A Guide for Victims of Sexual Assault

Case Management and Victim Support Services
Table of Contents

Surviving Sexual Assault........................................................................................................2
A Quick Guide to Resources and Reporting Options ..........................................................5
Emotional Support ..................................................................................................................8
The Medical Process ............................................................................................................10
Tulane Resources, Policies, and Procedures ..........................................................................15
  Office of Case Management and Victim Support Services ..................................................18
  Office of Student Conduct ..................................................................................................20
  Office of Institutional Equity ...............................................................................................32
The Criminal-Legal Process ................................................................................................37
  Law Enforcement ................................................................................................................38
  The District Attorney’s Office ...............................................................................................41
  The Trial Process ................................................................................................................43
  The Civil Process ................................................................................................................45
Resource Guide ....................................................................................................................46
  On-Campus ........................................................................................................................46
    Strictly Confidential Resources .........................................................................................46
    Mostly Confidential Resources ......................................................................................47
  Off-Campus ........................................................................................................................49
    Sexual Assault Centers .....................................................................................................49
    Counseling Resources ......................................................................................................50
    Emergency Resources ......................................................................................................51
    Healthcare Clinics ............................................................................................................52
    Victim Resources .............................................................................................................52
Acknowledgements ...............................................................................................................54
Appendices .............................................................................................................................55
  Appendix A – Tulane Victim Rights – Code of Student Conduct ........................................55
  Appendix B – Uptown Campus Map ....................................................................................58
  Appendix C – Downtown Campus Map ..............................................................................59
Surviving Sexual Assault

Am I a Victim of Sexual Assault?

Sexual assault encompasses acts that range from unwanted touching to rape. Sexual assault occurs when a person does not or is unable to consent to sexual activity. A person is unable to consent when he or she is forced, threatened, intimidated or is mentally or physically incapacitated.

In Louisiana, there are several different laws that define various types of sexual assault. State laws generally define rape as nonconsensual sex and define sexual battery as non-consensual sexual touching. Additionally, Tulane defines sexual misconduct as nonconsensual sexual behavior which may occur as a result of force, threat, intimidation, or through the use of the victim's mental or physical helplessness of which the accused was aware or should have been aware.

If you are unsure about whether or not you are victim of sexual assault, please see the “Resource Guide” section for information about resources on- and off-campus that you can talk with about what happened to you.

You Are Not Alone

Sexual assault is a widespread crime that often goes unreported. There are hundreds of sexual assaults every day in the United States and it has nothing to do with how one looks or acts. Sexual assault crosses all barriers – race, age, gender, class, and sexual orientation. If a sexual assault has happened to you, you are not alone!

You Are Not to Blame

Many sexual assault victims will ask themselves the question, “Was this my fault?” The answer is no! It is easy for a sexual assault victim to begin rethinking how they could have made different decisions before the attack took place. It can be a difficult task for a victim of sexual assault to realize they are not to blame and that their actions had nothing to do with their perpetrator making the conscious decision to abuse another human being. Some common thoughts of a sexual assault victim could be: “I was too drunk,” “I wore that outfit,” “I stayed with him when I should have left,” or “I flirted with him.” You had the right to do all these things, but your perpetrator had no right to hurt you. The only person that could have prevented the abuse was the perpetrator. You are not to blame.
Purpose of the Guide

The purpose of this guide is to provide you with information regarding resources available to you, the criminal-legal process, Tulane’s policies and procedures, and the recovery process so that you can make decisions that are right for you. This guide contains information on emotional reactions that you may be experiencing, medical procedures (such as a forensic examination) that you may choose to utilize, your legal rights, the legal process, your rights as a Tulane student, and how Tulane responds to incidents of sexual assault.

If you have any questions about any aspect of recovering from sexual assault, feel free to contact the Office of Case Management and Victim Support Services at (504) 314-2161. Please note that any information shared with the Office of Case Management and Victim Support Services may necessitate an internal investigation by the university. More information about the Office of Case Management and Victim Support Services and its confidentiality limits can be found in the section “Tulane Resources.” If you do not wish for the information you share to be shared with any other offices, we recommend contacting Sexual Aggression Peer Hotline and Education (SAPHE) at (504) 654-9543 or Counseling and Psychological Services at (504) 314-2277.

A Note on Terminology

Someone who has experienced a sexual assault may be referred to as either a survivor or a victim. In this guide we have chosen to use the term victim in places where either word may be used. No consensus exists in the community of sexual assault victim/survivors and advocates as to which term better describes someone who has experienced a sexual assault. Additionally, some argue that someone who experiences a sexual assault is initially a victim and becomes a survivor once they begin their recovery and healing process. We encourage you to choose whatever term feels right for you. In the sections of this guide that discuss Tulane’s internal investigation processes, the term complainant may also be used to describe a victim/survivor of sexual assault.

The terms sexual assault, rape, sexual misconduct, and sexual harassment are used throughout this guide. Please see the above section “Am I Victim of Sexual Assault?” for definitions of sexual assault, rape, and sexual misconduct. In this guide, sexual assault is used to broadly and generally refer to acts of unwanted sexual contact, including acts of rape. Sexual misconduct is used more specifically to discuss unwanted sexual contact that violates Tulane’s Code of Student Conduct. See the section on the Office of Student Conduct in the section “Tulane Resources” for more information about the Code of Student Conduct and Tulane’s definition of sexual misconduct. The term sexual harassment is also used in discussing Tulane’s response to sexual assault, as sexual assault is considered a form of sexual harassment under Title IX of the Education Amendments of 1972. See the section on the Office of Institutional Equity in the section “Tulane Resources” for more information about Title IX and Tulane’s definition of sexual harassment.

