

RIGHTS AND OPTIONS FOR SURVIVORS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, OR STALKING

The University of the District of Columbia prohibits dating violence, domestic violence, stalking or sexual assault crimes as those terms are defined for the purposes of the Clery Act. UDC encourages all members of the university community to report all incidents of dating violence, domestic violence, stalking, and sexual assault. A victim of sexual assault, domestic violence, dating violence, or stalking, has several options:

1. Report the crime to UDC Police or MPD to proceed with criminal charges.
2. Report the crime to the University's Title IX Coordinator for an investigation and determination under the University's Title IX Policy.
3. Report the crime anonymously to UDC Police, MPD or the Title IX Coordinator.
4. Not report the crime, but seek confidential counseling through the University's Counseling and Wellness Center and/or University Health Services

Law enforcement investigations by UDC POLICE and/or MPD are separate from and independent of the University's Title IX administrative investigation.

Following a Title IX investigation, those individuals whom the University determines by a preponderance of the evidence to have engaged in these activities are subject to penalties up to and including dismissal from the institution, even if they are not facing criminal or civil charges in a court of law.

Certain Definitions

Consent: DC Code Section 22-3001 (4) provides a definition of consent in reference to sexual activity: "Consent" means words or overt actions indicating a freely given agreement to the sexual act or contact in question. Lack of verbal or physical resistance, or submission by the victim, resulting from the use of force, threats, or coercion by the defendant, shall not constitute consent.

It is the responsibility of the person who wants to engage in sexual activity to ensure that he/she has the consent of the other to engage in the activity.

Additional considerations include:

- Lack of protest or resistance is not consent. Nor may silence, in and of itself, be interpreted as consent. For that reason, solely relying on nonverbal communication can lead to misunderstanding.
- Previous relationships, including past sexual relationships, do not imply consent to future sexual acts.

- Consent to one form of sexual activity cannot automatically imply consent to other forms of sexual activity.
- To give consent, one must be of legal age.
- Consent must be present throughout sexual activity and may be withdrawn at any time. If there is confusion as to whether there is consent or whether prior consent has been withdrawn, it is essential that the participants stop the activity until the confusion is resolved.
- Consent cannot be obtained using physical force, threats, intimidating behavior, or coercion. Coercion is an unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure used. When someone makes it clear that he/she does not want sex, or wants to stop, that he/she does not want to do certain things, or that he/she does not want to go beyond a certain point, continued pressure can be coercive.
- If you have sexual activity with someone you know or should know is incapacitated, you are in violation of this policy. The relevant standard is whether a sober, reasonable person in the same position should have known that the other party was incapacitated and, therefore, unable to consent. Incapacitated, for the purposes of this policy, means that the person's decision-making ability is impaired. Incapacitation may result from:
 - Sleep or unconsciousness.
 - Temporary or permanent mental or physical disability
 - Involuntary physical restraint
 - The influence of alcohol, drugs, or medication, including Rohypnol, Ketamine, GHB, and other substances used to facilitate "date-rape" or "sexual misconduct."

The Clery crimes of dating violence, domestic violence, sexual assault, and stalking are defined under the laws of the District of Columbia as follows: DC Code 16-1001 (8)(A) defines an "intrafamily offense" as an offense punishable as a criminal offense against an intimate partner, a family member, or a household member.

Dating Violence and Domestic Violence:

DC Code Section 16-1001(6A) defines intimate partner violence as a person:

- (A) To whom the offender is or was married.
- (B) With whom the offender is or was in a domestic partnership.
- (C) With whom the offender has a child in common; or
- (D) With whom the offender is, was, or is seeking to be in a romantic, dating, or sexual relationship.

Stalking:

DC Code Section 22-3133 prohibits the criminal offense of stalking and provides that:

(a) It is unlawful for a person to purposefully engage in a course of conduct directed at a specific individual:

(1) With the intent to cause that individual to:

- (A) Fear for his or her safety or the safety of another person;
- (B) Feel seriously alarmed, disturbed, or frightened; or
- (C) Suffer emotional distress;

(2) That the person knows would cause that individual reasonably to:

- (A) Fear for his or her safety or the safety of another person;
- (B) Feel seriously alarmed, disturbed, or frightened; or
- (C) Suffer emotional distress; or

(3) That the person should have known would cause a reasonable person in the individual's circumstances to:

- (A) Fear for his or her safety or the safety of another person;
- (B) Feel seriously alarmed, disturbed, or frightened; or
- (C) Suffer emotional distress.

