

Delaware State University Sexual Assault Protocol

Prepared by the DSU – Coordinated COMMUNITY RESPONSE TEAM (CCRT)
Division of Student Affairs, Counseling Services and Department of Public Safety
Contact: studentaffairs@desu.edu

Helpful numbers:

DSU Counseling Office (Mon-Fri, 8:30-4:30) 302-857-7381

DSU Sexual Assault Hotline 302-420-5751

Call DSU Police at (302) 857-7911 (after hours) for DSU On-call Counselor

Delaware *CONTACTLIFELINE* 1-800-262-9800

National Sexual Assault Hotline 1-800-656-HOPE

DSU Sexual Assault Response Protocol

Background

This document is designed to provide members of DSU community with information about the resources that are available for the appropriate response to students who are sexually assaulted. The protocol provides a detailed description of the steps offices and departments take to offer support to victim/survivors of sexual assault in a caring, consistent and timely manner. The members of the DSU Sexual Assault Response Team are dedicated to making DSU a safe and supportive place for students, employees, volunteers, and all visitors to our community.

2015-2016 Delaware State University Sexual Assault Response Team

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SEXUAL ASSAULT RESPONSE PROTOCOL for COUNSELING DEPARTMENT

- Assure the immediate physical safety of the victim/survivor
- If the victim/ survivor's safety is in jeopardy, call Public Safety at **(302) 857-7911 or 911** (if off-campus).
- Inform the victim/survivor of the choices available to him/her for support and offer to make the calls on his/her behalf.
 - **DSU's Rape Crisis line at (302) 420-5751**
 - **Contact Lifeline Rape Crisis line at 1- 800-262-9800 day or night**
 - **DSU Counseling Center at (302) 857-7381 (8:30 am -4:30 pm)**
 - **Student Health Center at (302) 857-6393 (8:30 am -4:30 pm)**
- If the victim/survivor refuses to access one of the above resources, **strongly** encourage the victim/survivor to seek medical attention from a Sexual Assault Nurse Examiner (SANE) at a nearby hospital.
 - Hospitals offer treatment for **STDs, Plan-B, AIDS prophylactic, treatment for cuts and bruises, and a Rape Kit;**
 - The hospital visit and treatment will be paid for by the State's Victim/survivors' Services unit instead of the victim/survivor's own medical insurance.
 - A State Victim/survivors' Support personnel will meet the victim/survivor at the hospital or on campus if necessary.
- Inform the victim/survivor that the Delaware State University Police Department will provide transportation to and from the hospital, **along with a friend/roommate, Sexual Assault Response Advocate, a Resident Assistant, Senior Resident Assistant or Resident Director.**
- Inform victim/survivor that the information that he/she shares will be maintained confidential **except** that certain aspects of the report (location and time of event) may have to be shared with the **Title IX officer. The incident must be shared with the victim/survivor's parents** if he/she is **under the age of 18 years of age (by the Vice President of Student Affairs of his designee)**, or information may be shared with a signed release from him/her.
- Inform the victim/survivor that by reporting a sexual assault resulting from the violation of the University's drug/alcohol and/or visitation policy he/she will **not** receive a sanction.
- Inform the victim/survivor of the choices for seeking justice for their psychological trauma. Victim /survivors have a choice of seeking prosecution through the Attorney General's office, and/or seeking justice through the University's Title IX Office.
- Inform the victim/survivor that he/she can request "Safe Housing" and academic accommodations if those situations are more comfortable and reduce their psychological distress. The Campus Sexual Assault Prevention program personnel or counselor will advocate on the victim/survivor's behalf for these accommodations. **Where there is reasonable suspicion the University will first have the alleged perpetrator removed from the campus environment.**

