

Rights, Options & Resources

for Survivors of Sexual Assault, Dating Violence, Domestic Violence and Stalking



UCSF

University of California
San Francisco



Introduction

The University of California, San Francisco is committed to creating and maintaining a community where all individuals can participate in University programs and activities and work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Sexual assault, dating violence, domestic violence, and stalking violate both law and University policy. UCSF encourages students, employees, and visitors who experience any of these offenses, whether on campus or off campus, to access on and off-campus resources. Survivors are strongly urged to consider taking action through the University's institutional conduct process and through the criminal justice system. This handout is intended to help survivors understand their rights, options, and available resources.



GET HELP:

Procedures Survivors are Encouraged to Follow

Call 9-1-1 if you or someone you know is in danger or needs immediate help:

If you have experienced sexual assault, dating violence, domestic violence, or stalking, you are encouraged to seek immediate assistance. If you prefer not to notify the UCSF Police or the local police department, you are strongly encouraged to seek assistance from the other resources listed in this publication. You have the right to decide who and when to tell about an incident of sexual assault, dating violence, domestic violence, or stalking.

Seek Medical Attention after Being Sexually Assaulted:

Free forensic exams are performed, 24-hours a day at San Francisco General Hospital in the Emergency Department, located at 1001 Potrero Avenue, Suite 1E21, San Francisco, CA, 94110, (415) 206-8111.

Exams should be conducted as soon as possible, but can be conducted as late as five days after an assault. Exams performed within 72 hours can include HIV prevention medication and emergency contraception.

Preserving Evidence

If an incident of sexual assault, dating violence, domestic violence, or stalking occurs, it is important for a survivor to preserve and collect evidence, so that the full range of options, including a successful criminal prosecution, remains available.

If you have experienced a sexual assault, in order to preserve evidence if possible, do not wash your hands or face, shower or bathe, brush your teeth, straighten up the area where the assault took place, use the restroom, or change your clothes prior to a

medical exam. It's best to seek a medical examination as soon as possible. Additionally, evidence of an incident of relationship violence, such as bruising or other visible injuries, should be documented by taking a photograph. Evidence of stalking, including any communication, such as written notes, voicemail, or other electronic communications, should be saved and not altered in any way.

Accommodations

Designated University representatives, including the Title IX Coordinator and the UCSF CARE Advocate, can provide sexual assault, dating violence, domestic violence, and stalking survivors with important assistance and accommodations, where reasonably available, including the following:

- Assistance with reporting the incident(s) to law enforcement;
- Initiating institutional complaint proceedings;
- Issuing “No Contact Orders”;
- Providing academic accommodations, e.g., extensions on assignment due dates;
- Changing living arrangements, e.g., changing residence location;
- Changing transportation arrangements, e.g., providing parking in a different location; and
- Changing work arrangements, e.g., relocation to a more private or secure location.

Accommodations may be made upon request, if they are reasonably available, irrespective of whether a survivor chooses to report an incident to the UCSF Police Department, local law enforcement, or the Title IX Coordinator. The UCSF CARE Advocate can provide this support to survivors who choose not to report.

Reporting Rights and Options

Survivors have several reporting options, and they may pursue one or all of the options at any time. Survivors also have a right to have the CARE Advocate, a friend, family member, or other representative present with them while reporting an incident. Survivors also have the right to have the CARE Advocate and a support person (of their choice) present during any sexual assault forensic examination. UCSF representatives, including the Title IX Coordinator and CARE Advocate, can also support survivors in notifying the UCSF Police Department or local department, if a survivor chooses to report the incident.

Anonymous Reporting:

To file an anonymous online complaint, go to EthicsPoint at <http://www.ucop.edu/ethics-compliance-audit-services/> and select "File A Report." Choose a location, select "Discrimination/ Harassment" as your subject matter, and enter the details of your complaint. You can also file an anonymous phone complaint by calling the EthicsPoint Hotline at 1 (800) 403-3744. *EthicsPoint is run by a neutral third party vendor and will be routed to the appropriate party anonymously.* Please note that anonymous complaints may limit how UCSF can respond to a given situation.