(b) This section does not apply to constitutionally protected activity.

(c) Where a single act is of a continuing nature, each 24-hour period constitutes a separate occasion.

(d) The conduct on each of the occasions need not be the same as it is on the others.

Sexual Assault

DC Law provides for five categories of sexual assault.

DC Code Section 22-3002 defines First Degree Sexual Abuse: "engages in or causes another person to engage in or submit to a sexual act in the following manner: (1) By using force against that other person; (2) By threatening or placing that other person in reasonable fear that any person will be subjected to death, bodily injury, or kidnapping; (3) After rendering that other person unconscious; or (4) After administering to that other person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that other person to appraise or control his or her conduct."

DC Code Section 22-3003 defines Second Degree Sexual Abuse: "engages in or causes another person to engage in or submit to a sexual act in the following manner: (1) By threatening or placing that other person in reasonable fear (other than by threatening or placing that other person in reasonable fear that any person will be subjected to death, bodily injury, or kidnapping); or (2) Where the person knows or has reason to know that the other person is: (A) Incapable of appraising the nature of the conduct; (B) Incapable of

declining participation in that sexual act; or (C) Incapable of communicating unwillingness to engage in that sexual act.”

DC Code Section 22-3004 defines Third Degree Sexual Abuse: “engages in or causes sexual contact with or by another person in the following manner: (1) By using force against that other person; (2) By threatening or placing that other person in reasonable fear that any person will be subjected to death, bodily injury, or kidnapping; (3) After rendering that person unconscious; or (4) After administering to that person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or similar substance that substantially impairs the ability of that other person to appraise or control his or her conduct.”

DC Code Section 22-3005 defines Fourth Degree Sexual Abuse: “engages in or causes sexual contact with or by another person in the following manner: (1) By threatening or placing that other person in reasonable fear (other than by threatening or placing that other person in reasonable fear that any person will be subjected to death, bodily injury, or kidnapping); or (2) Where the person knows or has reason to know that the other person is: (A) Incapable of appraising the nature of the conduct; (B) Incapable of declining participation in that sexual contact; or (C) Incapable of communicating unwillingness to engage in that sexual contact.”

DC Code Section 22-3006 defines Misdemeanor Sexual Abuse as: “Whoever engages in a sexual act or sexual contact with another person and who should have knowledge or reason to know that the act was committed without that other person’s permission.”

Procedures for Victims to Follow

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence so that the University can successfully conduct an internal investigation, and the potential for criminal prosecution remains an option for the survivor.

This guidance is intended as a general guide for victims and family members or friends of a person who has been sexually assaulted. Specific direction about the victim’s situation should be sought from a person who is experienced in the care and management of victims, such as an emergency department doctor, nurse, sexual assault nurse examiner, or counselor.

After Sexual Assault

- Find a safe environment away from the assailant.
- Call a close friend or relative – someone who will offer unconditional support.
- Do not change clothes, bathe, douche, or brush your teeth until evidence is collected. New undergarments and sweat suits are available at some off-campus service providers.
- Seek counseling services.

- Seek medical care – In the event a student presents to University Health Services with concerns regarding sexual assault, a Nurse Practitioner will triage the immediate needs of the student. He/she will medically stabilize the student if necessary. Notification to UDC Police and MPD will be made only **with consent**. Referral to the nearest emergency room would be necessary to ensure the collection of evidence. Information regarding UDC counseling services would be provided to the survivor as well.

Sexual Assault Nurse Examiner (SANE) Program

SANE (Sexual Assault Nurse Examiner) medical exams are available at Washington Hospital Center, at 111 Irving St NW, Washington, DC 20010, for individuals 13 years or older who have been assaulted within the past 96 hours in the District of Columbia. The exam is provided at no cost and without proof of insurance. No police report or proof of citizenship is required.

A forensic nurse will:

- Complete a head-to-toe medical exam.
- Document injuries using tools like digital photography.
- Collect DNA evidence (“rape kit”)
- Administer sexually transmitted infection, HIV, and pregnancy prevention, medications.
- Complete toxicology screening

An exam may take between 2-4 hours, depending on the assault and evidence collection.