- Inform the victim/survivor that confidential on-going psychological counseling and follow-up services are available from the University's Counseling Staff, the Sexual Assault Program manager and/or the Prevention Specialist [**Counseling Center (302) 857-7381, Sexual Assault program manager (302) 857-7385, Prevention Specialist (302) 857-7151**]. **Counseling is also available to the alleged perpetrator by calling (302) 857-7381**
- If the victim/survivor wishes to report the sexual assault confidentially they must contact the Counseling Department at (302) 857-7381 (Mon-Fri, 8:30-4:30)
- If you are not sure what to do please contact Dr. Pauline Meek in the Counseling Center at (302) 857-7385, or Silver Debrick at (302) 857-7151

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Delaware CONTACTLIFELINE 1-800-262-9800

National Sexual Assault Hotline 1-800-656-HOPE

Sexual Assault Protocol for Delaware State University Police Department

- Sexual assault is a traumatic event for every victim/survivor, and may leave him/her in **psychological distress resulting in confusion about the event, fear, guilt, shame, or experiences with many other problems**. Delaware State University Police Department often are first responders to a student in crisis due to a sexual assault, therefore the following protocol will be followed when responding to such an event.
 - Delaware State University Police Department will offer the victim/survivor support, crisis intervention, advocacy and referral information for medical, police, counseling resources, student conduct and legal resources as stated below.
- 1) First ensure that the victim/survivor is safe, if not get the victim/survivor to a safe space.
 - 2) Contact the Sexual Assault Crisis Hotline at **(302) 420 5751**
 - 3) Acknowledge the psychological distress and confusion and assure the victim/survivor that DSU has services in place to help him/her to overcome most problems that may arise from this situation. If the victim/survivor is a female and the staff person is a male, **offer** same sex support, and vice-versa whenever possible.
 - 4) Explain to the victim/survivor that if he/she was using drugs, drinking alcohol and/or was violating the visitation policy, he/she would not receive a sanction for those violations.
 - 5) Gather demographic data; name, age, ethnicity, place of residence, time and date (when) the incident occurred and location (where), and the name of the perpetrator If known. **Why** questions should NOT be asked.
 - 6) Explain the importance of medical treatment and forensic exams, and strongly encourage the victim/survivor to take advantage of the services provided by the Sexual Assault Nurse Examiner (SANE) Unit offered at all major hospitals: **safeguard against STD's, unwanted pregnancy, & AIDS**. Explain to the victim/survivor that the cost of the hospital visit, treatment received, and the forensic (rape) kit will be paid for by the State of Delaware.
 - 7) Enquire if the victim/survivor has taken a shower or bath. If **no**, discourage the bath/shower until seen at the hospital. If **yes**, collect items of clothing that the victim/survivor wore at the time of the event, place it in a **paper bag** and retain as evidence. The investigating officer should label the bag appropriately and forward it to the State's forensic lab for testing. Gather any other evidence that may exist, and note the appearance of the environment.
 - 8) Inform the victim/survivor that Delaware State University Police Department will provide transportation to the hospital and back to campus if he/she does not have a friend or family member to provide such transportation.

- 9) Inform the victim/survivor that he/she could have accompaniment from the Prevention specialist here at DSU, a friend/roommate; an RA, RHA, or RD; or a counselor from the local rape crisis center who would accompany to/or meet him/her at the hospital.
- 10) Explain to the victim/survivor that he/she may request support directly from DSU's Sexual Assault Prevention personnel (**302-420-5751**) or a community-based organization (e.g. Contact Lifeline, **1-800-262-9800**) or he/she may request that the staff person do so on his/her behalf.
- 11) Offer the victim/survivor the option of moving to a "Safe Space" if he or she feels threatened
- 12) Explain that he/she can request a "No-contact Order" from Delaware State University Police Department/Judicial Department
- 13) Explain psychological counseling options both on and off campus (#10).
- 14) Provide the victim/survivor with written resource and referral information.
- 15) Explain to the victim/survivor the procedure that will be followed by the Delaware State University Police Department and whether the information will be relayed to the Judicial Department, Title IX Office, and/or to the local Court.