The term perpetrator is used throughout the guide to refer to someone who has committed a sexual assault. In the sections covering Tulane’s internal processes, including sections about the
Office of Institutional Equity and the Office of Student Conduct, the terms *accused* and *charged student* are also used. You may also hear the terms *assailant* and *rapist* used to refer to someone who has committed a sexual assault. Additionally, the term *alleged* may be used in front of any of these terms to refer to someone who has been accused but not yet convicted of sexual assault. Finally, in a criminal case, the term *defendant* is often used.
A Quick Guide to Resources and Reporting Options

Below is a quick guide for sexual assault victims to aid them in figuring out what resources will be most immediately helpful. More information about all of the resources listed in this chart is available throughout this guide.

Are you safe?

Yes

Do you need medical attention and/or would you like a forensic exam?

Yes

Go to University Medical Center for a rape kit and treatment*
TEMs or TUPD can provide transport if needed (504-865-5911)
A student affairs staff member can accompany you if desired (504-920-9900)

*Rape kits can only be performed within 168 hours (7 days) of the assault
For medical attention after 7 days, you can access the Tulane Student Health Center (504-865-5255)

No

Call TUPD immediately at 504-865-5911 or call 911

No

Not sure

Please see the next page to review further options that are available to you.
Would you like to talk to someone?

- Yes, I would like to report the assault
  - TUPD
    504-865-5911
  - NOPD
    911
  - Office of Student Conduct
    504-865-5516
  - Office of Institutional Equity
    504-862-8083
  - tulane.edu/concerns

- Yes, I would like to get support and find out about resources
  - ON-CAMPUS**
    - Strictly Confidential & Anonymous
      SAPHE peer hotline
      504-654-9543
    - Strictly Confidential
      Counseling & Psychological Services (CAPS)
      504-314-2277
    - Mostly Confidential
      Case Management & Victim Support Services
      504-314-2160

- No
  - OFF-CAMPUS**
    - Strictly Confidential
      Family Justice Center
      (504) 592-4005
    - Metropolitan Center for Women and Children
      504-837-5400

Please know that you can access any of the resources listed here at any time

**Mostly Confidential**: These conversations are kept as confidential as possible, but information about incidents of sexual assault is shared with key staff members so that the University can offer resources and accommodations and take action if necessary for reasons of safety. In planning any response, the wishes of the person are given full consideration. Contacting one of these resources will initiate an internal investigation by the university.

**Strictly Confidential**: Except in rare, extreme circumstances, nothing will be shared without explicit permission. Contacting one of these resources will not initiate an investigation by the university.

Please see the next page for further reporting options
Title IX Coordinators

The Office of Institutional Equity and the following individuals coordinate Tulane’s compliance with and response to inquiries concerning Title IX, including reports of sexual assault. Any incident of sexual assault can be reported to a Title IX Coordinator:

Faculty, Staff, or Students may contact:

Deborah Love, Title IX Coordinator
dlove1@tulane.edu
Office of Institutional Equity
200 Broadway Street, Suite 105A
New Orleans, LA 70118
504-862-8083

Wendy Stark, Deputy Title IX Coordinator
wstark@tulane.edu
Office of Institutional Equity
200 Broadway Street, Suite 105A
New Orleans, LA 70118
504-862-8083

Students may contact:

Erica Woodley, Deputy Title IX Coordinator for Student Affairs
Division of Student Affairs
6823 St. Charles Avenue
Lavin-Bernick Center, Suite G02
New Orleans, LA 70118
ewoodley@tulane.edu
504-314-2160
Emotional Support

It is important to remember that reactions to traumatic experiences such as sexual assault can vary depending on the person and the situation. However, there are a number of reactions that are commonly experienced by victims of sexual assault. You may or may not experience these reactions.

**Common Reactions to Sexual Assault**

Physical Reactions:
- Nausea
- Vomiting
- Headaches
- Changes in eating and/or sleep patterns

Emotional Reactions:
- Shock
- Denial
- Anger
- Depression
- Guilt
- Shame
- Irritability

Behavioral Reactions:
- Increased startle response
- Feeling on edge
- Trouble concentrating
- Memory impairment
- Avoiding being around other people or participating in social activities
- Diminished interest in sex
- Engagement in high-risk sexual behavior or other self-destructive behavior
- Increased use of drugs and alcohol

The degree to which these reactions may occur and how long they may last again depend on the person and the situation among other factors. **However, you do not have to suffer through this experience alone.** There is help available! There are a number of different counseling, advocacy, and support resources available, many of which are offered to victims of sexual assault free of charge.
Options for Emotional Support

Please see the Resource Guide for more information about the following options for emotional support:

- **On-campus**
  - Office of Case Management and Victim Support Services
    - See section in “Tulane Resources” for more information about this office and its services
  - Counseling and Psychological Services
  - SAPHE hotline

