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 intended to help you understand how confidentiality applies to different resources that may be available to you.

In this Policy:

- Privileged and Confidential Resources.
- 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 Wellness Center- Counseling Services (Utica campus)**
  https://sunypoly.edu/student-life/student-resources/wellness-center
  Campus Center 217
  100 Seymour Road
  Utica, NY 13502
  315-792-7172

- **SUNY Poly Wellness Center- Medical Services (Utica campus)**
  https://sunypoly.edu/student-life/student-resources/wellness-center
  Campus Center, Suite 217
  100 Seymour Road
  Utica, NY 13502
  315-792-7172

  All Wellness Center staff, including Licensed Mental Health Counselors, Licensed Medical Professionals, Health Promotion, and Wellness Center support staff members are considered confidential resources.

- **Health Services through University at Albany (Albany campus)**
  https://www.albany.edu/health_center/
  Dutch Quad
  518-442-5454

- **Counseling & Psychological Services through University at Albany (Albany campus)**
  https://www.albany.edu/counseling_center/
  Dutch Quad
  518-442-5800

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

- Off-campus counselors and advocates. 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.

  - **YWCA of Mohawk Valley (Utica Area)**
    Kristie Cieslak, Assistant Director Non-Residential Crisis Services
    7 Rutger Park
    Utica, NY 13501
    315-732-2159
    24-Hour Hotline: 315-797-7740
    http://ywcamv.org/

  - **Crime Victim & Sexual Violence Center (Albany Area)**
    Karen Ziegler, Director
    112 State Street
    Room 1118, 11th Floor
    Albany, NY 12207
    Office Line: 518-447-7100
    24-Hour Sexual Assault Hotline: 518-447-7716
    Karen.ziegler@albanycounty.com
    cvsvc@albanycounty.com
    www.albanycounty.com/cvsvc

  - **Sexual Assault and Crime Victims Assistance Program for Rensselaer County (Albany)**
    24-Hour Sexual Assault Hotline: 518-271-3257
    http://www.nehealth.com/Medical_Care/SAM/Sexual_Assault_Center/

  - **NYS Hotline for Sexual Assault & Domestic Violence**
    1-800-942-6906

- Off-campus healthcare providers

Note that 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: https://ovs.ny.gov/ or by calling 1-800-247-8035. Options are explained here: https://ovs.ny.gov/ovs-services

  - **Mohawk Valley Health Systems (MVHS)**
    www.mvhealthsystem.org

    St. Elizabeth Medical Center (Utica Area)
    2209 Genesee Street
    Utica, NY 13501
    315-801-8100

    Faxton/St. Luke's Healthcare (Utica Area)

St. Luke's Campus
1676 Champlin Avenue
Utica, NY 13502
315-624-6000

Faxton Campus (Utica Area)
1676 Sunset Avenue
Utica, NY 13502
315-624-6112

- **Mobile Crisis Assessment Team (Utica Area)**
  315-732-6228
  http://ocgov.net/mentalhealth

- **Albany Medical Center (Albany Area)**
  43 New Scotland Ave
  MC 139
  Albany, NY 12208
  Business Phone: 518-262-3131
  www.amc.edu

- **Albany Memorial Hospital (Albany Area)**
  600 Northern Boulevard
  Albany, NY 12204
  Business Phone: 518-471-3221
  http://www.sphp.com/amh

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 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 SUNY Poly's 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 reporting individuals may request accommodations through several college offices, the Title IX Coordinators can serve as a primary point of

contact to assist with these measures. 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.

Title IX Coordinators (Private Resources)

Katie Tynan-Simon, Title IX Coordinator
315-792-7235
Student Center S228 (Utica)
NFS 317 (Albany)
tynank@sunypoly.edu

Mark Montgomery, Deputy Title IX Coordinator
Chief Diversity Officer
315-792-7338
Kunsela B233 (Utica)
montgom@sunypoly.edu

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 the SUNY Poly's failure to act does not adequately mitigate the risk of harm to you or other members of the SUNY Poly 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 in unlawful conduct on behalf of the accused from previously noted behavior;
- The increased risk that the accused will commit additional acts of violence;
- Whether the accused used a weapon or force;
- Whether the reporting individual 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.

If SUNY Poly determines that it must move forward with an investigation, the reporting individual or victim/survivor will be notified and SUNY Poly will take immediate action as necessary to protect and assist them.

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:
To make an anonymous disclosure to SUNY Poly's Title IX Coordinators, the following form can be utilized (please omit your name and contact information in order to be anonymous):

https://sunypoly.edu/titleix/reportform.html. Any report submitted using this form will be treated privately. Please note that anonymous reporting, depending on the information that is shared, may limit the extent to which SUNY Poly is able to investigate and address the reported issue(s). A Title IX Coordinator will follow up on any specific, identifying information submitted via this reporting form.

Individuals who would like to discuss a concern while maintaining confidentiality to the greatest extent possible or who wish to disclose without potentially triggering an investigation should contact a confidential resource as designated in this policy and SUNY Poly's Sexual Violence Response Policy (https://sunypoly.edu/titleix/policies-procedures.html)..

If you would like to anonymously report a crime to University Police please use their Anonymous Witness form at https://sunypoly.edu/university-police/anonymous-witness-form.html.

Institutional Crime Reporting:
Reports of certain crimes occurring in certain geographic locations will be included in 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 reporting individual or 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 reporting individual or victim/survivor). A reporting individual 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 reporting individual.