Non-Reporting Options

The resources listed below are available to provide support or counseling to survivors on a fully *confidential* basis. *These resources can provide critically important assistance, but reporting to them will not lead to action being taken by UCSF.*

CARE Advocate: The CARE Advocate provides confidential information about sexual assault, dating violence, domestic violence, and stalking. The CARE Advocate can explain a survivor's options, accompany a survivor throughout any reporting process (should a survivor choose to report an incident), and assist a survivor with academic, housing, and employment concerns and accommodations. The CARE Advocate is also available to explain and discuss a survivor's right to file a criminal complaint, the University's relevant complaint processes, available resources (both on and off campus), and other related matters.

Office of the Ombuds: The Ombuds provide survivors with confidential information, including information about options that are available and makes referrals, as necessary and as requested.

Student Health and Counseling: Student Health and Counseling provides student survivors with confidential physical health exams and counseling services.

Faculty Staff Assistance Program (FSAP): FSAP provides faculty, staff, residents, postdocs, and clinical fellow survivors with confidential counseling and other services.

ON-CAMPUS Reporting Options

The resources below provide assistance, including initiating formal administrative and criminal investigations. *Reporting to these resources may lead to action being taken by UCSF.* UCSF strongly encourages survivors to report sexual assault, dating violence, domestic violence, and stalking, so the University and the police may protect the survivor and the campus community. *However, non-reporting is also an option. Accommodations may still be available to individuals who do not report.*

UCSF Administration: When a report is made that provides sufficient facts to allege a violation of policy, to a School, Department, Human Resources, etc., the Title IX Coordinator conducts an investigation as to whether a violation of policy took place. This administrative process is separate from a legal proceeding. The investigative report will be shared with only those members of the University community with a need to know. Survivors have the right to be accompanied by a support person when they report to campus administration and the UCSF CARE Advocate can support them with this process.

Title IX Coordinator: The Title IX Coordinator receives and investigates reports of sexual assault, dating violence, domestic violence, stalking, and sexual harassment. The Title IX Coordinator is available to explain and discuss a survivor's right to file a criminal complaint, the University's complaint process, how confidentiality is handled, and available resources (both on and off campus). The Title IX Coordinator works with the UCSF Police Department on cases that are reported to both entities.

UCSF Police Department:

University police can initiate a criminal investigation and, may be able to obtain emergency protective orders on a survivor's behalf.

If a survivor chooses not to report a crime immediately, the report can still be made at a later time. Survivors may contact the UCSF CARE Advocate for free and confidential assistance with this process.

OFF-CAMPUS Reporting Options

Reporting to Local Law Enforcement:

A survivor may report an incident to the police department located within the jurisdiction where the incident occurred. If a survivor chooses not to report a crime immediately, a report can still be made at a later time. Law enforcement can initiate a criminal investigation and, depending on the circumstances, provide a survivor with assistance in obtaining emergency protective orders, which will be enforced both on and off campus.

Civil Restraining Orders: A survivor may also choose to request a civil restraining order. This is an order that protects persons who have experienced or are reasonably in fear of violence, sexual assault, stalking or threats of violence. Survivors may contact the UCSF CARE Advocate for a referral to resources which provide free and confidential assistance with this process.



Confidentiality

UCSF recognizes the sensitive nature of sexual assault, dating violence, domestic violence, and stalking incidents. The University is committed to protecting the privacy of survivors who make reports or seek accommodations and protective measures. When a survivor reports an incident to UCSF or seeks accommodations and protective measures, his or her privacy will be respected to the full extent possible. Reports and/or requests for accommodations and protective measures will be shared with only those members of the University community with a need to know.

A report to the police/law enforcement may create a public record. The police are required to notify a survivor that his or her name will become a matter of public record *unless confidentiality is requested*. (Cal. Penal Code § 293; Cal. Gov. Code § 6254(f).) If a survivor requests that his or her identity be kept confidential, their name will not become a matter of public record, and the police will not report his or her identity to anyone else at the University, including the Title IX Coordinator. UCSF Police, however, will report the facts of the incident to the Title IX Coordinator, without revealing the survivor's identifying information.

UCSF is required by the Clery Act to report certain types of crimes, including sexual assaults, in statistical reports. Pursuant to the Clery Act, UCSF will report the type of incident that occurred in the Annual Security Report and Daily Crime Log, but no names or personally identifying information will be revealed.

Mandatory Reporting

You should be aware that some disclosures to UCSF faculty or employees (including student employees) will result in a report to the UCSF Office for the Prevention of Harassment and Discrimination/ Title IX.

