

## **IMMEDIATE ASSISTANCE FOLLOWING A SEXUAL OR GENDER-BASED MISCONDUCT INCIDENT**

Lynn University recognizes that deciding how to respond to an incident of Sexual or Gender-Based Misconduct can be difficult and encourages all individuals to seek the immediate support of and use all available resources on- and off-campus, regardless of when or where the incident occurred. Confidential and non-confidential care and support resources, which are listed below, are available both on and off campus on an immediate and ongoing basis.

### **A. IMMEDIATE ASSISTANCE AND RESOURCES**

It is the University's goal to empower individuals who believe they have experienced an incident of Sexual or Gender-Based Misconduct to make the decisions that are best for them. Various campus and community advocates, counselors and emergency first responders are available to offer assistance in this regard. Moreover, seeking assistance and advice from promptly from one of these resources may also be important to ensure one's physical safety or to obtain medical care or other support. It may also be necessary to preserve evidence, which can assist the University and/or law enforcement in responding effectively. Assistance is available 24 hours a day, 7 days a week. The Resource Table below provides contact information for the various campus and community advocates, counselors and emergency first responders available to provide assistance.

**Get to a Safe Place:** First and foremost, an individual who is the victim of Sexual Assault (non-consensual sexual contact and non-consensual sexual intercourse), Domestic Violence, Dating Violence, Stalking or other violent actions is urged to get to a safe place away from the perpetrator or from any other potential danger as soon as possible. Individuals on campus that are not in a safe place should contact Campus Safety and Security at 561-237-7226 (24 hours) or Local Law Enforcement at 911 immediately (24 hours). Individuals off campus should contact Local Law Enforcement at 911 immediately (24 hours).

**Preserve Evidence:** Collecting evidence does not obligate an individual to any particular course of action but can assist law enforcement should criminal charges ultimately be pursued. For evidence collection purposes, it is important that, if possible, victims do not shower, bathe, wash, comb their hair, use the toilet, smoke, brush their teeth, eat or drink, and wash clothes, sheets, blankets or other items. Anything of evidentiary value should be placed in a paper bag (plastic bags are discouraged). Also, victims are urged to photograph visible injuries. Pictures should be taken zoomed in and panned out to show location. A credit card, coin, or dollar bill should be used for reference of size.

**Contact a Confidential Counselor or Healthcare Providers:** Individuals who believe that they or someone they know has been a victim of Sexual or Gender-Based Misconduct may seek medical, counseling, support and reporting information from any of the University or off campus confidential resources listed in the Resource Table (see Appendix B). Discussing a matter with these offices or individuals is not considered a report to the University or a request that any action be taken by the University in response to a Sexual or Gender-Based Misconduct incident unless

specifically requested by the victim. Conversations with these resources are confidential, except as described in the Resources Table (see Appendix B).

The confidential counselors and healthcare members listed in the Resources Table can provide individuals with both immediate and long-term help. They will listen and help access additional assistance, and explain options for obtaining additional support from the University and others. They can also arrange for medical care and accompany victims, or arrange for someone to accompany individuals, to seek such care. In addition, they can provide assistance in filing a complaint with local law enforcement. These resources may be used regardless of whether the victim wants to file an official report or participate in University investigation and resolution proceedings or the criminal process. They are familiar with the University's investigation and resolution process, can explain what to expect, and provide support while University or legal processes are pending, all on a confidential basis.

**Contact a Non-Confidential University Resources:** In addition to confidential resources, any individual who has experienced or witnessed an incident of Sexual or Gender-Based Misconduct has the option and is encouraged to contact any of the *non-confidential* University resources listed in the Resource Table below for immediate assistance.

Upon the receipt of the initial report, the victim's immediate health and safety needs will be assessed by the First Responder (usually a Campus Safety and Security Officer). The First Responder will outline all of the options for the Complainant, including but not limited to medical treatment, access to an on-campus safe room, the importance of preserving relevant evidence or documentation, and filing a report with the appropriate law enforcement authority. Additionally, the First Responder will advise the Complainant that the University has a duty to investigate the report in order to remedy the effects of any hostile environment created for the Complainant and the campus community.

**Make a Report to Local Law Enforcement (Non-Confidential):** Any member of the University community who has experienced an incident of Sexual or Gender-Based Misconduct involving potential criminal conduct has the option to report the conduct to the law enforcement agency that has jurisdiction over the location where the incident occurred. If the conduct is reported to the University, a victim will be informed of his or her option to also report any potential criminal activity to law enforcement. A criminal charge and a report with the University may be pursued at the same time, however, individuals may pursue a Complaint with the University without pursuing criminal charges and vice versa. The University, however, may still be obligated to investigate the matter even if the victim elects not to file a formal Complaint with the University. Because the standards for finding a violation of criminal law are different from the standards in this Policy, criminal investigations or reports are not determinative of whether or not Sexual or Gender-Based Misconduct under this Policy has occurred. Any of the University resources listed in the Resource Table can provide assistance in filing a complaint with local law enforcement.

