

# North Country Community College

## Options for Disclosing Sexual Violence

North Country Community College wants you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials and/or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

You have the right to make a report to campus security, local law enforcement, and/or state police or choose not to report; to report the incident to your institution; to be protected by the institution from retaliation for reporting an incident; and to receive assistance and resources from your institution.

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## Definition of “Privacy” versus “Confidentiality”:

North Country Community College offices and employees who cannot guarantee **confidentiality** will maintain your **privacy** to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. North Country Community College will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

# Privileged and Confidential Resources:

Individuals who are *confidential* resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.

Off-campus options to disclose sexual violence *confidentially* include:

## Off-Campus Counselors and Advocates

Crisis service offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency. Note these hotlines listed below are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Victims/survivors are encouraged to additionally contact a campus resource so that the campus can take appropriate action in these cases.

### REGIONAL RESOURCES:

- Sexual Assault Services (SAS) 24 Hour Toll-Free Hotline - 1-877-212-2323
- Planned Parenthood of the North Country New York, Inc. - 1-800-230-PLAN
  - [www.plannedparenthood.org/north-country](http://www.plannedparenthood.org/north-country)
  - Malone – 518-483-7150
  - Saranac Lake – 518-891-0046, ext 366
- STOP Domestic Violence
  - [www.bhsn.org](http://www.bhsn.org)
  - 24 Hour Toll-Free Hotline: 1-888-563-6904

### NEW YORK STATE RESOURCES:

- New York State Hotline for Sexual Assault & Domestic Violence - 1-800-942-6906
- SUNY Sexual Assault & Violence Response (SAVR) Resources: [www.suny.edu/violence-response/](http://www.suny.edu/violence-response/)
- New York State Coalition Against Sexual Assault (NYSCASA): [nyscasa.org](http://nyscasa.org)
- New York State Coalition Against Domestic Violence (NYSCADV): [www.nyscadv.org](http://www.nyscadv.org)

### NATIONAL RESOURCES:

- Crisis Text Hotline: 741741; [www.crisistextline.org](http://www.crisistextline.org)
- One Love Foundation: [www.joinonelove.org](http://www.joinonelove.org)
- No More: [nomore.org](http://nomore.org)
- SurvJustice: [www.survjustice.org](http://www.survjustice.org)
- Legal Momentum: [www.legalmomentum.org](http://www.legalmomentum.org)
- Pandora's Project: [www.pandys.org](http://www.pandys.org)
- GLBTQ Domestic Violence Project: [www.glbtqadvp.org](http://www.glbtqadvp.org)
- RAINN: [www.rainn.org](http://www.rainn.org)
- Safe Horizons: [www.safehorizon.org](http://www.safehorizon.org)

## Off-Campus Healthcare Providers

Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered.

The **New York State Office of Victim Services** may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation.

Get more information by calling 1-800-247-8035 or visiting online: <https://ovs.ny.gov/>

# Non-Professional Advocates:

Non-professional advocates can provide **privacy** and can assist you without sharing information that could identify you. These individuals will report the nature, date, time, and general location of an incident to North Country Community College's Title IX Coordinator, but will consult with you to ensure no personally identifying details are shared without your consent. These individuals are not considered confidential resources.

At North Country Community College, these individuals include:

- **Tara Smith**, Human Resources/Title IX Coordinator (All Campuses)
  - [tsmith@nccc.edu](mailto:tsmith@nccc.edu); 518-891-2915 ext. 1209
- **Kim Irland**, Dean of Student Life (All Campuses)
  - [kirland@nccc.edu](mailto:kirland@nccc.edu); 518-891-2915 ext. 1205
- **Jared Milligan**, Associate Director of Residence Life & Housing (Saranac Lake Campus)
  - [rwoodward@nccc.edu](mailto:rwoodward@nccc.edu); 518-891-2915 ext. 4400
- Office of Student Life Staff
  - **Bruce Kelly** - Malone Campus: [bkelly@nccc.edu](mailto:bkelly@nccc.edu); 518-891-2915 ext. 3226
  - **Michele Pearsall** - Ticonderoga Campus: [bdoolittle@nccc.edu](mailto:bdoolittle@nccc.edu); 518-891-2915 ext. 2203
  - **Angela Brice** - Saranac Lake Campus: [abrice@nccc.edu](mailto:abrice@nccc.edu); 518-891-2915 ext. 1266

College office hours are from 8:30 AM – 4:30 PM, Monday through Friday, or by appointment.