- **Off-campus**
  - Sexual assault crisis centers
    - Organizations which provide advocacy and emotional support to victims of sexual assault including:
      - 24-hour crisis hotlines
      - Free/confidential counseling
      - Support groups
      - Medical and legal advocacy
      - Information and referral services
  - Seek mental health counseling through a private provider (preferably one who has experience working with victims of sexual assault)

- Confide in friends and/ or family members who you trust and who can offer support to you through this difficult time

Additional Considerations

Healing can take time. Every individual recovers at his or her own pace. Be patient and kind to yourself and give yourself the space and time you need to heal from this trauma. Do what is right for you, and don’t be afraid to reach out for help.
The Medical Process

Seeking Medical Help

Whether you decide to report the sexual assault or not, it is important that you seek medical attention as soon as possible. This will allow you to get care for any injuries that may have resulted from the assault, receive medications in order to prevent sexually transmitted infections, and obtain emergency contraception for pregnancy prevention, as appropriate. If you seek medical attention through the Sexual Assault Nurse Examiner (SANE) program at University Medical Center, you will have the option of having forensic evidence collected. You will then have 30 days to decide whether or not you like to report the assault to the police and have the evidence shared with the police.

Please note: To be eligible for a forensic exam through the SANE program at University Medical Center, the assault must have happened within the last five (7) days or 168 hours. If the assault occurred more than five days ago, you are still encouraged to seek medical treatment and an exam at a hospital, doctor’s office, or clinic.

Your Options for Seeking Medical Attention

• Go to the hospital and explain that you were sexually assaulted in order to receive a forensic examination (forensic exam) as well as receive medication for STI and pregnancy prevention. **In New Orleans, if you are over the age of 18, University Medical Center is the only place where you can receive a forensic exam.**
• Contact your primary care physician or go to a women’s or men’s health clinic as soon as possible for an exam (including a gynecological/genitourinary exam), STI prophylaxis and emergency contraception, as appropriate. In the New Orleans area, a regular physician or nurse will **not** be able to collect forensic evidence/perform a forensic exam.

The Hospital

If you are planning to report the sexual assault or are considering reporting the assault to law enforcement authorities, go to a hospital emergency room and state that you have been sexually assaulted. In New Orleans, University Medical Center is the only location where a forensic exam can be performed.

Even if you do not plan on reporting the assault you can still go the emergency room to be examined, receive STI prophylaxis, and emergency contraception, as appropriate. You should always go to the hospital if you suffered any injuries that require immediate medical attention.
**Before You Go to the Hospital**
For evidence collection purposes, it is important that, if possible, you do not bathe or shower, douche, use the restroom, eat, drink, smoke, change clothes, comb your hair, or brush your teeth. This helps to preserve any DNA evidence that could have been left behind during the assault.

Your clothing that you were wearing during the assault may be collected as evidence. You may want to bring a change of clothes with you to the hospital so that you will have your own clothing to wear if your clothes are collected as evidence.

A visit to the hospital may take several hours. Although the SANE clinic will provide you with water and snacks, you may want to bring your own snacks and a drink to the hospital with you.

**Sexual Assault Nurse Examiners**
A SANE or sexual assault nurse examiner, is a type of nurse who is specially trained to interview victims of sexual assault, conduct the forensic exam/collection of physical evidence, and testify in court, when called to do so.

In the greater New Orleans area, the only hospital that houses a SANE program is University Medical Center located at 2000 Canal Street in New Orleans.

**Getting to the Hospital**
If you have injuries, it is imperative that you call Tulane University Police Department (TUPD) at (504) 865-5911 or New Orleans EMS at 911 to request emergency transport. TUPD can arrange for transport free of charge through Tulane EMS (TEMS) for students on or near the Uptown campus.

If there are no pressing medical needs, you have the following options for transport to the hospital and/or SANE exam:

- Arrange for your own transportation (e.g., friend, taxi)
  - Call University Medical Center at (504) 702-3000 and tell them that you are coming for a forensic exam and need to access the SANE clinic. SANE nurses are on-call for the hospital 24/7 but may take 30 minutes to 1 hour to arrive at the hospital if there is no SANE nurse presently on duty. Calling ahead can help to reduce the amount of time you wait for the SANE nurse to arrive.
- TUPD – (504) 865-5911
  - You can request a female or male officer.
  - You can request an unmarked car.
- TEMS – (504) 865-5911
  - You can request that TEMS not use lights/sirens during transport.
- Tulane University Student Affairs Professional On-Call – (504) 920-9900
  - The professional staff will pick you up in his/her personal vehicle and accompany you to the hospital. You can also ask the staff member to meet you at the hospital if you are getting transported to the hospital through other means.
**At the Hospital**

To access the SANE clinic:

- If you are taking your personal vehicle or a friend’s personal vehicle, free parking is available in the garage. You will be able to get your parking validated by the hospital.
- From the parking garage, enter the Emergency Department from the second floor of the garage. From the street, enter Emergency Department from the Tulane Ave. entrance.
- At the front desk (triage desk) inform the attendant that you have been sexually assaulted. The attendant will call for the SANE nurse on duty. If a SANE nurse is not presently on duty, the nurse will arrive within one hour.

