

**Union College
International Programs – Incident Report Form**

INCIDENT DESCRIPTION:

Name of Program: _____ Today's Date: _____

Time, Date and Location of Incident/Accident: _____

Nature of Incident: _____

Name of Student(s) involved: _____

1. How, when and from whom did you hear about the incident? _____

2. Was medical attention offered to the student? [YES] [NO]
If NO, why not? _____

a. Did the student accept the offer to seek medical attention? [YES] [NO]
If NO, why not? _____

If YES, where was the student taken? (name and address of hospital and attending physician):

b. What was the result? _____

3. Was the student offered assistance or encouraged to report the incident to local or international authorities? [YES] [NO]
If NO, why not? _____

a. Did the student accept the offer to contact authorities? [YES] [NO]
If NO, why not? _____

If YES, what office was contacted? (name and address of police station or consulate) :

COMMUNICATION:

1. Who reported the incident to Union College and who responded from Union? When? How?

2. Who reported the incident to student's family or guardian? When? How?

* Follow up information should also include dates, times, persons contacted, actions taken, additional phone or contact numbers. Append such notes to a final report, keep them on file and forward to International Programs.

Sexual Misconduct Protocol Special Considerations in Cases of Sexual Harassment/Sexual Assault For Faculty Directors and Group Leaders

The Office of Civil Rights has outlined requirements for colleges handling of sexual harassment and sexual misconduct cases. There are a number of complicating issues, so it is imperative that you work closely with the Sr. Associate Dean of Students and Director of Student Conduct, the Title IX Deputy Coordinator assigned to the case, and possibly other professionals (e.g., Campus Safety Director, Counseling Center Director) in handling these. Some things to consider:

1. Health and Safety of Victim.

- a. Take immediate steps to ensure the victim's safety.
- b. Assist the victim in seeking immediate medical attention as requested and/or needed. HTH Worldwide can assist in identifying a professional health service provider which can provide prompt medical care.
- c. Remind the victim to preserve all physical evidence.
- d. Assist the victim in seeking local law enforcement assistance as requested **or as may be required by local law.**
- e. Assist the victim in seeking counseling if requested.
- f. Parents are NOT notified unless the victim consents.
- g. Take steps to ensure victim's equal access to educational programs, including interim measures as appropriate.

2. Inform Student. In a non-emergency situation, before a student reveals information that he/she may wish to keep confidential, you should make every effort that the student understands the following:

- a. You are obligated to report the name of the complainant and the alleged perpetrator (if known), and the relevant facts including date, time and location of the incident(s) to the Sr. Associate Dean of Students and Director of Student Conduct.
- b. The student has the option to request the Union maintain his/her confidentiality and/or that no investigation be pursued; which Union will consider but it is not guaranteed.
- c. The student has the ability to share information confidentially with the Counseling Center.

3. Reporting. As a Responsible Employee delegated to the task of responding to sexual misconduct incidents, you must report all incidents of sexual misconduct to the Sr. Associate Dean of Student and Director of Student Conduct and prepare an incident report.

4. Investigation. If a student requests that his/her identity not be revealed and/or that no investigation be pursued, it is imperative that you arrange a conference with the Sr. Associate Dean of Students and Director of Student Conduct to discuss the College's legal duty in assessing this request. If a student elects to pursue a formal complaint in accordance with the College's Conduct Code procedures, as the person on the ground there, you will most likely have to spearhead an investigation. The Sr. Associate Dean of Student and Director of Student Conduct is trained to handle sexual assault cases and can assist you in the investigation process. The Sr. Associate Dean of Students and Director of Student Conduct will assign a Deputy Title IX Coordinator to directly interact with the victim and accused student(s).

5. **Options for the Victim.** You are encouraged to review the International Programs-Sexual Assault Response and Resources for Students document which sets forth the options available for the victim. You will, in conjunction with the Sr. Associate Dean of Students and Director of Student Conduct, outline for the victim his/her options as set forth in the International Programs- Sexual Assault Response and Resources for Students document. In the case where the victim elects to pursue a formal complaint, there will likely have to be a hearing upon everyone's return to Union. The victim will need to be aware of all aspects of the process, such as the accused's right to ask question directly. You can discuss this with the Sr. Associate Dean of Students and Director of Student Conduct, and she will be able to help in explaining options.

6. **Voluntary Withdrawal from the Program.** If the victim prefers to voluntarily depart from the Program, the victim may do so without financial penalty with respect to tuition. You are encouraged to discuss this option with the Director of International Programs and the Dean of Students or designee. The Dean of Studies will be contacted by the Dean of Students or designee, to facilitate an accommodation for the course credit. Alternatively, if, based upon the initial investigation, you preliminarily determine that the alleged perpetrator poses a substantial risk to others in the program, you may need to exercise your discretion and remove that student from the program.

