

A Resource Guide

for Considering your Options

LAFAYETTE

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Your Rights, and Options to Consider

This notice of your rights and your options is being provided to you because Lafayette has received a report that you may have experienced sexual misconduct (including sexual assault, dating violence, domestic violence, or stalking.) We hope the following information about reporting, obtaining support, care, resources and accommodations, and about applicable Lafayette and law enforcement procedures and options will be helpful to you as you assess your needs.

Getting Help

Seek Medical Attention: If you have experienced sexual misconduct (including sexual assault, dating violence, domestic violence, or stalking), we encourage you to seek immediate medical attention, even if you're not sure if you have any physical injuries. The medical staff at Bailey Health Center can provide care for any physical injuries you may have sustained, and can also test for sexually transmitted infections and/or pregnancy. Please see sash.lafayette.edu for the most up-to-date information on medical care options, including where to receive an examination by a Sexual Assault Nurse Examiner (SANE), as well as contact information for the Bailey Health Center.

Receive SANE Evaluation: A SANE is a nurse who is specially trained to collect forensic evidence while providing compassionate, comprehensive care. This evidence may be helpful to you now or in the future if you choose to file a complaint, and should be obtained as soon as possible after an assault. If possible, try to preserve any evidence before your exam by not washing or changing clothes, brushing teeth or hair, eating, or other actions that might compromise evidence. Please place evidence (e.g. clothing, sheets, or used prophylactics) in a paper bag *instead* of plastic. A SANE exam is recommended no later than 72 hours after an assault. Even if more than 72 hours have passed, it may still be possible to collect evidence, and it is certainly possible to receive medical care and testing. Collecting evidence in no way obligates you to file a complaint with Lafayette or make a report to the police that could lead to criminal prosecution, but preserves this information in the event that you decide to do either of those things, or seek a protection order, at a later date.

Consult with Crime Victims Council of Lehigh Valley: If concerns about expenses are keeping you from seeking medical care, please talk with the Crime Victims Council of the Lehigh Valley (see contact information on page 9), who can advise you about coverage through the Pennsylvania Crime Victims Compensation Fund.

Talk with Counselor: Consider talking with a counselor, psychologist, or other mental health professional on- or off-campus. You may not feel ready to talk about what happened, but counselors can provide a confidential and safe space to explore any feelings or challenges that have arisen for you after your experience. See page 9 for information about the Counseling Center staff or the Employee Assistance Program, including counseling,

mental health, victim advocacy, legal assistance, and other services available both on campus and in the community.

Get Support: If you're not sure what you need right now, but you would like some support while exploring your options, consider contacting SASH Advocates (this resource is only available to Lafayette College students and is offered during the academic year; see contact information on page 9). SASH advocates are faculty and staff members committed to providing a safe resource for students who may have experienced sexual misconduct. They can provide information and support as you consider your needs, and can help connect you with campus-based and external resources.

Get Confidential Resources: Contact information for confidential resources for students or employees (such as the Counseling Center and College Chaplain on-campus as well as off-campus options) is also provided on page 9. Contacting one or more of these confidential resources in no way precludes you from choosing to make a report later.

Filing a Report: We are deeply concerned when behavior that may constitute sexual misconduct comes to our attention. We strongly encourage you to file a report directly with the Title IX and Equity Coordinator. Other reporting options include the Office of Student Conduct, Human Resources, the Office of Public Safety, a Deputy Title IX Coordinator, or online at sash.lafayette.edu (contact information is listed on page 9). Our policies are designed with the needs of students and employees in mind, and we make every effort to conduct prompt and thorough investigations with care and sensitivity. If you are considering filing a complaint, but want to learn more about the College's process, you may request an informational meeting with the Title IX and Equity Coordinator. You do not need to share any information about your experience during this conversation, and you are welcome to bring a support person with you if that would be helpful.

File Police Report/Protective Order: You also have the right to report the incident to the police and/or seek a protective order from a court. Lafayette will provide assistance if you decide to pursue either option. If you would like to request such assistance, or would just like to learn more about these options, please contact the Office of Public Safety. Contact information is located on page 9.

Retaliation Protection: Retaliation by Lafayette, and/or by any member of the Lafayette community, against someone because they have reported an incident or participated in an investigation is prohibited by Title IX legislation, the Clery Act, and by Lafayette’s own policies. Lafayette will take steps to prevent retaliation and will take strong responsive action if it occurs.