Once the SANE nurse arrives, she will conduct a forensic exam. There are several different components of the forensic exam including:

- Medical history taken as well as a detailed written account of the sexual assault.
- Written consent is obtained in order to conduct a physical exam.
- Clothing including undergarments will be collected and sent to a lab to search for DNA evidence.
- A full, detailed physical exam is performed which **could** include:
  - Collection of specimens that could contain DNA evidence such as blood, urine, hair and saliva.
  - Photos taken of any injuries sustained during the assault such as bruises, cuts, or scrapes.
  - Internal gynecological/genitourinary exam.

You have the right to decline any parts of the exam and to decline to have evidence collected. You will also be provided with the option of STI and pregnancy testing as well as the option of taking STI prophylaxis or preventative medication as well as emergency contraception for pregnancy prevention. If drug-facilitated sexual assault is suspected, a toxicology test may also be offered.

The SANE nurse will ask if you would like to report the assault to the police.

- If you would like to report the assault, the SANE nurse will call NOPD, TUPD, or both to come to the hospital to interview you. For more information about your options regarding reporting to law enforcement, please see the section “The Criminal-Legal Process.”
- If you are unsure about reporting your assault, your forensic exam will be held for 30 days while you make a decision.

The SANE nurse will also ask if you would like a medical advocate to be present with you at the hospital. Medical advocates are trained volunteers and staff from the local sexual assault centers. The medical advocate’s job is to provide you with support, information, advocacy, and referrals for counseling and other resources you may need following an assault. As a Tulane student, you can also call the on-call staff member for Student Resources and Support Services (SRSS) to provide the same services, as well as additional information about Tulane-specific resources. For more information about SRSS, please see the section on the Office of Case Management and Victim Support Services in the section “Tulane Resources.”
Following the exam, you will be provided with discharge instructions and scheduled a follow-up appointment with the same nurse who administered your exam.

- If you would like to receive follow-up treatment at Tulane’s Student Health Center, please let the SANE nurse know. The SANE nurse will send your information over to the Tulane Student Health Center, and one of the Student Health Center clinics will help you to coordinate your care.

Generally, in 2-3 days, the SANE clinic will contact you with the results of any pregnancy and STI tests. If a toxicology test was performed, you will be contacted with any positive results in roughly 2 weeks.

Paying for Treatment
When you are admitted to the hospital for the SANE exam, they may ask you for your insurance information. Federal legislation requires that the forensic exam be provide free of charge to all sexual assault victims. However, other components of your visit and treatment may incur a charge.

- If you choose to provide insurance information and are on your parent’s insurance policy, your parents will know that you have accessed services for a sexual assault exam and treatment because it will be noted on the next insurance statement.
- If you choose not to provide insurance information and incur charges during your visit, Louisiana’s Crime Victims Reparations (CVR) program may also be able to assist you with any expenses related to the sexual assault. For more information about the CVR program, including eligibility requirements, call (225) 342-1749 or 1-888-6-VICTIM or visit www.lcle.state.la.us/programs/cvr.asp

Primary Care, Women’s Health, and Men’s Health Clinics
Primary care, men’s health, and women’s health clinics and professionals can provide initial or follow-up exams and treatment for sexual assault victims. These health professionals can provide exams (including gynecological/genitourinary exams), STI prophylaxis, emergency contraception, and testing for STIs and pregnancy, as appropriate. Please see the previous section for more information about exams, STI prophylaxis, and emergency contraception.

Tulane encourages female sexual assault victims to access its Women’s Health Clinic in the Student Health Center for initial treatment if the victim chooses not to access University Medical Center and for follow-up treatment. Tulane encourages male sexual assault victims to access its Primary Care Clinic or Men’s Health Clinic in the Student Health Center for initial treatment if the victim chooses not to access University Medical Center and for follow-up treatment. The Student Health Center cannot provide a forensic exam or collect evidence; however, the Student Health Center can provide other routine care.
Follow-Up Care

Victims of sexual assault generally receive follow-up care at 2-3 weeks, 6 weeks, 3 months, and 6 months following the assault. Follow-up care is important to test for pregnancy and STIs, which may take several weeks to months to show up in testing if they occurred through the sexual assault. Follow-up care also ensures that the victim continues to receive any needed prophylaxis medication or immunizations.

All routine follow-up care can be provided at Tulane’s Student Health Center through the Women’s Health Clinic (for women) and through the Primary Care Clinic and Men’s Health Clinic (for men). Victims may also choose to seek follow-up care through an off-campus physician or health clinic.

Your Rights Throughout the Medical Process

All victims of sexual assault have the following rights throughout the medical process:

• To receive a forensic exam free of charge
• To consent to all, none, or parts of the forensic exam
• To have the forensic exam completed even if you have not decided if you want to report the assault
  o If you are unsure about whether or not you want to report the assault, your forensic exam will be held for 30 days while you decide. Therefore, Tulane encourages victims to have a forensic exam done even if they are unsure about reporting the assault.
• To request that a medical advocate from one of the local sexual assault agencies (see Resource Guide) be present at the hospital with you to provide support, advocacy, and resource referrals

All Tulane students who are victims of sexual assault have the following additional rights throughout the medical process:

• To seek free routine treatment through the Student Health Center (Primary Care, Women’s Health, and Men’s Health Clinics)
• To have a Tulane employee (TUPD officer and/or SRSS staff member) accompany you to the hospital to provide support, advocacy, and resource referrals
• To request assistance from Tulane (through the Office of Case Management and Victim Support Services) in locating and accessing appropriate medical services.
Tulane Resources, Policies, and Procedures

Introduction

Should I Report My Assault to Tulane?