DCFNE partners with the Network for Victim Recovery of DC (NVRDC) <http://www.nvrdc.org/> to provide:

1. Advocacy
2. Case management
3. Legal services
4. Therapeutic Programs

To maximize the potential for DNA evidence collection, try not to:

- Shower
- Douche
- Use the restroom.
- Brush teeth
- Change clothes.
- Eat or drink.

To obtain a SANE exam, go to MedStar Washington Hospital Center Emergency Department, 110 Irving St NW, Washington, DC 20010. In an emergency, you can always call 9-1-1. For more information about SANE exams, visit <http://dcforensicnurses.org/intimate-partner-violence/>

If you have questions, need assistance, or would like to speak with a sexual assault survivor advocate at any time, 24 hours a day, 365 days a year, call the DC Victim Hotline at 1(844)-4HELPDC (1-844-443-5732), or the DC Rape Crisis Center hotline, at 202- 333-RAPE.

*DCFNE is a member of the District of Columbia Sexual Assault Response Team (DC SART), which is a multidisciplinary collaboration to support victims of sexual assault. DCFNE is responsible for employing the forensic nurses who conduct the SANE exams.

Follow-up Care - If the student necessitates follow-up care with University Health Services, the student would be assisted in scheduling follow-up care with UHS or the patient's primary care provider. During this visit, the patient will receive follow-up testing and treatment as needed, in addition to discussing the recovery process and how the survivor is recovering. Additional visits, if necessary, may be recommended. UDC Counseling Center services would be recommended at this time.

Seek Counseling Services – Victims of sexual assault often need extensive emotional support. Symptoms of anger, fear, anxiety, physical pain, sleep disturbance, lack of appetite, shame, guilt, depression, and intrusive thoughts, can develop in the days and weeks following an assault. Many victims are reluctant to seek help because of the fear that thinking or talking about the assault will be too painful. However, most victims find counseling helpful in the recovery process.

In the weeks following an assault, some victims develop physical and emotional symptoms, such as pain in the muscles, joints, pelvis and/or abdomen, lack of appetite, difficulty sleeping, or nightmares. Some victims find it difficult to resume their habits and lifestyles. The Counseling and Wellness Center at the Van Ness campus or the Counseling and Accessibility Resource Center at UDC's 801 N. Capitol location and other service providers listed in this policy can provide assistance and/or treatment in dealing with any distress resulting from the assault.

- To receive support 24/7/365, contact the DC Victim Hotline at 1(844)4HELPDC (1-844-443-5732).

Victim's Options for Reporting

The University of the District of Columbia encourages any member of the campus community who has witnessed or experienced dating violence, domestic violence, sexual

assault, stalking, or knows of a member of the campus community who has experienced any of these incidents to report the incident to UDC Police.

The University may provide disciplinary amnesty for students who have violated the University's drug and alcohol policy and report an incident (as a victim or third-party witness) or participate in good faith as a witness during an investigation. Amnesty may also be provided to those individuals who witness the incident or identify people who may have information relevant to the investigation but did not cause or participate in the violations. Amnesty will not be provided to individuals whose actions caused harm to another person or who participated in or facilitated violations in any way.

Reporting Incidents: Incidents can be reported to any University employee.

Confidential reporting can be made to the following:

- University Health Services at (202)274-5030, or in person at Health Services, located in Building 44, A-40.
- Counselors at the Counseling and Wellness Center, at 202-274-6000, on the Van Ness Campus, or at the Counseling and Accessibility Resource Center at the Lamond Riggs Campus (5171 S. Dakota Avenue, NE) at 202-274-6173.

Non-confidential reporting can be made to:

- UDC Police at 202-274-5050 or in person at the Public Safety Operations Center located on the Van Ness Campus at Building #39, Room C-04. Anonymous reporting can be made via the LiveSafe Application.
- Sheilah Vance, Compliance Officer/Title IX Coordinator, 202-573-4855 sheilah.vance@udc.edu or Title IX@udc.edu.
- Office of the Chief Student Development and Success Officer (for students) at 202-274-5210, or in person on the Van Ness Campus at Building 38, Room A-10.
- Director of Athletics (for student athletes) at 202-274-5024 or in person on the Van Ness Campus in the Sports Complex (47).
- Office of Student Conduct (for students) at 202-274-5974 or in person on the Van Ness Campus in the Student Center (56), Room 128.