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Sexual Assault Protocol for Judicial Affairs Department

Sexual assault is a traumatic event for every victim/survivor, and may leave them in psychological distress resulting from confusion about the event, fear, guilt, shame, or experiencing many other problems. The Title IX office in Martin Luther King, Jr. Center (Suite 317) at Delaware State University often get information about a student in crisis due to a sexual assault in the form of a report, but a student may choose to come directly to the Title IX office to report an event.

The Judicial Affairs Staff will:

- 1) Offer the victim/survivor crisis intervention, support, advocacy and referral information for medical, legal, police, student conduct, and counseling resources.
- 2) Review information received from a JAMS or Delaware State University Police Department report and contact the alleged perpetrator to schedule a pre-hearing conference; also schedule a meeting with the victim/survivor separately to gather more information about the event if needed.
- 3) Contact the university's Sexual Assault Prevention specialist to accompany the victim/survivor to the hospital and Delaware State University Police Department for transportation to the hospital, if information regarding a sexual assault is received from a victim/survivor within 5 days of the assault occurring.
- 4) Explain the importance of medical treatment and forensic exams, and the options available.
- 5) Explain to the victim/survivor the Campus Judicial process that will take place in response to receiving a report.
- 6) Explain counseling options both on and off campus, and provide the university's Counseling Office number or Contact Lifeline number.
- 7) Provide the victim/survivor with written resource and referral information.
- 8) Explain to the victim/survivor the process of filing a Police report. If the alleged assailant is a student, explain to the victim/survivor the options available through this office.
- 9) Explain the process for obtaining assistance with academic accommodations if needed.
- 10) Explain the process for obtaining assistance with changes in the victim /survivor's housing situation if needed.

- 11) Explain to the victim/survivor that if the alleged assailant is a threat to the University community, Delaware State University Police Department is required to notify the campus but clarify that this notification will NOT include the his/her name.
- 12) Explain to the victim/survivor that he/she may obtain a No-Contact Order if they feel at risk of retaliation by the perpetrator and the procedure to follow.
- 13) Explain to the victim/survivor the confidential nature of the information shared with the Judicial Affairs staff, explain the exceptions to maintaining confidentiality, and that information may be shared with a signed release from them.
- 14) Provide the victim/survivor information to talk with the Office of Title IX to lodge a formal complaint.
- 15) Schedule follow-up appointment (s) with the victim/survivor if needed with their permission.

Sexual Assault Protocol for Residential Staff

- Sexual assault is a traumatic event for every victim/survivor, and may leave him/her in **psychological distress resulting in confusion about the event, fear, guilt, shame, or many other problems**. The Residential staff persons at Delaware State University (DSU) often serve as first responders to students in crisis resulting from a sexual assault. Following is the protocol to be followed when responding to such an event.
 - Resident staff (professionals and paraprofessionals) will provide the victim/survivor with support: crisis intervention, advocacy and referral information for medical, police, counseling resources, student conduct and legal resources.
- 1) First ensure that the victim/survivor is safe. If he/she is in danger contact Campus Security at **(302)857-7911** immediately for assistance to ensure the safety of the victim/survivor.
 - 2) Acknowledge the psychological distress and confusion and assure the victim/survivor that DSU has services in place to help him/her to overcome most of his/her problems. If the victim/survivor is a female and the staff person is a male **offer** same sex support, and vice-versa.
 - 3) Explain to the victim/survivor that if he/she was drinking alcohol and/or violating the visitation policy, he/she would not receive a sanction for those violations.
 - 4) Gather demographic data; name, age, ethnicity, place of residence, time and date (when) the incident occurred and location (where). The “who” will be found out later unless the information is given, and the **why** should NOT be asked.
 - 5) Explain the importance of medical treatment and forensic exams, and strongly encourage that he/she take advantage of the services offered by the Sexual Assault Nurse Examiner (SANE) Unit offered at all major hospitals; those services **safeguard against STIs, unwanted pregnancy, & AIDS that the cost is paid for by the State of Delaware.**
 - 6) Inquire if the victim/survivor has taken a shower or bath. If **no**, discourage the bath/shower until seen at the hospital. If **yes**, collect items of clothing that the victim/survivor wore at the time of the event, place them in a **paper bag** and give to the DSU Police as evidence.
 - 7) Explain to the victim/survivor that the cost of the visit to the hospital, treatment received, and the forensic (rape) kit will be paid for by the State of Delaware and not from his/her own insurance.
 - 8) Inform the victim/survivor that DSU Police will provide transportation to the hospital and back to campus if he/she does not have a friend or family member to provide that transportation.
 - 9) Inform the victim/survivor that he/she can have accompaniment to the hospital. The options are: their friend or roommate, a RA or RD, the DSU Prevention Specialist, or a counselor from the local rape crisis center.
 - 10) Explain to the victim/survivor that he/she may request support directly from DSU’s Sexual Assault Prevention personnel ((**302-420-5751**) or community-based organization (Contact Lifeline, **1-800-262-9800**).

