WE ARE HERE FOR YOU

Resource Guide for Support and Reporting Sexual Misconduct
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TITLE IX OF THE EDUCATION AMENDMENTS OF 1972 PROHIBITS DISCRIMINATION ON THE BASIS OF SEX IN ANY EDUCATIONAL INSTITUTION RECEIVING FEDERAL AID.

UND’S TITLE IX TEAM IS HERE

We are here to receive, respond to, and address all reports of sexual misconduct and concerns about gender equity that affect members of the UND community.

Our role is to eliminate, prevent, and address prohibited sex-based misconduct, such as sexual assault, sexual harassment, stalking, and domestic or relationship violence. This includes discrimination and violence because of a person’s gender identity or sexual orientation.

We do this by responding to individual incidents, supporting those who have been affected directly or indirectly, and educating community members on how to create a safe and supportive campus that encourages healthy and respectful relationships.
The complainant and the accused person are entitled to equitable rights and support resources under Title IX and the Code of Student Life.

You have the right to a learning and living environment free from discrimination and violence.

You have the right to choose whether or not to report an incident.

You have the right to choose who you report an incident to, what information you share and how you would like to be involved in any university process.

You have the right to make an anonymous report, or request no formal complaint or investigation.

If you choose not to report an incident right away, you can still report in the future; however, the University's ability to respond at that time may be limited.

You have the right to interim support and reasonable protective measures to help you continue to live and learn at UND. This might include a housing or academic modification or a no-contact directive.

You have the right to bring someone with you when you meet with campus support or resource offices.

You have the right to be free from retaliation for exercising your rights.

Title IX records that contain personally identifiable information about the parties are exempt from North Dakota Open Records Law.
Consent cannot be obtained:
1. By the use of physical force, threats, intimidation, deception, or coercion;
2. From one who is incapacitated due to the use of drugs or alcohol;
3. From one who is asleep or unconscious;
4. From one who is unable to understand the nature or extent of the sexual situation or is unable to communicate because of mental or physical condition; or
5. From one who is not old enough to give consent under North Dakota law.

Incapacitation
Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in a sexual act or contact.

Sexual Misconduct
Sexual misconduct includes dating violence, domestic violence, sexual assault, sexual exploitation, and sexual harassment. Sexual misconduct also includes assault, stalking, and other acts prohibited by University policy when the behavior is based on an intimate relationship and/or actual or perceived gender, gender identity, sex, or sexual orientation. See the Code UND.edu/code-of-student-life/ for full definitions.
WHAT ARE MY OPTIONS?

You have a number of options, but each individual is different, so we encourage you to consider contacting one or more of the following offices as you gather information and decide what is best for you.

Confidential Sources of Information and Support:

Community Violence Intervention Center
CVIC can provide emotional support and reporting options, along with other resources such as protection orders and group counseling.

Student Health Services
SHS can provide confidential health services.

University Counseling Center
UCC can provide individual or group counseling.

Altru Hospital
Altru can provide a confidential forensic sexual assault exam (rape kit) and other health care options. There is no charge for the exam and it will not be billed to your parents’ insurance.

Campus Resources that are guided by Title IX and will keep information PRIVATE:

Office of Student Rights & Responsibilities*
University Police Department*
Title IX Coordinator or Deputy Title IX Coordinator*

These resources are for anyone affected by sexual misconduct. They provide a compassionate space to make a report and learn about resources and support, including housing/academic assistance, emotional support and more. They will learn about your wishes moving forward and work to find a resolution consistent with your needs. The Title IX Coordinator assesses all reports of sexual misconduct and balances requests for next steps with the safety of campus.