Victims are not required to notify law enforcement. However, reporting to any office other than Counseling Services or Health Services may initiate an internal investigation by the University to determine any appropriate action that should be taken because of the report.

Only the Offices of Counseling Services and Health Services can offer victims confidentiality. Victims who report to any of the above-listed offices will be provided with information about support services and resources available on and off-campus and will receive assistance in notifying law enforcement if the survivor chooses to do so. Reporting an incident to one of the above offices does not commit the victim to further legal action. However, the earlier an incident is reported, the easier it will be for police to investigate if the victim decides to proceed with criminal charges.

Victim Confidentiality

The University of the District of Columbia recognizes that sexual assault, domestic violence, dating violence, and stalking are sensitive subjects for all parties involved. The University is committed to maintaining the privacy of the parties involved to the fullest extent possible under applicable law. There may be instances when the institution determines it needs to investigate and take reasonable action, even when the complainant requests anonymity or that no action be taken. Thus, absolute confidentiality cannot be guaranteed.

In such cases, the University will take all reasonable steps to investigate and respond to the grievance, consistent with the complainant's requests; when it cannot do so, we will keep the complainant informed, as deemed appropriate. In all cases, the University will protect the identities of the parties by discussing the allegations only with those who have a legitimate administrative or legal reason to know.

Accommodations or protective measures provided to the victim will be kept confidential to the extent that maintaining confidentiality will not impair the ability of the University to provide such assistance. Public records of sexual assault, domestic violence, dating violence, and stalking, will be kept without disclosing the victim's identity unless precluded by federal or state law.

If a report discloses an immediate threat to the campus community, the University may issue a timely warning of the conduct in the interest of the safety and well-being of the campus community. This warning will not contain any personal information related to a victim.

As stated previously, information shared with a mental health counselor in counseling sessions at the UDC Counseling and Wellness Center (Van Ness campus) will remain confidential. There are a few exceptions to confidentiality in these offices, detailed in their respective informed consent forms that each student signs prior to being seen for their appointment. For counseling, the exceptions to confidentiality are cases in which the clinician assesses that the patient poses a substantial risk of imminent and serious physical injury to themselves or to others; if the clinician has reason to suspect child abuse or neglect has occurred; or if there is an adult in need of protective services. Even in these cases,

disclosures are limited to the minimum amount of information necessary to keep the student or others safe.

For students receiving treatment at Health Services, the following exceptions to confidentiality apply: if the clinician assesses that the patient requires a higher level of care than the clinician can provide in that setting, and the patient is unwilling to seek the appropriate medical care voluntarily; if the clinician assesses that the patient poses a substantial risk of imminent and serious physical injury to themselves or to others; if the clinician has reason to suspect child abuse or neglect has occurred; or there is an adult in need of protective services. Even in these cases, disclosures are limited to the minimum amount of information necessary to keep the student or others safe.

The University will not disclose information about sexual assault, domestic violence, dating violence or stalking, to third parties, except as required or permitted by federal or state law.

Written notification of rights and options

Any student or employee who reports an incident of sexual assault, domestic violence, dating violence, or stalking, whether the incident occurred on or off campus, shall receive a written explanation of their rights and options.

Exercise of these rights is at the discretion of the victim and includes the right to:

- Go to DC Superior Court to obtain a Civil Protection Order (<https://www.dccourts.gov/services/domestic-violence-matters/get-a-protection-order>) to restrain your attacker from abusing you, and/or an order directing your attacker to leave your household, building, school, college, or workplace.
- Seek criminal complaints for threats, assault and battery, or other related offenses.
- Seek medical treatment.
- Notify local law enforcement and/or UDC Police or decline such notification; the University will assist the victim in notifying local law enforcement if the victim so chooses.
- Ask the police to 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; and
- Obtain a copy of the police incident report at no cost from the police department.

Domestic Violence Intake Centers are located at the Moultrie Courthouse at 500 Indiana Avenue, NW, Room 4550, Washington, DC 20001; and the United Medical Center at 1328 Southern Avenue, SE, Suite 311, Washington, DC 20032.

The University of the District of Columbia will work with the victim to make any reasonably available change to the victim's academic and living situation, regardless of whether a

report is filed with local law enforcement or campus police. When a reported incident of abuse or violence involves more than one member of the University community, the Office of Judicial Affairs, Title IX Coordinator, the UDC Police Department, or other authorized individuals may issue a No-Contact Order, prohibiting the individuals from contacting one another, either on or off campus.

