

STUDENT BILL OF RIGHTS

In accordance with the Campus Sexual Assault Victim's Bill of Rights (1992) and section 485 of the Higher Education Act of 1965 (revised 2010), as well as guidelines provided by New York State, Medaille College has implemented the following bill of rights that shall be afforded to all victims of reported campus-related sexual assaults. These rights have been adapted for Medaille College from the language used in the Higher Education Act and are described in more detail throughout this section.

1. The right to have any and all disclosures of domestic violence, dating violence, stalking, and sexual assault against them treated with seriousness and receive, from the institution, courteous, fair, and respectful health care and counseling services, where available.
2. The right to have sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred, if the victim so chooses, including make a report to local law enforcement and/or the state police; and the right to the full and prompt cooperation and assistance of College staff in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.
3. The right to be free from any kind of pressure from College staff that victims: (a) not report crimes committed against them to civil and criminal authorities or to campus safety and residence life staff; or (b) report crimes as lesser offenses than the victims perceive them to be.
4. The right to be free from any kind of suggestion that sexual assault victims not report, or under-report, crimes because: (a) victims are somehow 'responsible' for the commission of crimes against them; (b) victims were negligent or assumed the risk of being assaulted; or (c) by reporting crimes they would incur unwanted personal publicity.
5. The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard and in so doing, to describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident.
6. The same right to legal assistance, or ability to have others present, including an advisor of their choice, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding.
7. The right to counseling services from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves.
8. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that appropriate College staff take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate relocation of the victim to safe and secure alternative housing, and transfer of classes if requested by the victims.
9. Access to at least one level of appeal of a determination.
10. The right to report any inappropriate action, or lack thereof, in the handling of a reported sexual assault on the part of the College as a Title IX complaint.
11. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution.
12. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or conduct process of Medaille College.

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