When the accused is an employee, a reporting individual may also report the incident to the Office of Human Resources or may request that one of the above referenced employee advocates assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the reporting individual, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.

# Public Awareness/Advocacy Events:

If you disclose a situation through a public awareness event such as "The Clothesline Project," "Denim Day," "Take Back the Night," candlelight vigils, protests or other public event, North Country Community College is not obligated to begin an investigation. The College may use the information you provide to inform the need for additional education and prevention efforts. An advocate from Planned Parenthood is typically present at a public awareness event, and/or can be contacted to provide services, resources and support if a disclosure is made at a public awareness event on campus.

# Anonymous Disclosure:

The hotlines below are for crisis intervention, resources and referrals and are not reporting mechanisms.

- Sexual Assault Services: 1-877-212-2323
- New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906

To report an incident of sexual violence to the College (anonymously or otherwise) you may do so [HERE](#).  
[www.nccc.edu/campus-safety](http://www.nccc.edu/campus-safety)

# Requesting Confidentiality - How NCCC Will Weigh the Request and Respond:

If you disclose an incident to a North Country Community College employee who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, housing, transportation employment, and other reasonable and available accommodations regardless of your reporting choices. While reporting individuals may request accommodations through several college offices, the offices listed under **Non-Professional Advocates** on the previous page serve as a primary point of contact to assist with these measures. Office hours are from 8:30 AM – 4:30 PM, Monday through Friday, or by appointment.

We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you prior to conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless North Country Community College's failure to act does not adequately mitigate the risk of harm to you or other members of the college community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone who is responsible for responding to or reporting sexual violence or sexual harassment, but wish to maintain confidentiality, North Country Community College will consider many factors to determine whether to proceed despite that request.

These factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender;
  - Whether the incident represents escalation, such as a situation that previously involved sustained stalking,
  - The increased risk that the accused will commit additional acts of violence;
  - Whether the accused used a weapon or force;
  - Whether the reporting individual is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

If North Country Community College determines that it must move forward with an investigation, the reporting individual or victim/survivor will be notified and the College will take immediate action as necessary to protect and assist them.

## Institutional Crime Reporting:

Reports of certain crimes occurring in certain geographic locations will be included in the North Country Community College's Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime or the identity of the reporting individual or victim/survivor

Reporting can be made to the Title IX Coordinator by calling 518-891-2915 ext. 1285 or emailing [titleixcoordinator@nccc.edu](mailto:titleixcoordinator@nccc.edu) or the Student Life Office at 518-891-2915 ext. 1205.

North Country Community College is obligated to issue **timely warnings of Clery Act crimes** occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the reporting individual or victim/survivor). A reporting individual will never be identified in a timely warning.

The Family Educational Rights and Privacy Act (FERPA) allows institutions to share information with parents when:

- (1) there is a health or safety emergency, or
- (2) when the student is a dependent on either parents' prior year federal income tax return.

Generally, North Country Community College will not share information about a report of sexual violence with parents without the permission of the reporting individual.

## Local Law Enforcement Reporting Options:

- **Saranac Lake Police Department**, 518-891-4422 or 518-891-4428
- **Malone Police Department**, 518-483-2424
- **Ticonderoga Police Department**, 518-585-3456
- **New York State Police**, 518-897-2000

## Victim/Survivor Students' Bill of Rights

The State University of New York and North Country Community College are committed to providing options, support and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in college-wide campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. 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;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

*More details of Sexual Misconduct violations is described in our Student Code of Conduct published online [here](http://www.nccc.edu/campus-safety): [www.nccc.edu/campus-safety](http://www.nccc.edu/campus-safety)*