Orders of protection issued by the court are fully upheld and enforced on all University-owned and –controlled property. If any student, faculty, or staff member obtains an order of protection or restraining order, he/she must promptly inform the UDC Police Department and provide the department with a copy of the order. Should the University determine that a person’s presence on campus poses a danger to one or more members of the campus community, an institutional no-contact order or bar notice will be issued, barring that individual from campus.

Bystander intervention

Often sexual assault, domestic violence, dating violence and stalking are witnessed. Bystanders may not always recognize what they are witnessing and assume a situation isn’t a problem or feel it is none of their business. They may assume that someone else will do something or believe that others weren’t bothered by the situation. In some cases, a person might feel that their personal safety is at risk.

When people intervene in a situation, they often say that it was the right thing to do and would want someone to intervene if the roles were reversed. Members of University of the District of Columbia campus community may have an opportunity to prevent or intervene in an incident of sexual assault, domestic violence, dating violence or stalking. The following are some guidelines for bystander intervention:

- Be aware of your surroundings and be able to recognize activities that are suspicious. Understand that you need to help.
- Create possible solutions. Through knowledge and training, you can better evaluate alternative courses of action.
- Take your time and think through your response so that you do not escalate the situation. Is the situation an emergency requiring direct intervention, or can you discuss it later? Take a deep breath and stay calm. Enlist help if you can by publicly stating your intention to help. Often, people are as worried about the situation as you are but aren’t willing to be the first to speak up.
- Intervene in the situation as soon as it is safe to do so. At the very least, speak up. A conversation will help determine if an ambiguous situation requires help.
- Keep an open dialogue and remember that the key to this is to remember your audience, the timing, location, tone, and why you are having the conversation. Try to understand other points of view.

- Help negotiate a solution. Tell the parties which behavior is or is not acceptable and know the appropriate next step if you feel the discussion failed to yield a desirable outcome.

Sexual Violence Risk Reduction

Everyone's experience with violence is unique, so there is no "one way" that an abusive relationship looks. However, many of the tactics that abusive people use are similar because they are very effective tools to control and dominate others. Likewise, there is no "one way" to stop the violence and remove an individual from an abusive or violent relationship. Following are some general guidelines that individuals in abusive or violent relationships can follow:

- Find a safe environment away from the abusive or violent individual.
- Call a close friend or relative – someone who will offer unconditional support.
- Seek medical care if you are injured. Follow up with a healthcare provider as needed.
- Contact UDC Police and/or your local police department.
- For support, resources, and advocacy, 24 hours a day, 365 days a year, contact the DC Victim Hotline: 1-(844)-4HELPDC (1-844-443-5732), or the National DV Hotline: 1-(800)-799-7233 and TTY 1-800-787-3224.
- You may choose to visit one of the DV Intake Centers, which are one-stop shops for domestic violence and sexual assault survivors for resources, emergency services, and legal remedies. If you want to obtain a Temporary Protective Order (TPO), you will go to one of the DV Intake Centers. The DV Intake Centers are located at United Medical Center, 1328 Southern Ave, Suite 311, Washington, DC 20019, phone # (202) 561-3000; or at DC Superior Court, Moultrie Courthouse, 500 Indiana Ave NW, Room 4550, Washington, DC 20001.
- Seek counseling services.

The University of the District of Columbia strongly encourages anyone involved in an abusive or violent relationship to report the behavior to the police or seek assistance from on-campus resources. The UDC Police Department, Human Resources, Counseling Services, and the Health Center can provide assistance.

The following guidelines will help increase the safety of individuals who are being stalked. The primary objective of any action taken against a stalker is to prevent contact and access to any personal information. Each case of stalking is unique, and there is no "one way" to address stalkers or ensure complete safety. However, following these guidelines will put an individual on the path of reclaiming control over the situation:

- Refrain from all contact and communication with the person stalking you.