As a victim of sexual assault, you may be experiencing some conflicting emotions about whether or not you want to report your sexual assault to anyone at Tulane. If you are experiencing these emotions, know it is okay to feel this way and that you do not have to do anything you do not want to do. However, keep in mind that there are many good reasons why telling someone at Tulane about your assault may help you:

- Tulane has resources to offer you, such as housing and academic accommodations, which are not necessarily available through other organizations in the city.
- You may feel less isolated as you deal with the assault.
- You may help encourage others who have survived sexual assault to come forth and tell their stories.
- You could potentially prevent the person who assaulted you from hurting someone else.

As a Tulane student, you can help to keep the campus community safe.

- If your perpetrator is affiliated with Tulane in any way, you can pursue an internal investigation through the university. Some students choose to pursue an internal case in addition to reporting the assault to the police, while others prefer to only pursue an internal case. Reporting your assault to Tulane may result in your perpetrator facing consequences through the university for his/her actions.

Tulane’s SAPHE hotline is a confidential and anonymous resource that can help you to better understand what happens when you report a sexual assault to the university and also the resources that the university can offer you. Additionally, you may wish to consult confidentially with a counselor at Tulane’s counseling center (Counseling and Psychological Services) before deciding whether to make a report to the university. Please see the “On-Campus Resource Guide” for more information about the SAPHE hotline and Counseling and Psychological Services.

What this Section of the Guide Contains

The purpose of this section is to inform you of resources available to you as a Tulane student. It also contains information about your rights as a victim of sexual assault. Additionally, it covers Tulane’s policies and procedures related to sexual assault and discusses how Tulane responds to reports of sexual assault. Understanding how Tulane responds to sexual assault may help you to decide whether or not you want to report your assault to the university.
Confidentiality

It is important to know that, with the exception of reports made to Counseling and Psychological Services, the Student Health Center, and the SAPHE hotline, any report Tulane receives of a possible sexual assault will necessitate a response from the university. In general, the Office of Case Management and Victim Support Services (CMVSS) and the Office of Institutional Equity (OIE) are informed of all reports of sexual assault. Depending on who the perpetrator is, the Office of Student Conduct (OSC) may also be informed of a report. TUPD also receives information about some reports of sexual assault. Information is shared with these offices so that Tulane may offer the victim resources and accommodations and take action if necessary for reasons of safety. For more details about the specific confidentiality limits of each office, please read the “Confidentiality” section in each office’s respective section.

What Happens When a Report Is Received

Generally when Tulane receives a report of a sexual assault or sexual misconduct, four different offices on-campus will receive notice of the report and may respond.

• The Office of Case Management and Victim Support Services (CMVSS) will reach out to you (the victim) to offer support and resources. CMVSS will also help you to understand your options for reporting and resources. For more information, see the section on CMVSS in the section “Tulane Resources.”

• The Tulane University Police Department (TUPD) will be notified of the incident. You can choose whether or not you would like the report to be confidential and anonymous or would like to file a full report with TUPD. For more information, see the section on TUPD in the section “The Criminal-Legal Process.”

• If the perpetrator is affiliated with Tulane in any way or the assault occurred at Tulane or a Tulane-affiliated setting, the Office of Institutional Equity (OIE) will likely participate in the investigation of the incident. OIE may or may not contact you (the victim) and other involved individuals. OIE will attempt to coordinate its investigation with CMVSS and, where appropriate, the Office of Student Conduct and TUPD. For more information, see the section on OIE in the section “Tulane Resources.”

• If the perpetrator is a Tulane student, the Office of Student Conduct (OSC) will investigate the incident, in coordination with OIE, and you (the victim) likely will be contacted by OSC. OSC will also attempt to coordinate with TUPD if TUPD is investigating the incident. For more information, see the section on OSC in the section “Tulane Resources.”

Victim Rights

As a Tulane student, you have the right:

• To file or decline to file a complaint with the Office of Student Conduct
• To receive reasonable protection from retaliation, intimidation or harassment in response to a complaint
• To request assistance in reporting a sexual assault to appropriate law enforcement authorities, including to TUPD and/or NOPD
• To request assistance in locating medical, counseling, mental health or other student services
• To request accommodations, such as a different housing assignment or class schedule, as a result of the charged student’s conduct. A staff member will determine whether requested accommodations are reasonably available.
• To request that a No Contact Order be issued. A staff member will determine whether such an order should be issued.

For a more detailed list of victim rights under the Code of Student Conduct, please see Appendix A – Tulane Victim Rights.
The Office of Case Management and Victim Support Services

What to Expect

The Office of Case Management and Victim Support Services (CMVSS) exists to empower students who are victims and survivors of crime to make informed decisions in their recovery process. CMVSS will also assist friends, faculty/staff, parents, and loved ones. CMVSS is a special office within the Office of Student Resources and Support Services.

