

# Siena College Sexual Misconduct Response Guide and Information

**Know your options:** Siena College will seek to maintain your privacy at all times to provide both individual and community safety. Students who experience an incident of sexual misconduct should consider the following immediate action. An initial choice to use one of these avenues does not preclude a later or simultaneous decision to use one or more of the others. Siena College Public Safety officers can also assist the victim/survivor with filing a complaint both on and off campus, and in obtaining immediate medical attention, counseling and other services.

## Emergency Assistance Contact Information

Emergency Response	Health and Safety	Counseling
911	Albany Memorial Hospital 518-471-3111	Counseling Center ( <b>confidential</b> ) 518-783-2342
Siena College Public Safety 518-783-2999	Albany Medical Center 518-262-3125	Office of the College Chaplain and Siena College Friars ( <b>confidential</b> ) 518-783-2332
New York State Police-dedicated 24 hour hotline 1-844-845-7269	Siena College Health Services ( <b>confidential</b> ) 518-783-2554	Albany County Crime Victim & Sexual Violence Center Crisis hotline ( <b>confidential</b> ) 518-447-7716

## Seek Medical Assistance

Seek medical attention as soon as possible to:

- Request a SANE nurse should you chose to contact and/or arrive at a hospital;
- Treat the full extent of any injury or physical trauma;
- Consider possibilities of STI/STD and risk of pregnancy;
- Preserve evidence in case you decide to prosecute.

**IMPORTANT:** If you bathe, douche, brush your teeth, drink or change your clothing, you may destroy evidence. If you think you may want to press charges, try to preserve evidence. If called, an advocate from the Albany County Crime Victim & Sexual Violence Center will meet you at the hospital to assist you through the process and provide support. You may also have a friend and/or Residence Director accompany you.

## Confidential vs. Private Reporting

**Confidentiality** may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to college officials. Licensed mental health counselors, medical providers and pastoral counselors are examples of college employees who may offer confidentiality. Siena College has designated the Counseling Center, Health Services and the Office of the College Chaplain (and Friars) as confidential resources.

All other college offices and employees cannot provide confidentiality but 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 and/or Public Safety to provide victim/survivors safety, awareness of resources, and reporting options.

## Private Non-Confidential Resources and Support

Name	Title	Contact Information
Siena College Public Safety Office		518-783-2999 (24hr/day) 518-783-2376 (office)
Lois Goland	Title IX Coordinator	518-782-6673
Adam Casler	Associate Vice President for Student Life/Dean of Students	518-783-2328
Danielle Joyce	Title IX Associate	518-782-8924
Kate Kaufman Burns	Director of Health Promotion	518-782-6209

### **Deputy Coordinators & Educators/Advisors**

John Bebb	Sr. Associate Dean of Students/Sr Deputy Title IX Coordinator	518-783-2328
Jeanne Obermayer	Student Life Compliance Officer	518-783-2421
Melody Nadeau	Assistant Director, International Programs/ESOL	518-786-5047
Robin MacHattie	Assistant Professor	518-783-4123

## **Important Considerations**

### **Reporting Options**

If you believe that you are the victim of sexual misconduct, you have the right to choose one or more of the following options:

- Pursue criminal charges through local and/or state law enforcement
- Provide information regarding the incident to the Title IX Coordinator or other appropriate, trained college official and pursue action through the Sexual Misconduct Procedures
- Provide information regarding the incident to the Title IX Coordinator or other appropriate, trained college official but decide not to pursue further action at this time.
- Utilize a confidential resource
- Decline action
- Delay action until accompanied by an advisor of choice

### **Law Enforcement**

We encourage you to report incidents of sexual violence, dating violence, domestic violence, or stalking to the local and/or state police, as well as to college personnel. If you choose, you may also contact the Crime Victims Services Unit (518-694-8445) of the Albany County District Attorney's office about the process for filing criminal complaints. If you wish, a Siena College staff person will accompany you and assist you in filing a report with the police. You may choose to pursue disciplinary action through the College while criminal action is pending.

### **Duty to Report by Responsible Employees**

"Responsible Employees" have a duty to immediately report incidents of sexual misconduct, including all relevant details, to the Title IX Coordinator and/or Public Safety. Such employees are not permitted under any circumstances to maintain a Complainant's confidentiality. Siena has designated all Faculty, Staff, Administrators, and Community Assistants, with the exception of those designated as a confidential resource, as responsible employees. Immediately upon learning of potential campus sexual misconduct, any employee with a duty to report violations of this policy who receives a complaint of sexual misconduct or who observes or learns of conduct that is reasonably believed to be in violation of this policy, is required to report the alleged conduct to the Title IX Coordinator and/or Public Safety who will take appropriate action to address the report.

### **Anonymous reporting**

Anonymously disclose a crime or violation to the Public Safety anonymous tip line ([www.siena.edu/anonymous](http://www.siena.edu/anonymous)). The College may have a duty to investigate anonymous disclosures to the extent possible, based on the information received.

### **Prohibition of Retaliation**

Individuals may file a complaint with the Title IX Coordinator if they have been retaliated against for reporting sexual misconduct, assisting someone in making such a report or participating in any manner in an investigation or resolution of a sexual misconduct complaint. All retaliation complaints will be investigated in accordance with the investigation procedures set forth in this policy and individuals who have been found to have engaged in retaliation will be subject to disciplinary action.

### **Welfare of the Community (Amnesty) Policy**

The health and safety of every student at Siena College is of utmost importance. Siena College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to discrimination and harassment, domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Siena College strongly encourages students to report discrimination and harassment, domestic violence, dating violence, stalking, or sexual assault to College officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of discrimination or harassment, domestic violence, dating violence, stalking or sexual assault to college officials or law enforcement will not be subject to Siena's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the discrimination and harassment, domestic violence, dating violence, stalking, or sexual assault.

This policy may also be applied, but not limited to: alcohol or drug related incidents, discrimination and harassment, sexual misconduct or situations of vandalism and damage. The policy only applies to the College's Student Code of Conduct and has no status in other jurisdictions such as local or state courts.

### **Interim Measures**

Upon receipt of a report, the Title IX Coordinator may provide reasonable and appropriate interim measures designed to preserve the complainant's educational experience, the safety of all parties and the broader campus community, maintain the integrity of the investigative and/or resolution process, and deter retaliation.