Additional Accommodations and Resources

Reasonable interim measures and resources are available to you whether or not you decide to pursue or participate in an investigation with Lafayette or make a report to the police. The information below outlines options for individuals who reportedly were or are being subjected to dating or domestic violence, and/or sexual assault or stalking. It also includes an overview of available assistance and how to request changes to academic, living, transportation, and working situations or other protective measures. Lafayette will make such accommodations or provide such protective measures if the reported victim requests them and if they are reasonably available. These may include, but are not limited to, the following examples:

Counseling, on-or-off campus: The Counseling Center offers short-term counseling services to students. Lafayette’s Employee Assistance Program (“EAP”) provides confidential counseling to employees. There are also a number of counseling resources off campus; Lafayette’s counseling staff or the EAP can provide you with appropriate referrals. Contact information is listed on page 9.

Academic accommodations: If your experience is compromising your ability to meet your academic obligations, the Title IX and Equity Coordinator can work with you to arrange for appropriate and reasonable academic accommodations. These may include dean’s excuses, support to drop a class after the deadline, requesting incompletes, changes to your academic schedule, or other possibilities as appropriate.

No Contact Orders: No Contact Orders are Lafayette’s non-disciplinary measures to ensure that two or more individuals are not permitted to communicate directly or indirectly with each other for a period of time. In most cases, No Contact Orders are put in place at the request of one or both parties, but in some circumstances Lafayette may put in place a No Contact Order to preserve the safety of both parties, other community members, or the integrity of an investigation or conduct process.

Living situation accommodations and room changes: It is sometimes possible to relocate people on a temporary or permanent basis when two individuals' residential proximity feels unsafe or disruptive. Temporary accommodations may sometimes include providing a second residential space for an individual to access on a short-term basis.

Visa and immigration assistance: If you have questions or concerns about how your experience and needs may intersect with your visa and/or immigration status, please contact the International Student Adviser (see page 9 for contact information).

Student financial aid assistance: If you have questions or concerns about student financial aid-related issues, please contact the Office of Financial Aid. The Title IX and Equity Coordinator may also assist you with facilitating this process (see page 9 for contact information).

Additional measures: Other arrangements, such as workplace accommodations or transportation options, may be permitted on a case-by-case basis to provide students or employees with options to address their needs related to their experience. We encourage you to share your needs candidly with any of the individuals or offices identified on page 9, as appropriate, so we can work with you to address them.

Additional Information

Evidence: In addition to trying to preserve any of the physical evidence referenced on page 2 (“Getting Help”), try to preserve all evidence related to an incident or incidents, including any electronic information, text messages, social media posts, phone records, e-mails, or other documentation or materials. Even if you don't feel like you want to pursue an internal or criminal proceeding or a protection order at this time, it's a good idea to preserve the evidence in a safe place in case you change your mind at a later date. You may also want to consider writing down all of the details you remember about your experience(s) while they are still as clear as possible.

Orders of Protection: In addition to (or instead of) Lafayette College's processes, individuals who are being or who may have been subjected to sexual assault, dating or domestic violence, and/or stalking also have the right to pursue orders of protection, restraining orders and/or relief from abuse orders from United States courts or courts outside of the United

States, as applicable. Lafayette will provide assistance as requested to individuals who wish to make contact with law enforcement authorities and other external resources to seek such orders, and Lafayette College will respect and assist with the implementation of protection orders to the extent practicable.

Privacy: Lafayette College will not include personally identifying information about individuals when it completes publicly available recordkeeping, including Clery Act reporting and disclosures, and will maintain as confidential any accommodations or protective measures provided to individuals to the extent that maintaining such confidentiality would not impair Lafayette's ability to provide the accommodations or protective measures.

Explanation of Procedures for Lafayette's Investigations and Adjudications

As detailed in the Policy on Sexual Assault, Domestic Violence, Dating Violence and Stalking ("SADVS Policy"), Lafayette's SADVS procedures:

- are prompt, fair, and impartial from the initial investigation to the final result;
- are conducted by officials who receive, at a minimum, annual training on the issues related to dating violence, domestic violence, sexual assault and stalking, and on how to conduct an investigation and adjudication process that protects the safety of victims and promotes accountability;
- provide both parties with the same opportunities to have others present during any related meeting, including the opportunity to be accompanied to any related meeting or proceeding by an adviser of their choice;
- provide for simultaneous notification, in writing, to both parties of:
 - the result of institutional disciplinary proceedings;
 - the institution's procedures for the complainant and the respondent to appeal the result of institutional disciplinary procedures, if available;
 - when the result becomes final, and any change to the result;

- are completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to both parties of the delay and the reason for the delay;
- are conducted in a manner that is consistent with the institution's policies and transparent to both parties;
- include timely notice of meetings at which the complainant and/or respondent must be present;
- provide timely and equal access to both parties and appropriate officials to any information that may be used during the process; and
- are conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent.