CMVSS works to promote student safety and well-being by providing support for students during the aftermath of a sexual assault and working to connect students to needed resources. CMVSS will help you to understand your rights as a victim of sexual assault. CMVSS will also help you to understand the various reporting options and resources available to you, both on- and off-campus.

Confidentiality

CMVSS is a mostly confidential office. Conversations are kept as confidential as possible, but information about incidents of sexual misconduct must be shared with key staff members so that the University can offer resources and accommodations and take action if necessary for reasons of safety. In particular, CMVSS often must share information with the Office of Institutional Equity (OIE), the Office of Student Conduct (OSC), and TUPD. Depending on what on-campus resources you wish to access, CMVSS may also share information with other University departments in order to facilitate services for you. In planning any response, your wishes are given full consideration.

Rights

As a victim of sexual assault or misconduct, you have the right to request assistance from CMVSS, regardless of whether or not you pursue criminal or conduct charges against the perpetrator or participate in a criminal or conduct investigation.

Services

You can request a variety of services from CMVSS. These include but are not limited to:

- No contact orders, which prohibit contact between two Tulane students
- Housing accommodations, including emergency housing
- Academic accommodations
- Assistance throughout the conduct process
• Assistance throughout the criminal/legal process, including assistance reporting a sexual assault to law enforcement and assistance in obtaining legal services
• Assistance in obtaining medical, counseling, or mental health services

Additionally, CMVSS is a division of the Office of Student Resources and Support Services, which has a staff member on-call 24/7. You can contact this staff member when you need immediate assistance related to a sexual assault, including:
  • Emergency housing
  • Assistance reporting an assault to NOPD or TUPD
  • Requesting that this staff member accompany you to the hospital for a forensic exam

**Contacting CMVSS**

**In person**
CMVSS is located in the garden level of the Lavin-Bernick Center in suite G02 and is open 8:30am-5:00pm Monday-Friday. Upon entering the office suite, ask to speak to someone with CMVSS.

**By phone**
Staff from CMVSS can be reached during business hours by phone at (504) 314-2160. Additionally, CMVSS participates in the Student Affairs on-call rotation, which has a staff member on-call 24/7 at (504) 920-9900.

**Electronically**
Students can make a report to CMVSS electronically (anonymously or not) by filling out Tulane’s online concern form at tulane.edu/concerns. More information about CMVSS can be found on its website: tulane.edu/studentaffairs/violence.
The Office of Student Conduct

What to Expect

The Office of Student Conduct manages all non-academic misconduct allegations for the undergraduate and graduate student populations at Tulane University, including allegations of sexual misconduct.

The Office of Student Conduct investigates all complaints of sexual misconduct in which the accused perpetrator is a Tulane student. For more information about investigations of sexual misconduct in which the accused perpetrator is a Tulane affiliate but not a student, see the following section on the Office of Institutional Equity.

The Code of Student Conduct

Tulane’s Code of Conduct sets forth the behavioral standards that the University expects its students to meet, the rights that accused students and complainants have, and the process by which possible violations are heard. Students can view the entire Code of Student Conduct online at: http://tulane.edu/studentaffairs/conduct/upload/Code-Booklet.pdf.

Tulane’s definition of sexual misconduct includes incidents of rape and sexual assault. The Code of Student Conduct defines sexual misconduct:

- Sexual misconduct includes, but is not limited to, nonconsensual sexual behavior. Sexual misconduct includes sexual assault and non-consensual sexual contact. Lack of consent may result from, among other things, use of force, threats, or intimidation or from use of the victim’s mental or physical helplessness of which the accused was or should have been aware.

The Code of Student Conduct provides that a student found to have committed sexual misconduct likely will be suspended or expelled.

Students can view the entire Code of Student Conduct online at: http://tulane.edu/studentaffairs/conduct/upload/Code-Booklet.pdf

Confidentiality

OSC is a mostly confidential office. Conversations are kept as confidential as possible, but information about incidents of sexual misconduct must be shared with key staff members so that the University can offer resources and accommodations and take action if necessary for reasons of safety. In particular, OSC often shares information with the Office of Institutional Equity, the Office of Case Management and Victim Support Services, and TUPD. In planning any response, your wishes are given full consideration.
Reporting

Tulane encourages you to report any incident of sexual misconduct to the university. You can submit a report electronically, in person, or by phone.

**In person**

OSC is located in the garden level of the Lavin-Bernick Center in suite G02 and is open 8:30am-5:00pm Monday-Friday. Upon entering the office suite, ask to speak to someone with OSC.

**By phone**

OSC can be reached during business hours by phone at (504) 865-5516. Additionally, OSC is a division of the Office of Student Resources and Support Services, which has a staff member on-call 24/7 at (504) 920-9900.

**Electronically**

You can make a report to OSC electronically (anonymously or not) by filling out Tulane’s online concern form at tulane.edu/concerns. More information about OSC can be found on its website: tulane.edu/studentaffairs/conduct.

The Conduct Process for Sexual Misconduct Cases

Sexual misconduct is antithetical to the standards and ideals of the Tulane community and violates the Code of Student Conduct. Tulane is committed to fostering a community that promotes prompt reporting of all types of sexual misconduct and timely and fair resolution of sexual misconduct complaints. Reporting an assault is a deeply personal choice, but the Office of Student Conduct encourages victims of sexual assault to do so. While each case is unique, filing a complaint with the Office of Student Conduct is one way of regaining some control, holding the perpetrator accountable for his or her actions, and taking a stand on your own and the community’s behalf.

