Options for Confidentially Disclosing Sexual Violence
The State University of New York and SUNY Poly want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

In this Policy:
- Privileged and Confidential Resources.
- Non-Professional Counselors and Advocates.
- Privacy versus Confidentiality.
- Requesting Confidentiality: How the College/University Will Weigh the Request and Respond.
- Public Awareness/Advocacy Events.
- Anonymous Disclosure.
- Institutional Crime Reporting.

Privileged and Confidential Resources:
Individuals who are confidential resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At SUNY Poly, this includes:

- SUNY Poly’s Counseling Center: Sandra Mizerak, Counselor or Colleen McSweeney, Counselor, Oriskany Hall, Suite B, 315-792-7172, https://www.sunyit.edu/counseling/
- SUNY Poly Health and Wellness Center: physicians, licensed medical professionals or supervised interns when they are engaged in a physician/patient relationship: Oriskany Hall, Suite B, 315-792-7172, http://www.sunyit.edu/health_wellness/

Off-campus options to disclose sexual violence confidentially include (note that these outside options do not provide any information to the campus):

Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency’s policies on confidentiality may be obtained directly from the agency.

- New York State Coalition against Sexual Violence http://nyscasa.org/.
- New York State Hotline for Sexual Assault and Domestic Violence 1-800-942-6906
- YWCA of the Mohawk Valley Domestic & Sexual Violence Services (24 hours confidential help or information), 315-797-7740, 1000 Cornelia Street, Utica, http://ywcamv.org
- Off-campus healthcare providers
  - St. Elizabeth Medical Center Emergency 315-798-8111

Note: medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: http://www.ovs.ny.gov/files/ovs_rights_of_cv_booklet.pdf, or by calling 1-800-247-8035. Options are explained here: http://www.ovs.ny.gov/helpforcrimevictims.html.

Note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Privacy versus Confidentiality:
Even SUNY Poly’s 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 to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is
responsible under the law for tracking patterns and spotting systemic issues. SUNY Poly will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

**Requesting Confidentiality: How SUNY Poly Will Weigh the Request and Respond:**

If you disclose an incident to a SUNY Poly employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution’s request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While victims/survivors may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures [Student Affairs, 315-792-7505]. We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless SUNY Poly’s failure to act may result in harm to you or other members of the SUNY Poly’s community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, SUNY Poly will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- The increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the victim/survivor is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

**Public Awareness/Advocacy Events:**

If you disclose a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, protests, or other public event, SUNY Poly is not obligated to begin an investigation SUNY Poly may use the information you provide to inform the need for additional education and prevention efforts.

**Anonymous Disclosure:**

SUNY Poly Anonymous Witness Form: SUNY Poly University Police offers an Anonymous Witness Form for Witnesses/Victims/Survivors who do not wish to be identified.

https://www.sunyit.edu/university_police/anonymousform

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906

**For SUNY Poly, the following individuals have the authority to address complaints:**

**Rhonda Haines, Associate Vice President for Human Resources and Special Projects/Title IX Coordinator**

315-792-7191
Kunsela Hall, Room A011 (Utica Campus)
rhonda.haines@sunyit.edu or rhaines@sunycnse.com

518-956-7362
Nano Fab East, 4th Floor (Albany Campus) rhaines@sunycnse.com
Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the SUNY Poly’s Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the victim/survivor.

SUNY Poly is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the victim/survivor). A victim/survivor will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents when (1) there is a health or safety emergency, or (2) when the student is a dependent on either parents’ prior year federal income tax return. Generally, SUNY Poly will not share information about a report of sexual violence with parents without the permission of the victim/survivor.