The language of Lafayette's SADVS Policy prevails in specific cases over the language of the summary contained in this document.

Lafayette utilizes trained, experienced investigators to conduct investigations into complaints of sexual misconduct, domestic violence and/or stalking, and utilizes a trained, faculty committee on student conduct to make the official determination as to whether the policies under investigation were violated. All processes involve one-on-one pre-hearing meetings with investigators or administrators to which each party can bring an adviser of their choice.

When a report of misconduct covered by the SADVS Policy is made to one of the individuals identified on page 3, the Title IX and Equity Coordinator works with an investigator in the Office of Public Safety. In general the process proceeds as follows:

- The investigator interviews parties and witnesses, and collects evidence;
- Both parties are invited to review and comment upon the evidence in writing;
- The investigator submits the report and the evidentiary materials to the Title IX and Equity Coordinator;

- Both parties may meet with the Title IX and Equity Coordinator, Director of Student Conduct, and/or relevant administrator(s) before the final determination is made as to whether or not to proceed with the conduct process;
- If the case proceeds to the conduct process, both parties are provided with equitable appeal rights, as applicable, to the extent appeal rights are provided. The governing, detailed procedures are outlined further in the SADVS Policy;
- The College uses the preponderance of the evidence standard (that is, “more likely than not”) to determine whether the College policies under investigation have been violated. If a policy violation is found, the sanctions are determined by a designated Lafayette administrator or the Faculty Committee on Student Conduct;
- Sanctions for students found to have violated the SADVS Policy include written reprimands, probationary status, official college discipline, or suspension or expulsion from any or all Lafayette College program(s) in which the student is enrolled or participating. It may also include other actions as deemed appropriate under the circumstances (e.g., remedies applied to the respondent to address the needs of the complainant, including but not limited to room changes, class changes, building restrictions, extracurricular activity restrictions, modification of No Contact Orders to favor the complainant, and other actions to preserve the rights of the complainant in a safe environment). Although sanctions for violation(s) of this policy can include any form of discipline as stated in this section, students found to have committed sexual assault involving penetration will ordinarily receive a sanction of suspension or expulsion;
- Sanctions for employees found to have violated the SADVS Policy may include written reprimands, or suspension or termination of employment. Other measures (e.g., no contact orders or reassignment of duties or work areas) may be taken when appropriate.

The complete SADVS Policy can be found at online at sash.lafayette.edu.

If you have experienced sexual assault, domestic violence, dating violence, or stalking, *you are not alone*. There are many resources on Lafayette's campus and in the Lehigh Valley that can offer support, information, and care.

On-Campus Resources

Title IX and Equity Coordinator

Amy O'Neill
101 Hogg Hall
oneilla@lafayette.edu
(610) 330-5082

Deputy Title IX Coordinators

Jennifer Dize
Director of Student Conduct
Kirby House
(610) 330-5082
dizej@lafayette.edu

Terrence Haynes
Assistant Director of Residence Life
South College 125
(610) 330-3290
haynest@lafayette.edu

Lisa Rex, Director of
Human Resources
012 Markle Hall
rexl@lafayette.edu
(610) 330-5814

Bailey Health Center

607 High Street
(610) 330-5001 **Office of Public Safety**

11 Marquis Hall
(610) 330-5330
(610) 330-4444 (emergency)

International Student Adviser

107A Farinon College Center
(610) 330-5546

Office of Student Conduct

101 Hogg Hall
(610) 330-5082

SASH Advocates

sash.lafayette.edu
(610) 330-5964

Confidential Resources:

College Chaplain

115C Farinon College Center
(610) 330-5959

The Counseling Center

Bailey Health Center (2nd floor)
(610) 330-5005

Off-Campus Resources

Easton Police Department

123 South Third St.
Easton, PA 18042
(610) 250-2282 (main number)
911 (emergency)

Confidential Resources: Crime Victims Council of the Lehigh Valley (CVCLV)

801 Hamilton Street, Suite 300
Allentown, PA 18101
24-Hour Hotline: (610) 437-6611

Turning Point of Lehigh Valley

www.turningpointlv.org
444 E. Susquehanna St.
Allentown, PA
24-Hour Hotline: (877) 438-4957

Rape, Abuse, and Incest National Network (RAINN)

rainn.org
24-Hour Hotline:
(800) 656-HOPE (4673)

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