If you meet with the people in these offices, you can do any or all of the following:

- Just get information about possible next steps
- Make a report and request support resources only (i.e., campus contact restrictions, housing/academic assistance)
- Make a report and request non-adjudication options (i.e. education, counseling) to address behavior of concern
- Make a report and initiate a formal complaint, which can lead to a student conduct or other disciplinary process

On-Line Reporting
You may make an anonymous crime report to UPD here: UND.edu/public-safety/report-a-crime.cfm

You may make an incident report to the Title IX Coordinator (with or without using your name) here: campus.UND.edu/equal-opportunity/incident-report.cfm

*These individuals have a duty to share all disclosures of sexual violence or other acts of sexual misconduct with the Title IX Coordinator to provide resources and support. This information will remain private and the only individuals who will be informed of your identity are those who need to know to provide assistance.
FAQS

What if I need to talk to someone but I don’t want to make a report?
You can contact a confidential resource, such as the University Counseling Center, Student Health Services, or CVIC to discuss personal care needs and emotional support options. They can explain what to expect and provide information about reporting options if you choose to move forward with a UND or police report.

Can I file a police report without going forward with a criminal investigation?
Yes, you may file a police report without initiating a criminal investigation at any time. You can also request safety escort services from UPD.

How do I know if someone is incapacitated by drugs or alcohol?
Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking or using drugs. Although everyone is different, typical signs include slurred or incomprehensible speech, difficulty walking, combativeness, emotional volatility, or vomiting. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?”

I was sexually assaulted by someone who is not a UND student. Can UND still help me?
Yes. Resources are available on campus (see list on reverse). OSRR can assist with referrals to support services. UPD can assist with a criminal investigation, if you choose.

I was drinking before I was assaulted. I’m afraid I will get blamed or get in trouble for underage drinking. What should I do?
The safety and health of students is a primary concern at UND. OSRR will not begin an alcohol or drug violation conduct process against a student who is reporting a sexual assault.

I think my friend was assaulted (or in an abusive relationship). What can I do to help?
Encourage them to seek help. You can get information from OSRR or any of the other resources listed on the front without identifying your friend and then refer or bring your friend to the office they choose.

I just want to talk to someone but I don’t want anyone else to know. If I call OSRR, will you have to do an investigation?
UND will respect a student’s wishes about how to proceed, while always keeping the safety of the campus in mind. OSRR will only share your information with the people who can help. If an investigation is necessary because of campus safety, you may choose whether to participate. Whether you want an investigation or not, we will offer you support and resources.

After I talk to OSRR, can I think about my options for a while?
Yes. OSRR staff will check with you at a later date to see if you have further questions and how you would like to proceed. They will follow up by sending you a list of resources. It is always your choice whether to respond or participate.

If I report this to UND, who will know about it?
The person you confide in, depending on their campus role, may have to contact the Title IX Coordinator. However, your privacy is an important concern. We will only share your information with the people who can provide help.
CONTACT INFO

Title IX Coordinator

Donna Smith  
Director, Equal Opportunity & Title IX  
Twamley Hall, Room 102  |  701.777.4171  |  donna.smith@UND.edu  
campus.UND.edu/title-ix

Deputy Title IX Coordinators

Alex Pokornowski  
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701.777.2892  |  alex.pokornowski@UND.edu

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Associate Dean, School of Medicine & Health Sciences  
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Tammy Oltz  
Director of the Law Library  
701.777.2653  |  tammy.pettinato@UND.edu

Campus and Community Resources

CVIC at UND  
Campus Office  |  McCannel Hall, Room 200  
701.777.6550  |  UND.edu/cvic  
24/7 Crisis Line: 701.746.8900

Student Health Services  
McCannel Hall, Room 100  |  701.777.4500  
UND.edu/student-health

University Counseling Center  
McCannel Hall, Room 200  |  701.777.2127  
UND.edu/counseling-center

University Police Department  
3851 Campus Rd  |  701.777.3491  
UND.edu/police

Office of Student Rights & Responsibilities  
McCannel Hall, Room 280  |  701.777.2664  
UND.edu/osrr

Altru Hospital  
1200 S Columbia Rd  |  701.780.5000  
altru.org