify Campus Safety and Security, local law enforcement, and/or New York State Police;
2. Emergency access to a Title IX Coordinator or other appropriately trained official who shall be available upon the first instance of disclosure by a reporting individual and who can provide information, including:
  - a) options to proceed, including the right to make a report to Safety and Security (reports to Safety and Security are reported to the Title IX Coordinator), Local Law Enforcement, and/or the New York State Police or choose not to report; to report the incident to the University; to be protected by the University from retaliation for reporting an incident; and to receive assistance and resources from the University, as set out in the St. Bonaventure University Gender-Based Discrimination and Sexual Misconduct Policy, which can be found at [www.sbu.edu/life-at-sbu/conduct-at-sbu/gender-based-sexual-misconduct](http://www.sbu.edu/life-at-sbu/conduct-at-sbu/gender-based-sexual-misconduct);
  - b) where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible;
  - c) that the criminal justice process utilizes different standards of proof and evidence than the University's judicial procedures and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney;
  - d) whether the person they are reporting to is authorized to offer confidentiality or privacy; and
  - e) any other reporting options.
3. If they are a student, to contact the University Center for Student Wellness (716-375-2310) where they may be offered confidential resources pursuant to applicable laws/policies and can be assisted in obtaining services for reporting individuals; if they are not a student but are otherwise a member of the University community, or if they are a student but prefer to seek off-campus assistance, to contact non-University confidential resources, including:
  - a) Olean General Hospital Sexual Assault Forensic Examiner (SAFE) Unit (716-372-0614)

- b) Cattaraugus County Community Action –Victim Services (1-888-945-3970)
  - c) New York State Domestic and Sexual Violence Hotline – 1-800-942-6906
4. Disclose confidentially the incident and obtain services from the state or local government;
  5. Disclose the incident to an official of the University who can offer privacy or, in appropriate cases determined by the Title IX Coordinator, confidentiality, subject to the St. Bonaventure University Gender-Based Discrimination and Sexual Misconduct Policy, which can be found at [www.sbu.edu/life-at-sbu/conduct-at-sbu/gender-based-sexual-misconduct](http://www.sbu.edu/life-at-sbu/conduct-at-sbu/gender-based-sexual-misconduct) and can assist in obtaining resources for reporting individuals;
  6. File a report of sexual assault, domestic violence, dating violence, and/or stalking and consult the Title IX Coordinator and other appropriate University personnel for information and assistance. Reports shall be investigated in accordance with University Policy. A reporting individual's identity shall remain private if that is what the reporting individual wishes, however privacy is not the same as confidentiality; private information can be shared to implement and fulfill the University's obligations under the law and its Gender-Based Discrimination and Sexual Misconduct Policy;
  7. Disclose, if the respondent is a University employee, the incident to Human Resources or to request that a private employee assist in reporting to Human Resources;
  8. Receive reasonable assistance from appropriate University representatives if interested in initiating legal proceedings in family court or civil court; and
  9. Withdraw a complaint or involvement from the University processes at any time, with the understanding that in appropriate cases, the University may nonetheless be required to proceed even if the reporting individual does not wish to do so.

For information on filing a report or seeking resources go to [www.sbu.edu/life-at-sbu/conduct-at-sbu/gender-based-sexual-misconduct](http://www.sbu.edu/life-at-sbu/conduct-at-sbu/gender-based-sexual-misconduct) or contact the Title IX Coordinator (Erik Seastedt, Director of Human Resources) at 716-375-2102. In addition, information on sexually transmitted infections and sexual assault forensic examinations can be obtained from University Center of Student Wellness, if a student, or from the hospital listed above, if an employee or student. Certain resources are also available to victims of crimes through the New York State Office of Victim Services, [www.ovs.ny.gov](http://www.ovs.ny.gov).