- Keep text messages, emails, Facebook posts, voice mail, and any other evidence of attempted contact made by the stalker.
- Report the stalking to the UDC Police Department.
- Obtain a Civil Protection Order from the DC Superior Court (or the court in your local jurisdiction) and/or a No-Contact Order from the University.
- Tell close friends and relatives about the situation, and provide a description of the stalker, as well as the methods used to follow and/or contact you.
- Contact Student Development and Success to request a room change if you live in on-campus housing.
- Do not accept any packages you did not expressly order.
- If possible, try not to travel alone. UDC Police can provide escorts to and from locations on campus.
- For support or assistance, 24 hours a day, 365 days a year, contact the DC Victim Hotline at 1-844-4HELPDC (1-844-443-5732); or Safe Horizon at 1-800-HOPE (1-800-621-4673).
- Seek counseling.

Suggestions for Your Phone and Social Media

- Remove any personally identifying information from all social media networks.
- Turn off location services on your phone so that posts do not include your location.
- Talk to your service provider to request a new, unlisted cell phone number.
- Change/Re-record your voicemail message so that it no longer includes your name or your voice.
- Block calls and texts from your stalker.
- Select the highest security settings on social networking sites. If possible, block the stalker's profile on sites like Facebook and Twitter, and make your profile private.

Be wary about giving out personal information when making online purchases.

The University of the District of Columbia strongly encourages individuals being stalked to report the behavior to the UDC Police Department. Stalking behavior can escalate into more dangerous behavior. The University and UDC Police can take actions to prevent the behavior from escalating and take steps to increase your safety.

Title IX Policy and Process

Title IX is a federal law, 20 U.S.C §1681, passed in 1972 that prohibits sex-based discrimination in all activities and programs of educational institutions receiving federal funds, which includes the University of the District of Columbia. Once the institution knows

or should know of a potential Title IX violation, the institution has an obligation to investigate and respond. Title IX covers ALL assaults, regardless of the sex of the harasser, i.e., even if the harasser and the person being harassed are members of the same sex. Under Title IX, the University is required to investigate all matters involving gender-based harassment or violence, including stalking and domestic violence.

Investigation and Decision Process

The University of the District of Columbia has a responsibility to respond promptly and effectively to all reports of sexual assault, domestic violence, dating violence, and stalking. When a report is received that one of these crimes has occurred, the University will make every effort to ensure the safety and well-being of the victim(s) and ensure they understand their rights and options. Upon receipt of a complaint or notice of an alleged policy violation, the Title IX Coordinator will initiate a prompt initial assessment to determine the steps the University needs to take. The Title IX Coordinator will contact the Complainant to offer supportive measures and determine whether the Complainant wishes to file a formal complaint.

UDC's Responsibilities

The University will assist any complainant who requests assistance in notifying local law enforcement to take criminal action against the respondent. Additionally, the University will conduct a prompt, impartial, and thorough investigation and take intermediate and final steps to resolve the situation.

Investigations will be carried out by personnel who receive training on issues related to domestic violence, dating violence, sexual assault, and stalking. Additionally, the University personnel involved in investigations will not have a conflict of interest or bias for or against the complainant or respondent.

The University will take all reasonable actions to maintain the confidentiality of all parties during the investigation. However, if a complainant insists that their name not be disclosed to the respondent, the University is unable to conduct a formal investigation. The University will employ any and all protective measures to protect complainants and respondents from future abuse, violence, or retaliation during the investigation. These measures may include schedule changes, housing changes, and any other reasonable actions.

Investigations will continue regardless of civil or criminal action in the courts. The University will not delay internal investigations regardless of law enforcement investigations or court actions. All investigations will be conducted in a fair and impartial manner. Investigations and disciplinary decisions will be conducted by applying a preponderance of the evidence standard. This means that investigators will use their best judgment to determine whether, more likely than not, a violation of the policy has occurred.

Investigations will be conducted by a Title IX investigator after the submission of a formal complaint. The investigator will interview the complainant, respondent, and witnesses. The investigator has the responsibility of gathering evidence sufficient to make the determination of responsibility. The investigator will review documents and evidence relevant to the complaint.

The investigator will provide to the Complainant and Respondent all evidence obtained as part of the investigation, whether or not relied on by the investigator. After receipt of the information, the Complainant and Respondent will have ten days to submit a written response to the evidence, which the investigator will consider before issuing the investigative report.

After the investigation has been completed, the investigator will issue an investigative report to the Complainant and the Respondent.

Both the complainant and the respondent are entitled to the opportunity to be accompanied to interviews, hearings, and other related meetings by an advisor of their choice. In cases where an employee is involved, the Investigator will conduct the cases in the same manner as that prescribed for “student on student” cases.

