

## **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:***

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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 and Medical Services**

<https://sunypoly.edu/student-life/student-resources/wellness-center>

Campus Center, Suite 217

100 Seymour Road

Utica, NY 13502

315-792-7172

*Licensed Mental Health Counselors, Licensed Medical Professionals, and Wellness Center staff members are considered confidential resources. **Stacey Genter, SUNY Poly's Deputy Title IX Coordinator, is the only staff member within the Wellness Center that is NOT a confidential resource.***

*On campus counseling services at the Albany campus, which are provided by Pinnacle Behavioral Health, can be scheduled through SUNY Poly's Wellness Center. Licensed Mental Health Counselors from Pinnacle Behavioral Health are also considered confidential resources.*

- **Albany Medical Center- Student Health Center (Medical Services for SUNY Poly students at the Albany campus)**

<http://www.amc.edu/academic/undergraduate/StudentHealthServices/index.cfm>

25 Hackett Boulevard

Albany, NY 12208

518-264-0900

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)**  
 Karen Ziegler, Director  
 112 State Street  
 Room 1118, 11<sup>th</sup> Floor  
 Albany, NY 12207  
 Office Line: 518-447-7100  
**24-Hour Sexual Assault Hotline: 518-447-7716**  
[Karen.ziegler@albanycounty.com](mailto:Karen.ziegler@albanycounty.com)  
[cvsvc@albanycounty.com](mailto:cvsvc@albanycounty.com)  
[www.albanycounty.com/cvsvc](http://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/](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)**  
  
 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  
1676 Sunset Avenue  
Utica, NY 13502  
315-624-6112

- **Mobile Crisis Assessment Team (Utica Area)**  
315-732-6228  
<http://ocgov.net/mentalhealth>
- **Albany Medical Student Health Center(Albany Area)**  
25 Hackett Blvd.  
Albany, NY 12208  
Business Phone: 518-264-0900 (Practitioners are available by phone 24 hours a day)  
<https://www.amc.edu/academic/Undergraduate/StudentHealthServices/index.cfm>
- **Albany Medical Center (Albany Area)**  
43 New Scotland Ave  
MC 139  
Albany, NY 12208  
Business Phone: 518-262-3131  
[www.amc.edu](http://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**

Katie Tynan-Simon, Title IX Coordinator  
315-792-7235  
Student Center, S228 (Utica)  
[tynank@sunyit.edu](mailto:tynank@sunyit.edu)

518-956-7317  
NFE 4250 (Albany)  
[ktynan@sunypoly.edu](mailto:ktynan@sunypoly.edu)

Stacey Genther, Deputy Title IX Coordinator for Sexual and Interpersonal Violence Prevention & Education  
Health Promotion Coordinator  
315-792-7808  
Campus Center, Suite 217 (Utica)  
[stacey.genther@sunyit.edu](mailto:stacey.genther@sunyit.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:***

The NYS Hotline for Sexual Assault and Domestic Violence (1-800-942-6906) is for crisis intervention, resources and referrals and is not a reporting mechanism.

***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.