**Seek Medical Care (Health Care Options):** Whether a member of the University community who has experienced an incident of Sexual Assault (non-consensual sexual contact and non-consensual sexual intercourse), Domestic Violence, Dating Violence, or other violent actions elects to report the incident or not, it is important that medical attention be sought as soon as possible. This will allow the individual to get care for any injuries that may have resulted from the assault, receive medications in order to prevent sexually transmitted infections in the event of a Sexual Assault and to properly collect and preserve evidence, if the patient consents to do so. A

medical examination within 72 hours is critical in preserving evidence of Sexual Assault and proving a criminal or civil case against a perpetrator.

A listing of local hospitals that have rape kits and/or Sexual Assault Nurse Examiners (SANE), which will assist law enforcement should criminal charges ultimately be pursued by the victim, are set forth in the Resources Table.

**Getting to the Hospital:** For victims with injuries that require emergency medical care, it is imperative that Campus Safety and Security be called at 561-237-7226 or that Emergency Medical Services be contacted at 911 to request emergency transport.

**Transportation Assistance:** If there are no pressing medical needs, the individual may make arrangements for travel to the hospital or contact any of the University or off-campus resources listed in the Resource Table for assistance in seeking medical attention off campus.

**Request Interim Measures:** Interim measures are those services (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, etc.), accommodations (academic, living, transportation, and working situations), protective measures or other assistance that the University puts in place for Complainants after receiving notice of alleged Sexual and Gender-Based Misconduct but before any final outcomes – investigatory, disciplinary, or remedial – have been determined. These services and accommodations are available regardless of whether the Reported Victim reports to law enforcement.

The University offers victims of Sexual and Gender-Based Misconduct two options for reporting the misconduct and requesting Interim Measures required by Title IX. The first option allows the victim to report the misconduct to the Title IX Coordinator(s), Campus Safety & Security or a Responsible Employee. The second option allows a victim who has not reported the misconduct to a Title IX Coordinator(s), Campus Safety or a Responsible Employee to disclose the misconduct to a professional counselor from the Counseling or Health Centers, the Confidential Student Advocate, or off-campus victim advocate, who in turn can request Interim Measures on the victim's behalf from the College. Under the second option, victims should be aware that when a counselor or advocate requests Interim Measures on their behalf from the Title IX Coordinator and discloses that the reason for the request is Sexual or Gender-based Misconduct, the request may trigger the University's Title IX obligation to investigate. To the extent the counselor or advocate makes such a disclosure, but, consistent with the victim's wishes, asks that the University not investigate or otherwise notify the alleged perpetrator of the report, the Title IX coordinator will consider whether it can honor the request while still providing a safe and nondiscriminatory environment for all students, as set forth in the University's Confidentiality Policy and take Interim Measures to protect the victim as necessary.

### **Seek Legal Assistance**

Lynn University does not provide legal assistance or attorneys. Legal and victim resources are available via the Palm Beach County District Attorney's Office:

#### **Palm Beach County District Attorney**

401 North Dixie Highway  
West Palm Beach, Florida, 33401 Phone: 561-  
355-7100

Hours: 8 a.m. to 4:30 p.m. Monday thru Friday

## **B. ONGOING ASSISTANCE**

### **1. Counseling, Advocacy and Support**

The counseling and support programs listed in the Table are available for victims of Sexual or Gender-Based Misconduct at any time, whether or not the victim chooses to make an official report or participate in a University disciplinary or criminal process.

### **2. Interim Measures**

Upon learning of an incident of Sexual or Gender-Based Misconduct involving a member of the University community, the Title IX Coordinator will take immediate steps and interim measures to ensure the safety and well-being of the victim, such as the ability to move dorms, change work schedules, alter academic schedules, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring). Additional Interim Measures that may be implemented while an investigation is pending may include the issuance of no contact orders and changing the Respondent's living arrangements or course schedule.

### **3. No Contact Orders Issued By a Court of Law**

The University will enforce active no-contact orders (and restraining orders) issued by a court of law. If you are a student and have a court issued no-contact order, please contact the Title IX Coordinator or Campus Safety and Security. Please be aware that if you notify the University of an existing no-contact order, the Title IX Coordinator may follow up with you as prescribed by Title IX.