



## OHIO VICTIM RIGHTS REGARDING SEXUAL ASSAULT ON COLLEGE CAMPUSES

As a survivor of sexual assault on a college campus (though the options generally also apply to off-campus, college sponsored activities), you have three options:

- You may report the sexual assault off campus to the local police<sup>1</sup> and elect to participate in the criminal investigation and potential prosecution of the perpetrator; and/or
- You may report the sexual assault on campus to any responsible employee on campus to begin the campus process as outlined in your student handbook; or
- You may not report at all or through any official channels and just access support and services.

**Report off campus** – you can report off campus by calling local law enforcement or seeking medical treatment off campus. You are not required to make a report to the police by seeking medical attention, but be prepared for law enforcement to be called in and ask to interview you.

**Report on campus** – you can report on campus by disclosing the assault to any responsible employee on campus. Due to the increasing pressure on universities to address sexual assault, many are implementing policies to designate virtually every faculty and staff member<sup>2</sup> as mandatory reporters. Reports made will not be kept confidential. There may be a campus anonymous reporting line that you could call to make a report, but be advised to closely read the fine print as your anonymity may not be guaranteed by reporting in this way either. If you choose to call the “anonymous” hotline, and you wish to truly remain anonymous, be careful to not discuss any personally identifying information – which may include the exact time, place, and perpetrator of the assault.

After you report on campus, the process will vary depending on your institution. You can read your student handbook to figure out how things are handled at your school. Ultimately, your college is required to act to eliminate and remedy the harm of sexual violence on campus under Title IX.

### Your rights include:

- The right to receive contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both on-campus and in the community
- The right to reasonable accommodations to continue your education from sexual violence and harassment. This may include changes to your academic schedule, living arrangements, transportation, or working situations to avoid a hostile environment. It can also include a campus issued no contact directive against the perpetrator.

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<sup>1</sup> Depending on your institution and exactly where the assault occurred, the campus police force may have jurisdiction over the crime. Usually local law enforcement handle felonies, but this will be campus specific depending on the agreements signed between the law enforcement agencies. If this is a concern for you, ask an advocate not affiliated with the university to find out for you.

<sup>2</sup> Mandatory reporting staff will likely include student staff, like Resident Advisors.

- The right to a prompt, fair, and impartial investigation and resolution by trained officials. The school's disciplinary process and the range of possible sanctions must be established and clear. Read the policy carefully as it may identify gatekeepers that could prevent your case from proceeding to an actual disciplinary board.
- The right to have an advisor of your choice present during an institutional disciplinary proceeding. This advisor may be an attorney, but it is important to remember that the campus proceeding is not a legal proceeding and the lawyer will not be afforded the same ability to represent you or speak on your behalf as he or she would in court. Also, all of the legal training that an attorney receives regarding court rules will not apply during your hearing. The perpetrator's advisor will be similarly restrained.
- The right to receive a written decision of all disciplinary proceedings at the same time as the perpetrator.
- The right to be free from retaliation for filing a report with the institution. The school also has an obligation to take action to prevent retaliation for the perpetrator or third parties.

If you believe that your institution is not abiding by their requirement to provide you with a safe, educational environment free from sexual violence and sexual harassment, you can file a complaint with the U.S. Department of Education under the Campus SaVE Act, the Clery Act, and/or Title IX. You can file a formal complaint with the Clery Act Compliance Division by e-mailing [clery@ed.gov](mailto:clery@ed.gov). Your campus is required to have a Title IX compliance officer to receive your Title IX complaint. Check your student handbook or your school's website for that person's contact information and reporting options. Also, see [NotAlone.gov's website](http://NotAlone.gov) for reporting information.

**Not to report at all** – you can choose to not report the assault at all or just not to any person with official responsibilities to law enforcement or the institution. There are a number of reasons that survivors choose this option and if you do so, it is important that you plan how to access support and services so that your choice will be respected. You always have the right to access services off campus from unaffiliated rape crisis centers and hotlines in your area or nationally. If you are concerned about a report being made, call in anonymously from a blocked number first to ask if a report will be made to law enforcement or the institution.

Whether you report or not, support is available. [Contact your local rape crisis center](#) for additional confidential advocacy in Ohio.

*This publication is designed to provide accurate and authoritative information regarding victim rights. Nothing in this publication is to be construed as the rendering of legal advice. Anyone reading this publication is responsible for obtaining such advice from their own legal counsel. This publication is intended for educational and informational purposes only. This publication was supported by Victims of Crime Act Grant Award #2014VASAVE915, administered by the Ohio Attorney General's Office. Victims of federal crimes will be served.*