Union College
Sexual Assault, Sexual Harassment, Relationship Violence, and Stalking Reporting Procedures

Union College is committed to promoting a welcoming campus environment where sexual assault, sexual harassment, relationship violence and stalking are strictly prohibited and recognized as unacceptable. If you (or someone you know) may have been sexually assaulted or subjected to sexual harassment, relationship violence or stalking, there are numerous avenues of support and options you can pursue. Seek help even if you are not sure you have been assaulted. Below is a list of choices and steps to help with immediate and continuing medical needs, emotional challenges and legal issues.

Immediate Considerations
» TAKE STEPS TO ENSURE YOUR SAFETY
» SEEK IMMEDIATE MEDICAL ATTENTION
» PRESERVE ALL PHYSICAL EVIDENCE
» CALL THE SEXUAL ASSAULT RESOURCE HOTLINE  An advocate is available 24/7 to confidentially explain all available resources and options
» CALL CAMPUS SAFETY and/or THE SCHENECTADY POLICE

Further Considerations
» Medical treatment and counseling are strongly recommended in all cases.
» The Schenectady Police Department is notified of all sexual assault cases reported to Campus Safety, but identifying information can be kept private.
» You may elect to continue with the internal complaint process or stop at any time; however, the College has a duty to protect the community at large and may elect to proceed. Any delay in the investigation may result in losing evidence and/or testimony that is not collected in a timely fashion.
» You may choose not to participate in a formal reporting or judicial process and instead decide to approach staff in the Counseling Center, Health Services, and/or Campus Minister directly. These communications are strictly confidential.

Your Rights and Options
» Go to court and file a domestic abuse complaint requesting an order restraining your attacker from abusing you and/or an order directing your attacker to leave your apartment, dormitory building, college, or workplace.
» Seek a criminal complaint for threats, assault and battery, or other related offenses.
» Seek medical treatment (police will arrange transportation for you to the nearest hospital or otherwise assist you in obtaining medical treatment if you wish).
» Request the police remain at the scene until your safety is otherwise ensured.
» Request that a police officer assist you by arranging transportation or by taking you to a safe place, such as a shelter or a family or friend’s residence.
» Obtain a copy of the police incident report at no cost from the police department.

For an expanded version of the policy and available options, please visit www.union.edu/sart
AVAILABLE OPTIONS

The College seeks to follow the complainant’s wishes as to which College procedures to pursue; however, due to the nature and seriousness of an allegation, Options 4 and 5 may not be appropriate. In such cases, the College will apply formal procedures only.

**Option 1** → PURSUE CRIMINAL CHARGES

Process similar to Option 2, except:
- Investigation is conducted by the Schenectady Police Department with assistance from Campus Safety investigator.
- Completed investigation is forwarded to the Office of the Schenectady County District Attorney for possible prosecution.
- Information will be provided about how to seek a restraining order from a criminal court that directs the accused to refrain from abuse and to leave the complainant’s home, college, and/or workplace.
- The courts may issue an ORDER OF PROTECTION that will be enforced by Union College. Once issued by a judge, all you have to do is notify Campus Safety and provide them with a copy of the order and the college will enforce it. Union College is committed to protecting complainants from further harm. If the College determines that an individual’s presence poses a danger to one or more members of the community, the College will issue a persona non grata directive barring that individual from College property.

**Option 2** → PURSUE FORMAL INTERNAL (COLLEGE) DISCIPLINARY CHARGES

- Process will be explained by the Senior Associate Dean of Students and Campus Safety investigator.
- Any available evidence is collected.
- All relevant witnesses are interviewed.
- Investigation may take several days to several weeks, based on circumstances.
- After the investigation is complete, report is forwarded to the Dean of Students and adjudication by the Judicial Hearing Board.

**Judicial Hearing Board**
- Made up of Student Affairs administrator, faculty, and students.
- Acts as a hearing panel that adjudicates alleged violations of College policy.
- Receives investigation report; hears witness testimony in support of and in defense of sexual assault charge.
- Complainant and accused attend hearing, each speaking on his/her behalf. Each may be accompanied by an internal College Advisor. The accused may be in a separate room from the complainant during the hearing.
- After hearing witnesses, the Board meets in a closed session to determine, by a preponderance of the evidence (“more likely than not”) standard, if the accused is responsible for the charges. Appropriate sanctions are then recommended to the Senior Associate Dean of Students.
- Complainant and accused are notified of the hearing outcome within ten (10) calendar days.

**Option 3** → PURSUE BOTH INTERNAL AND CRIMINAL CHARGES

Processes outlined in Options 1 (criminal) or 2 (internal) occur simultaneously.
- Internal and criminal adjudication processes occur independently.

**Option 4** → PURSUE INFORMAL INTERNAL DISCIPLINARY CHARGES (IF APPROPRIATE)

In some circumstances it may be appropriate to address the issue informally. Informal resolutions involve each party’s meeting with a single judicial officer to agree on an appropriate sanction. Sanctions may include education, “no contact” orders and disciplinary points. Informal resolutions are available ONLY if the alleged behavior is not serious enough to warrant suspension or expulsion. As Union College treats sexual assault seriously, it may be that in the judgment of the Dean of Students Office that an informal resolution is not appropriate. The Dean of Students or designee will explain the process to the student.

**Option 5** → REPORT ASSAULT, PURSUE NO CHARGES, BUT REQUEST ACCOMMODATIONS (IF APPROPRIATE)

Union College encourages everyone to report any assault, even if no official charges are brought forward. As with an informal disciplinary approach, the decision to bring charges rests ultimately with the Dean of Students. But a student’s wishes not to pursue charges will be followed as much as possible. With any assault report, you may request a “no contact” order, which means you can request any other parties involved to stay away and have no contact of any kind. This includes electronic communication and communication through a third party.
- Request academic accommodations and temporary or permanent housing accommodations.

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