“Any University employee who is not a Confidential Resource and who receives, in the course of employment, information that a *student* (undergraduate, graduate, or professional) has suffered sexual violence, sexual harassment or other prohibited behavior shall promptly notify the Title IX Officer or designee. This includes student employees, when disclosures are made to any of them in their capacities as employees.” – **University of California Policy: Sexual Violence and Sexual Harassment** 1/1/2016 (emphasis added)



Disciplinary Procedures

UCSF prohibits all acts of sexual assault, dating violence, domestic violence, and stalking. These acts violate both law and University policy. Members of the UCSF community who are found responsible for such conduct may, in addition to facing criminal investigation and prosecution, face disciplinary action by UCSF.

UCSF has written policies and procedures that provide for investigations of reports of sexual assault, dating violence, domestic violence, and stalking. UCSF will respond promptly and effectively, and take appropriate action to prevent, correct, and discipline behavior that violates the University's policy on Sexual Harassment and Sexual Violence.

Disciplinary proceedings will provide a prompt, fair and impartial investigation

and resolution. Investigations and proceedings will be conducted by trained officials.

Both the complainant and the respondent are entitled to the same opportunity to have others present, attend hearings, receive timely notice of any hearings, and have access to information relied on in the proceedings. Based on the outcome of an investigation, appropriate disciplinary sanctions may be imposed consistent with UCSF policy. Protective measures may be imposed by the Title IX Coordinator during the investigations process.

Survivors are not required to participate in any portion of the disciplinary proceeding and may choose not to participate at all. The Title IX Coordinator and the CARE Advocate can explain these policies and procedures in greater detail.

Relevant UCSF Policies

- **UCOP Sexual Violence and Sexual Harassment Policy**
<http://policy.ucop.edu/doc/4000385/SVSH>
- **UCSF Sexual Harassment and Sexual Violence Policy**
<https://policies.ucsf.edu/policy/150-13>
- **UCSF Violence in the Work Place**
<https://policies.ucsf.edu/policy/150-27>
- **Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Procedures** <https://studentlife.ucsf.edu/appendix-e-sexual-violence-and-sexual-harassment-student-adjudication-procedures>
(or <http://tiny.ucsf.edu/AppendixE>)
- **UCOP Academic Personnel Manual**
<http://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/index.html>

Confidential UCSF Resources

CARE Advocate

Denise Caramagno
(415) 502-8802
denise.caramagno@ucsf.edu
<https://careadvocate.ucsf.edu>

Office of the Ombuds

(415) 502-9600
www.ombuds.ucsf.edu

Student Health & Counseling

(415) 476-1281
<https://studenthealth.ucsf.edu>

Faculty Staff Assistance Program

(415) 476-8779
www.ucsfhr.ucsf.edu/fsap

Non-Confidential UCSF Resources

Title IX Coordinator

Nyoki Sacramento
(415) 502-3400
Title9@ucsf.edu
<https://shpr.ucsf.edu>

UCSF Police Department

Emergency (24 hours)

From a campus line, dial 9-911
From a non-campus line or cell phone,
dial (415) 476-6911

Non-Emergency (24 hours)

(415) 476-1414
<http://police.ucsf.edu>

Community Resources

Trauma Recovery Center / Rape Treatment Center

2727 Mariposa St., Suite 100
San Francisco, CA 94110
(415) 437-3000
www.traumarecoverycenter.org

San Francisco Women Against Rape (SFWAR)

3543 18th St., #7
San Francisco, CA 94110
(415) 647-7243 (24-hour crisis line)
www.sfwar.org

W.O.M.A.N., Inc.

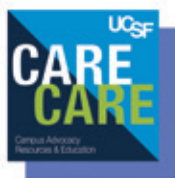
333 Valencia St., 2nd Floor
San Francisco, CA 94110
(415) 864-4722 (24-hour crisis line)
<http://www.womaninc.org>

Bay Area Legal Aid

1035 Market St., 6th Floor
San Francisco, CA 94103
(415) 982-1300 | (415) 354-6360
<http://baylegal.org>

San Francisco District Attorney Victim Services

850 Bryant St., Room 320
San Francisco, CA 94103
(415) 553-9044
<http://sfdistrictattorney.org/victimservices>



Produced by the UCSF Police Department, the UCSF Confidential CARE Advocate,
and the Office for the Prevention of Harassment and Discrimination (OPHD)