7. **Notice of Progress.** The Deputy Title IX Coordinator assigned to the case is charged with the responsibility of communicating regularly with both the victim and accused. Your assistance may be called upon to facilitate these conversations. These cases are very traumatic for both parties, and both need support. If either, in your judgment, requires counseling as a result of the incident, you can contact the Director of the Counseling Center.

8. **Student Privacy.** Be careful to protect the privacy of both parties. You will not be able to share any information with any of the program participants not part of the investigation. If you are talking with a participant as a part of your investigation, you should protect the privacy of the students to the fullest extent possible.

Contact Information			Reason
Lara Atkins	Director of International Programs	518.388.6002 atkinsl@union.edu	"As needed"
Trish Williams	Sr. Associate Dean of Students and Director of Student Conduct	518.388.6116 518.388.6061 williamt@union.edu	Reporting disciplinary issues and student sexual misconduct incidents
Steve Leavitt	VP for Student Affairs and Dean of Students	518.388.6116 leavitts@union.edu	Reporting disciplinary issues, including drug and alcohol violations, student harassment complaints
Marcus Hotaling	Director of Counseling Center	518.388.6161 hotalinm@union.edu	Mental health related questions and issues
John Skumurski	Director of Budgets, and Risk Management	518.388.6104 skumursj@union.edu	Questions regarding notification of potential legal claims

Union College

International Programs – Sexual Assault Response and Resources

For Students

If you, or someone you know, have been sexually assaulted while participating on an International Program, there are avenues of support and options you can pursue. To help you, below is a list of choices and steps that you may elect to pursue.

IMMEDIATE CONSIDERATIONS

- TAKE STEPS TO ENSURE YOUR SAFETY**
- SEEK IMMEDIATE MEDICAL ATTENTION**
- CONTACT HTH WORLDWIDE 24 HOUR CONFIDENTIAL HOTLINE —
CALL COLLECT AT 1-610-254-8771**
- PRESERVE ALL PHYSICAL EVIDENCE**
- CALL YOUR FACULTY DIRECTOR OR GROUP LEADER***
(If the alleged perpetrator is your Faculty Director or Group Leader, a vendor, or employee hired by the Faculty Director or Group Leader, contact Lara Atkins, Director of International Programs* at 518.388.6002 or atkinsl@union.edu)

The Faculty Director or Group Leader stands ready to assist you and will facilitate your wishes to:

1. *Seek medical care, if you have not already done so.*
2. *File a report with local law enforcement (in some countries this may be required by law for certain crimes).*
3. *Seek support from the Counseling Center at Union College.*
4. *Seek interim measures (e.g. no contact order (see below), change in housing, etc.)*
5. *If the alleged perpetrator is another student participant, your Faculty Director or Group Leader will arrange a call with the Sr. Associate Dean of Students and Director of Student Conduct* at Union College to review your available options as outlined below.*
 - a. **Pursue Formal Internal (College) Disciplinary Charges:**
 - With assistance from the Director of Campus Safety (or designee), the complainant, alleged perpetrator and all relevant witnesses are interviewed by the Faculty Director or Group Leader.
 - The complainant and alleged perpetrator can submit information to substantiate their positions.
 - Investigation may take several days to several weeks, based on circumstances.

- After the investigation is complete, a report is forwarded to the Sr. Associate Dean of Students and Director of Student Conduct for follow-up and adjudication by the **Judicial Hearing Board**. The hearing will take place when you return to campus.

Judicial Hearing Board	Made up of Student Affairs administrator, faculty, and students.
	Acts as a hearing panel that adjudicates alleged violations of College policy.
	Receives investigation reports, hears witness testimony in support of and in defense of charge of sexual assault.
	Complainant and accused attend hearing, each speaking on his/her behalf; each may be accompanied by an internal College Advisor; complainant may be separate from accused during hearing.
	After hearing witnesses, the Board meets in a closed session to determine, by a preponderance of evidence standard, if the accused is responsible for the charges; if the accused is found responsible, an appropriate sanction is recommended.
	Complainant and accused are notified of the hearing outcome within ten (10) days of the hearing.

b. **Pursue Informal Internal (College) Disciplinary Resolution.**

- An example of an informal internal disciplinary resolution would be issuing a “no-contact order” against the alleged perpetrator. A no-contact order means the alleged perpetrator is ordered to stay away from you, to the fullest extent possible, and to not have direct personal contact of any kind with you during the remainder of the International Program (and when you return to campus). Please note, however, that may be limits on a “no-contact order” during a term abroad. The Sr. Associate Dean of Students and Director of Student Conduct will discuss the no-contact order with the alleged perpetrator, express concern about his/her behavior, and convey to him/her that the College will not tolerate any form of retaliation.

c. **Withdrawal from the International Program.** If you prefer, in addition to pursuing disciplinary charges as outlined in (a) or (b) above, you may also voluntarily depart from the Program. You may do so without financial penalty with respect to tuition. (You are not obligated to pursue disciplinary charges to be entitled to withdraw without financial penalty with respect to tuition.) The Faculty Director or Group Leader will contact the Dean of Studies to facilitate an accommodation for College credit.