When the investigation has been completed, the matter will be sent to a decision maker for a hearing. The decision maker presides over the hearing and makes a determination of responsibility. If the respondent is found responsible for a violation of Title IX, the decision maker will provide the penalty to be imposed.

Student disciplinary actions, while applied fairly and impartially, will be decided on a case-by-case basis and may include, but are not limited to any of the following: violator training, mandatory counseling, community or campus service, housing reassignment, academic schedule changes, no-contact orders, no-trespass orders, suspension, or dismissal from the institution.

Employee disciplinary actions, while applied fairly and impartially, will be decided on a case-by-case basis and may include, but are not limited to violator training, community or campus service, mandatory counseling, job or duty reassignment, no-contact order, no-trespass order, suspension or termination of employment.

Both the complainant and respondent have the right to appeal the decision of the decision maker. When the decision is final, the decision is provided to the Office of Student Conduct for students and to Human Resources for staff to implement the discipline as determined by the decision maker.

Who Must Comply with Title IX?

All University community members must comply with Title IX, including, *without limitation*: students, employees and visitors.

How to Report Title IX Violations

UDC students, employees and other University community members who believe that sex-based discrimination (including sexual harassment or violence) is occurring and who receive complaints to that effect should contact:

- **Sheilah Vance, Compliance Officer/Title IX Coordinator, 202-573-4855**
sheilah.vance@udc.edu or Title IX@udc.edu.
- U.S. Department of Education Office for Civil Rights, 1-800-421-3481,
ocr@ed.gov. Online complaint forms available at:
<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

Any person may report sex-based discrimination, including sexual harassment (whether the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report.

Except: The following persons are designated as confidential support employees and are not required to report information that identifies the alleged complainant or third-party complainant:

- UDC Counseling and Wellness Center: 202-274-6000
- UDC Health Services: 202-274-5030

Note: Conduct prohibited by Title IX also may implicate other state, federal, or DC laws. Making a complaint to the Title IX Coordinator does not replace the complainant's right to pursue other options or remedies under the law, nor does it satisfy any timeliness requirements for asserting a claim under state, federal or DC law.

Retaliation

The University will not in any way retaliate or permit retaliation against any individual who makes a good faith report of sexual assault, domestic violence, dating violence, stalking, sex-based discrimination (including sexual harassment and violence), or who assists or cooperates in any investigation into such matters. Retaliation, if established, may result in disciplinary action against the offending party up to and including discharge from employment, and dismissal or expulsion from the University, as applicable. It shall not be

retaliation, however, for a respondent to defend himself/herself against a charge of discrimination or harassment, nor shall it be considered retaliation to discipline an individual for false and malicious accusations.

University Resources and Support

The University of the District of Columbia, along with the DC Metropolitan Police Department, offers important resources that victims of sexual assault, domestic violence, dating violence, and stalking may wish to utilize. The University of the District of Columbia will provide written notification of these resources to victims of abuse and violence. Resources such as medical treatment, counseling, advocacy, and law enforcement, are all available to victims of these incidents.

A victim does not need to report an incident of sexual assault, domestic violence, dating violence or stalking to law enforcement to access the following resources:

University of the District of Columbia Offices	
Counseling and Wellness Center, Building #39, Room #120, 202.274.6000.	Professional, confidential counseling, guidance, and assistance in understanding options, rights, and outcomes.
Counseling and Accessibility Resource Center (CARC) – 5171 South Dakota Avenue, Lamond Riggs Campus, Room 120, (202) 274-6213.	Professional, confidential counseling, guidance, and assistance in understanding options, rights, and outcomes.
Health Services, Building #44, Room A-40 202-274-5030.	Provides medical treatment, specialist referrals, SANE referrals and sick care.
UDC Police Department, Building #39, Room C-04, 202-274-5050.	Assistance in notifying local law enforcement, guidance, and assistance in understanding options, rights, and outcomes.
Title IX Coordinator, Building 39, 2nd floor, 202-573-4855.	Investigation of claims; assistance in making changes to academic, working, transportation, or living situation; advocacy. Assistance in notifying law enforcement, guidance, and assistance in understanding options, rights, and outcomes.
Student Development and Success, Building #39, A-level and Student Center, 1st Floor, Room 130A, 202-274-5900.	Guidance, advocacy, and assistance in understanding options, rights, and outcomes. Assistance in making changes to academic, working, transportation, or living situation; investigation of claims; and assistance in notifying law enforcement.
Human Resources, Building #39, 2nd Floor, 202-274-5380.	Guidance, advocacy, and assistance in understanding options, rights, and outcomes. Assistance in making changes to academic, working, transportation, or living situation; investigation of claims; and assistance in notifying law enforcement.
SEVIS Coordinator, #39, A-level, 202-274-6155.	Visa and immigration guidance; assistance in contacting available resources.
Office of Student Conduct Building #56 (Student Center), Room #128. 202-274-5974.	Assistance in notifying local law enforcement; guidance and assistance in understanding options, rights, and outcomes.

