

Procedure 121.2 Options for Confidentially Disclosing Sexual Violence



March 27, 2024

Supersedes previous procedure 121.2 dated September 25, 2017

Summary

The State University of New York and Genesee Community College want you to get the information and support you need to move forward with a report of sexual violence, whether to campus officials 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. It's important to have your questions answered. Confidentiality varies, and this document will help you understand how it applies to the resources at your disposal.

Process

A. 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 or safety emergency. At Genesee Community College, this includes:

[Genesee Community College's Counseling Services](#)

One College Rd, C219

Batavia, NY 14020

585-343-0055, ext. 6219

counseling@genesee.edu

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

1. 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.

[RESTORE Sexual Assault Services of PPCWNY](#)

26 Harvester Ave, Suite 401

Batavia, NY 14020

585-546-2777 – Crisis Hotline

restore@ppcwny.org

2. Off-campus healthcare providers:
United Memorial Medical Center
127 North Street
Batavia, New York 14020
(585) 343-6030

Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and 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. More information may be found [here](#), or by calling 1800-247-8035. Options are explained [here](#).

Note that 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.

B. Privacy Versus Confidentiality

Genesee 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 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. Genesee 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.

C. Requesting Confidentiality: How Genesee Community College Will Weigh the Request and Respond

If you disclose an incident to a Genesee 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 following offices can serve as a primary point of contact to assist with these measures:

Patty Chaya, Dean of Students
One College Rd, C219
Batavia, NY 14020
(585) 343-0055 ext 6219
pechaya@genesee.edu

Christa Aldrich, Executive Director for Human Resources/Title IX Coordinator
One College Rd, C112
Batavia, NY 14020
(585) 343-0055, ext. 6514
cmaldrich@genesee.edu

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 Genesee Community College's failure to act would risk harm to you or other members of the 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, Genesee 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 the 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.

D. Public Awareness and Advocacy Events

If you disclose a situation through a public awareness event such as "Take Back the Night," candlelight vigils, protests, or other public event, Genesee Community College is not obligated to begin an investigation but may use the information you provide to inform the need for additional education and prevention efforts.

E. Anonymous Disclosure

Tips on any campus crime can be reported at 585-343-0055 ext. 6500 or anonymously using the [Silent Witness Form](#). While the Silent Witness Form allows individuals to make anonymous reports to Campus Safety, victims/survivors are encouraged to include contact information so that appropriate follow up can be given such as resources and referrals. Additionally, individuals should be cautioned that although the Silent Witness is frequently monitored, a response may not be immediate.

New York State Hotline for Sexual Assault and Domestic Violence: 1-800-942-6906. The Hotline is for crisis intervention, resources and referrals and is not a reporting mechanism.

F. Institutional Crime Reporting

Reports of certain crimes occurring in certain geographic locations will be included in the Genesee Community College Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime nor the identity of those involved. For information regarding the reports, contact:

Christa Aldrich, Executive Director for Human Resources/Title IX Coordinator
One College Rd, C112
Batavia, NY 14020
(585) 343-0055, ext. 6514
cmaldrich@genesee.edu

Daniel Coffey, Director of Campus Safety
One College Rd, B111
Batavia, NY 14020
(585) 343-0055 ext. 6500
djcoffey@genesee.edu

Genesee Community College is obligated to issue timely warnings of Clery Act crimes in the region that represent a serious or continuing threat to students and employees, subject to exceptions if it would potentially compromise law enforcement efforts, or when the warning itself could potentially identify the reporting individual or victim/survivor. A reporting individual or victim/survivor will never be identified in a timely warning.

The Family Educational Rights and Privacy Act 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, Genesee Community College will not share information about reports of sexual violence with parents without the permission of the reporting individual.

Forms

None

Related Documents

Policy 1020.1: Nondiscrimination

Policy 1021: Sexual Harassment

Procedure 121: Preventing and Addressing Sexual Harassment

Procedure 121.1: Sexual Violence Response