* **Please note the following regarding confidentiality:**

- » **Conversations with the Faculty Director, Group Leader, Sr. Associate Dean of Students and Director of Student Conduct, and Director of International Programs are kept as confidential as possible**, but limited information about incidents of sexual misconduct must be shared with relevant administrators and a Title IX Coordinator. In planning any response, the wishes of the complainant are given full consideration.
- » **Conversations with the Counseling Office at Union College are strictly confidential**; and, except in rare and extreme circumstances, nothing will be shared without the complainant’s explicit permission.
- » **Laws in countries other than the United States may require the reporting of certain crimes to local authorities.**

Campus Security Authority (CSA) Reporting Form

Date of Report:
Name of Campus Security Authority (CSA):
Date that incident occurred (mm/dd/yyyy):
<i>If multiple incidents were reported or if the date the incident occurred is unknown, please note below:</i>

Reporting Person Contact Information

Reported by: Victim <input type="checkbox"/> Third Party <input type="checkbox"/>	
First Name: _____	Last Name: _____
Phone No.: _____	Email: _____
If a third party reported the crime to you, please enter the relationship of the third party to the victim: _____	

Agency Notified

<i>If, to your knowledge, a law enforcement agency was notified, please enter the name of that agency.</i>
Agency: _____

Does the victim what the incident reported to law enforcement? YES <input type="checkbox"/> NO <input type="checkbox"/>

Incident Information

Location of incident (<i>building name, street address, office number</i>): _____

Time of incident (<i>if known</i>) _____
Incident description (<i>Please provide specific, detailed information; you can attach additional document(s) if necessary</i>):

Incident category (Please see attached for definitions of offenses.):

Homicide	<input type="checkbox"/>	Burglary	<input type="checkbox"/>	I am not sure how to classify this incident. <input type="checkbox"/> Please provide as much information as possible so that campus personnel can make this determination.
Aggravated Assault	<input type="checkbox"/>	Robbery	<input type="checkbox"/>	
Sex Offense (Forcible)	<input type="checkbox"/>	Motor Vehicle Theft	<input type="checkbox"/>	
Sex Offense (Non-Forcible)	<input type="checkbox"/>	Arson	<input type="checkbox"/>	
Dating Violence	<input type="checkbox"/>	Domestic Violence	<input type="checkbox"/>	
Stalking	<input type="checkbox"/>	Hate Crime (please see below for additional information)	<input type="checkbox"/>	
Arrest for Liquor Law Violation	<input type="checkbox"/>	Referral for Liquor Law Violation	<input type="checkbox"/>	
Arrest for Drug Law Violation	<input type="checkbox"/>	Referral for Drug Law Violation	<input type="checkbox"/>	
Arrest for Weapons Law Violation	<input type="checkbox"/>	Referral for Weapons Law Violation	<input type="checkbox"/>	
Other Crime Category	<input type="checkbox"/>	If the crime was not listed above, please enter the additional crime category:		

Is there any evidence that this crime was motivated by bias? **YES** **NO**

If **yes**, please choose any/all categories of prejudice that apply.

Race Ethnicity Disability Gender Identity
 Gender Religion National Origin Sexual Orientation

If you answered “**yes**” to the Motivated by Bias question, please provide a brief summary of the evidence supporting a bias motivation:

Please review the information contained within this form. When complete, submit form to:

Campus Safety
Attn: Christopher Hayen, Director
Union College
807 Union Street
Schenectady NY 12308-3103
hayenc@union.edu

Crime Definitions

Homicide	<ul style="list-style-type: none"> • Murder/Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another • Negligent Manslaughter: the killing of another person through gross negligence
Sex Offenses - Forcible	<ul style="list-style-type: none"> • Forcible Rape: carnal knowledge of a person forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth) • Forcible Sodomy: oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly and/or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity • Sexual Assault With An Object: use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity • Forcible Fondling: touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her mental incapacity
Sex Offenses – Non-Forcible	<ul style="list-style-type: none"> • Incest: non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law • Statutory Rape: non-forcible sexual intercourse with a person who is under the age of consent
Robbery	Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear
Aggravated Assault	Unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury
Burglary	Unlawful entry of a structure to commit a felony or a theft
Motor Vehicle Theft	The theft or attempted theft of a motor vehicle
Arson	Willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Dating Violence	<p>Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:</p> <ul style="list-style-type: none"> • the length of the relationship • the type of the relationship • the frequency of interaction between the persons involved in the relationship
Domestic Violence	<p>Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction...or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction</p>
Stalking	<p>Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress</p>
Liquor Law Violation	<p>The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages</p>
Drug Law Violation	<p>The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use</p>
Illegal Weapons Possession	<p>The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons</p>