

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.

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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**
<https://sunypoly.edu/student-life/student-resources/wellness-center>
Oriskany Hall
315-792-7172
- **SUNY Poly Wellness Center- Medical Services**
<https://sunypoly.edu/student-life/student-resources/wellness-center>
Oriskany Hall
315-792-7172

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

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**
7 Rutger Park
Utica, NY 13501
315-732-2159
24-Hour Hotline: 315-797-7740
<http://ywcamv.org/>

- **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

Wynn Hospital
111 Hospital Drive
Utica, NY 13502

Rome Health
1500 N. James Street
Rome, NY 13440

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

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)

Kathie Artigiani, Title IX Coordinator

100 Seymour Road, Utica, NY 13502

315-792-7235

Student Center, S221

artigik@sunypoly.edu

Carla Sinisgalli, Deputy Title IX Coordinator

100 Seymour Road, Utica, NY 13502

Kunsela Hall A011

315-792-7194

sinisgc@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.