Although each case is different, the process typically used for investigations and hearings is described below.

**Initial Assessment**

Once OSC receives a report of sexual misconduct, it coordinates with the Office of Case Management and Victim Support Services (CMVSS), the Office of Institutional Equity (OIE), and TUPD, as appropriate. Please see the sections on each of these offices for more information about each office. CMVSS will reach out to you (the victim) to offer support and assistance if it has not done so already. OSC will then work with OIE and TUPD, as appropriate, to review the available information and gather further information. You may be contacted directly by OSC or through CMVSS to discuss your wishes regarding the case. OSC strongly considers your wishes but may sometimes need to proceed with a conduct case against your wishes. **In all cases, whether you will be involved in the investigation process or conduct proceedings is your decision.**
Before deciding what actions will be taken, OSC and OIE jointly will review all available information, including any information you have provided to CMVSS regarding the incident or your wishes regarding the case. In some cases, this review demonstrates that there is sufficient information to immediately charge the accused student with violations of the Code of Student Conduct or Tulane’s Anti-Discrimination and Equal Opportunity Policies. In other cases, OSC and OIE may need to conduct further investigation to determine if there is sufficient information to support charges. And, in some cases (particularly those where a victim is not willing to participate in the investigation or conduct process), OSC and OIE may determine that they have insufficient information to proceed with an investigation or conduct charges.

If you have requested that OSC file conduct charges and OSC determines that it has insufficient information to file conduct charges, you will be informed of OSC’s decision not to pursue conduct charges and you have the right to have that decision reviewed by the Vice President for Student Affairs. If a decision is made to charge the accused student, the accused student will receive a letter notifying him/her of the charges and the hearing process outlined below will begin.

The Hearing Process

Procedural Review Meetings

Once a student has been charged with violating the Code of Conduct, the OSC will schedule a time to speak with the accused student to inform him or her of the charges, the hearing board process, his/her rights, and the steps that he/she can take to prepare for the hearing. The accused student has the right to have an advisor accompany him/her to this meeting and to assist him/her throughout the conduct process.

If you are interested in participating in the conduct process or learning more about your options, OSC will offer to hold a similar meeting with you to review the same information. You also have the right to have an advisor accompany you to this meeting and to assist you throughout the conduct process. Many complainants elect to use an advisor from CMVSS, but you may choose as your advisor anyone who is not a witness or TUPD officer.

At these meetings, a representative from the OSC will review the procedure for the hearing. Allegations of sexual misconduct typically will proceed to a Hearing Board, which is used for cases that may result in suspension or expulsion. The Hearing Board is composed of one student, one staff member, and one faculty member selected from a pool of panel members who have been specially trained to hear sexual misconduct cases. The hearing board is overseen by a non-voting chair, who is responsible for maintaining process. At the discretion of the Vice President for Student Affairs and if the charged student and the victim consent, the Hearing Board may have a different makeup.
The Investigative Model

Tulane uses an Investigative Model in its resolution of all cases that proceed to the Hearing Board, including sexual misconduct cases. The Investigative Model is a non-adversarial approach to resolving cases that go before a Hearing Board and is designed to minimize the burden placed on both the reporting student and accused student.

When OSC and/or OIE determine that an investigation will be necessary, an Investigator will be assigned to the case. The Investigator serves as a neutral party and works with all parties and witnesses involved in the case to collect all available information, evidence, and statements. The Investigator synthesizes this information into a report that neutrally summarizes the results of his/her investigation. This report includes statements from both students. The Investigator does not make a recommendation regarding whether the charged student is responsible for the charges or, if the student is found responsible, what sanctions should be imposed. This report is shared with the Hearing Board in advance of the hearing. If you are participating in the hearing as the complainant, both you and the accused will have the opportunity to review the report in advance of the hearing.

The Investigator will meet with you to document your version of events. The Investigator also will meet with the accused student to learn his/her version of events. The complainant and the accused student have the opportunity to identify witnesses with whom they would like the Investigator to speak. The Investigator will make every effort to interview these witnesses. The Investigator may determine that it is not necessary for all interviewed witnesses to participate in the hearing. If the complainant or accused student would like a specific witness to be present at the hearing, he/she should submit this request to the Investigator two or more days in advance of the hearing.

The Hearing Board Overview

After charges have been issued, OSC will work to identify the student, faculty, and staff members who will sit on the panel. The hearing board typically will take place in a conference room in the LBC or in another conference room on campus.

The burden of proof used in hearing board cases is a preponderance of the evidence (not beyond a reasonable doubt or by clear and convincing evidence). Under this standard of proof, the hearing board will need to determine if it is more likely than not (51%) that the accused student committed the alleged violation.

Formal rules of evidence (as would apply in a legal case) do not apply, but irrelevant evidence will be excluded. In addition, in cases involving allegations of sexual misconduct, special evidence rules apply. Under these rules:

- Evidence of an alleged victim’s past sexual behavior is not relevant except if it involves the same student (but there must be proof of consent every time).
- Evidence offered to prove an alleged victim’s sexual predisposition is not relevant (e.g., items of clothing, etc.).
  - Exceptions:
Evidence that would normally be excluded may be introduced if it is being offered to counter something the complainant has placed in controversy.