- 11) Offer the victim/survivor the option of moving to a “Safe Space” if he or she feels threatened.
- 12) Explain that he/she can request a “No-contact Order” through Public Safety/ Judicial Affairs Department
- 13) Explain to the victim/survivor that she or he does not have to make immediate decisions regarding filing a case with the Police Department or the Title IX Office.
- 14) Explain that psychological counseling options are available both on and off campus.
- 15) Provide the victim/survivor with written resource and referral information.
- 16) **Enter an anonymous report (no name) in the JAMS system**

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Sexual Assault Protocol for Student Health Services

Student Health Services at DSU offers only partial treatment for victim/ survivors of sexual assault. The Center provides treatment for STIs, if seen within five (5) days of the occurrence of the assault the Plan B tablet, and will make referral to Kent General Hospital's SANE (Sexual Assault Nurse Examiner) unit for AIDS prophylactic, and forensic (rape) kit examination.

- The Student Health Service Center will offer the victim/ survivor support, crisis intervention, advocacy and referral information for medical, counseling, police, and student conduct resources.
- Contact the university's Sexual Assault Prevention staff **(302-420-5751)** to accompany the victim/survivor to the hospital and Delaware State University Police Department for transportation to the hospital
- Explain the importance of further medical treatment and forensic exams, and the options available.
- Explain counseling options both on and off campus, and provide the university's Counseling Office number **(302-857-7381)** for on-going support
- Provide the victim/ survivor with written resource and referral information.
- Explain to the victim/survivor the process of filing a Police report, and explain to the victim/survivor that she/he does not have to make immediate decisions regarding reporting to Delaware State University Police Department or the Title IX office.
- If the alleged assailant is a student, explain to the victim/survivor the option of filing a report with the Title IX or Judicial Office.
- Explain the process for obtaining assistance with academic accommodations if needed.
- Explain the process for obtaining assistance with changes in the victim /survivor's housing situation if needed, but point out that **where there is reasonable suspicion the University will first remove the alleged perpetrator from the campus environment.**
- Explain to the victim/survivor that if the alleged assailant is considered a threat to the University community, Delaware State University Police Department will provide notification to the campus, and that this notification will NOT include his/her name.
- Explain to the victim/survivor that he/she may obtain a No-Contact Order if he/she feels at risk of retaliation by the perpetrator through the Police Department or the Judicial Department.

- Explain to the victim/survivor the confidential nature of the information shared with the Student Health Center staff. Explain the exceptions to maintaining confidentiality, such as when the victim/survivor is under the age of 18 years, and that information may be shared with a signed release from him/her.
- Schedule a follow up appointment with the victim/survivor with his/her permission.