Complainants are not required to notify law enforcement. However, reporting to any office other than Counseling Services or Health Services will initiate an internal investigation by the University to determine any appropriate action that should be taken because of the report. Only the Counseling and Wellness Center and Health Services can offer complainants confidentiality. Those offices will provide all necessary support to complainants without the requirement to report to other University offices or law enforcement.

Complainants who report to any of the above-listed offices will be provided with information about support services and resources available on and off campus and will receive assistance in notifying law enforcement if the survivor chooses to do so. Reporting an incident to one of the above offices does not commit the complainant to further legal action. However, the earlier an incident is reported, the easier it will be for police to investigate if the complainant decides to proceed with criminal charges.

Seek Counseling Services – Complainants of sexual assault often need extensive emotional support. Symptoms of anger, fear, anxiety, physical pain, sleep disturbance, lack of appetite, shame, guilt, depression, and intrusive thoughts can develop in the days and weeks following the assault. Many complainants are reluctant to seek help because of their fear that thinking or talking about the assault will be too painful. However, most complainants find counseling helpful in the recovery process. On-campus counseling is available through the Counseling and Wellness Center (CWC). The CWC also provides referrals to specialists in treating victims of violence through agencies such as the DC Rape Crisis Center.

The Division of Student Development and Success, the Student Wellness Cluster, and the Office of Counseling Services offer a variety of prevention, outreach, and educational campus programs and activities that address health and wellness, dating and domestic violence, sexual assault, mental health, and suicide prevention.

Off-Campus Sexual Assault Resources

Metropolitan Police Department	
Sexual Assault Unit	202-727-3700
Youth and Family Services Division	202-576-6768
Lesbian, Gay, Bisexual and Transgender Liaison Unit (LGBTLU)	202-506-0714 TTY: 202-347-8164
Latino Liaison Unit	202-673-4445
Asian Liaison Unit	202-535-2653
Deaf and Hard of Hearing Liaison Unit	202-671-2864 24/7 On Call Number: 202-553-7874 EMAIL: mpd.dhhu@dc.gov
DIAL 911 FOR ALL POLICE SERVICES	
Resources for Sexual Assault Complainants	
RAINN National number to reach counselors anywhere in the country.	1-800-656-HOPE (4673)
National Sexual Violence Resource Center Provides information about sexual violence	1-877-739-3895
Child and Family Services Agency Report suspected child abuse in DC	202-671-SAFE (7233)
DC Rape Crisis Center has a 24-hour hotline, counseling for childhood and adult sexual assault, and advocacy services.	202-333-RAPE (7273)
Men Can Stop Rape Outreach and education and prevention work with men and boys	202-265-6530
Safe Shores - DC Children's Advocacy Center If you know or suspect that a child is being, or has been, abused, we encourage you to report it. CFSA Child Protective Services (CPS) takes reports of known or suspected child abuse in the District 24 hours a day at 202-671-SAFE (7233).	202-645-3200
U ASK DC	www.uask.org
Financial Assistance	
Crime Victims Compensation Program	202-879-4216
Chinatown Service Center - Crime Victims Assistance Partnership assists Asian victims who are seeking crime victim compensation	202-898-0061
Crime Victims Compensation Program	202-879-4216
Chinatown Service Center - Crime Victims Assistance Partnership assists Asian victims who are seeking crime victim compensation	202-898-0061
Ayuda, Inc. Assists Spanish-speaking victims who are seeking crime victim compensation	202-387-2870
Deaf and Hard of Hearing Resources for Sexual Assault	
DAWN (Deaf Abuse Women's Network) 24-hour TTY Hotline, confidential, advocate available	1-800-290-DAWN (3296)