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Sexual Assault Protocol for the office of Title IX

- Sexual assault is a traumatic event for every victim/survivor, and may leave him/her in **psychological distress resulting in confusion about the event, fear, guilt, shame, or many other problems**. The office of Title IX persons at Delaware State University (DSU) often serves as the official place to file your title IX complaint against the alleged respondent for students in crisis resulting from a sexual assault. Following is the protocol to be followed when responding to such an event.
 - Title IX Offices and the ERP will provide the victim/survivor with support: crisis intervention, advocacy and referral information for police, counseling resources, student conduct and legal resources.
1. First ensure that the victim/survivor is safe. If he/she is in danger contact Campus Security at (302)857-7911 immediately for assistance to ensure the safety of the victim/survivor.
 2. Acknowledge the psychological distress and confusion and assure the victim/survivor that DSU has services in place to help him/her to overcome most of his/her problems.
 3. You will receive and be told to **Read** the **“One Policy One Process”** document.
 4. You may request the assistance of a sexual assault **“advocate”** from our counseling services.
 5. You need to **know** your rights.
 6. You will meet with the office of Title IX to review the process.
 7. You may ask the office of Title IX about **“advisors”** to assist you in this process.
 8. You will review your police report or complaint for **clarity and factual** information.
 9. You will need to preserve any **evidence** that will help you in reviewing your case.
 10. You will be able to **prepare** your opening and closing statements for your hearing procedures.
 11. You will need **to Read** all emails and materials that you receive from the office of Title IX.
 12. You will need to understand the **deadlines** and meet all deadlines.

Hearing Process:

- 1) Notification of a hearing will be sent to you approximately 2-3 business days before the hearing takes place.
- 2) The Equity Resolution Panelist (3) along with the Chairperson of the committee will be identified to you prior to the hearing.

- 3) Please submit all evidence prior to the hearing, or bring additional copies of new evidence to the hearing for all members of the ERP.
- 4) Your “advisor” may attend the hearing process; however they will not be able to speak on your behalf. They can advise you through writing notes, whispering, or leaving the room with you.
- 5) Prepare your opening, questions and closing statements for your hearing procedures.
- 6) You will not be allowed to bring cell phones, iPods, or electronics into the hearing room.
- 7) You will be asked to affirm to tell the truth and will be expected to uphold your affirmation.
- 8) The complainant and the respondent will be in the same hearing during the same time, unless a request is made by the complainant not to be in the same room with the respondent.
- 9) You will be notified in writing, of the results from your hearing by the Office of Title IX.
- 10) The hearings are recorded and documented.

Student Sanctions:

- 1) **Warning:** A formal statement that the behavior was unacceptable and a warning that further infractions of any Delaware State University policy, procedure or directive will result in more severe sanctions/responsive actions.
- 2) **Probation:** A written reprimand for violation of the Code of Student Conduct, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any Delaware State University policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate.
- 3) **Suspension:** Termination of student status for a definite period of time not to exceed three years, and/or until specific criteria is met. Students who return from suspension are automatically placed on probation through the remainder of their tenure at Delaware State University. This sanction may be noted as a Conduct Suspension on the student’s official transcript.
- 4) **Expulsion:** Permanent termination of student status, revocation of rights to be on campus for any reason or attend Delaware State University-sponsored events. This sanction will be noted as a Conduct Expulsion on the student’s official transcript.
- 5) **Withholding Diploma:** Delaware State University may withhold a student's diploma for a specified period of time and/or deny student participation in commencement activities if the student has a complaint pending or as a sanction if the student is found responsible for an alleged violation.
- 6) **Revocation of Degree:** Delaware State University reserves the right to revoke a degree awarded from Delaware State University for fraud, misrepresentation or other violation of Delaware State University policies, procedures or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- 7) **Organizational Sanctions:** Deactivation, de-recognition, loss of all privileges (including University registration), for a specified period of time.
- 8) **Other Actions:** In addition to or in place of the above sanctions, Delaware State University may assign any other sanctions as deemed appropriate.

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DSU office of Title IX 302-857-7698

<http://www.desu.edu/student-affairs/sexual-misconduct-harassment-and-sex-discrimination-title-ix>