Evidence of specific instances of a complainant’s sexual behavior may be offered if it is offered to prove that someone other than the defendant was the source of semen, injury, or other physical evidence.

- On the flip side, evidence of an accused student’s past sexual history may be relevant.

**The Complainant’s Options for Participating in the Hearing Board**

You, as the victim, have several different options for the level of participation you will have in the conduct process. If you choose to participate either as a witness or a complainant, you may elect to participate in person or by phone or Skype. If you elect to participate in person at the hearing, OSC may arrange the seating so that you and the accused student are seated as far away from each other as possible.

**Option 1: You may elect to participate as a complainant.** If you elect to participate as a complainant:

- you may be present for the accused student’s entire hearing;
- you will receive a copy of the complete report;
- you may identify witnesses to be called at the hearing;
- you may bring an advisor to the hearing;
- you may ask questions (in writing through the investigator) of the accused student and any witnesses. Students do not ask questions directly, but they provide these in writing to the investigator, who will review the questions to ensure that they seek relevant information and are appropriately phrased before asking them;
- you may make a statement regarding whether the accused student should be found responsible;
- you may make a statement regarding the sanctions that you believe should be imposed on the accused student, in the event he/she is found responsible; and
- you will receive written notice of the hearing and notice of the outcome of the hearing.

**Option 2: You may choose to participate as a witness.** If you choose to participate as a witness, you will be present at the hearing only for the portion of the hearing that relates to your testimony. The investigator will review your statement and ask you if it is accurate. The accused student (in writing through the investigator) and the hearing board members may ask you questions. You will not be able to make a statement regarding the findings or the sanctions at the hearing, but you may provide these to the Office of Student Conduct in advance of the hearing, and you will not hear any other portions of the accused student’s hearing.

**Option 3: You may elect not to participate in the hearing process in any way, even if OSC has charged the accused student.** In many cases (but not all), a victim’s decision not to participate may make it less likely that the accused student will be found responsible.
The Hearing Board Script

Every hearing board case follows the same script, which sets forth the order of the hearing. The hearing has two phases: the Responsibility phase and the Sanctioning phase. The Responsibility phase covers the presentation of the investigator’s report and all information related to whether the accused student violated the Code of Student Conduct. If the accused student is found responsible, a Sanctioning phase will take place, which will address the accused student’s conduct history, the accused student’s (and, if applicable, the complainant’s) sanctioning statement(s), and the presentation of character witnesses. For graduate students, this phase may also include the provision of any professional standards. In the event that the student is found responsible for any of the charges, these phases generally occur on the same day, with the Sanctioning phase immediately following the Responsibility phase.

Responsibility Phase

The Chair begins the Hearing by welcoming everyone to the hearing and then asking the panel members, students, advisors, and investigators to identify themselves on the record. The accused student and complainant are asked if they object to any of the Hearing Board members. The Chair then reminds all participants that (1) the proceedings are confidential, (2) all participants must be truthful, (3) retaliation is prohibited, and (4) the proceedings are recorded for purposes of appeal.

The Chair will then ask the accused student how he or she pleads to each charge (i.e., does he or she accept responsibility or not?).

The investigator then shares the summary of his or her report with the Hearing Board. This summary generally presents either a timeline of the events from the perspective of the involved parties and/or a summary of uncontested facts (facts about which everyone agrees) and the contested facts (facts that are in dispute). A fact may be contested either because two parties have offered conflicting information (e.g., Mary says Joe wore a blue shirt, and Joe says he wore a red shirt) or because one party cannot confirm a particular fact offered by another party (e.g., Mary says that Joe wore a blue shirt, and Joe says he does not remember what color shirt he was wearing). The investigator also will share the names of the witnesses with whom he or she spoke and whether each witness will participate in the hearing. For those witnesses who will not participate, the investigator will explain the reason that the witness will not be called.

The investigator then will ask both the accused student and complainant if this summary accurately reflects the information they provided to the investigator.

The proceeding then moves to the statements and questioning of the complainant, the accused student, and the witnesses:

- Complainant’s Statement and Questioning:
  - The investigator will ask the Hearing Board Members to affirm on the record that they read the complainant’s statement provided in the Investigation Report.
The investigator asks the complainant if he or she has any clarifications, corrections, or additions to make to his or her statement.

The Board Members then may ask the investigator questions they have about the complainant’s statement. If the investigator cannot answer a relevant question, he or she will pose the question to the complainant.

The accused student will then have the opportunity to ask questions, in writing, to the investigator about the statement. If the investigator cannot answer a relevant question, he or she will pose the question to the complainant.

The Chair will not allow irrelevant questions and may reword questions.

Accused student’s Statement and Questioning:

- The investigator will ask the Hearing Board Members to affirm that they read the accused student’s statement provided in the Investigation Report.
- The investigator asks the accused student if he or she has any clarifications, corrections, or additions to make to his or her statement.
- The Board Members then may ask the investigator questions they have about the accused student’s statement. If the investigator cannot answer a relevant question, he or she will pose the question to the accused student.
- The complainant then will have the opportunity to ask questions, in writing, to the investigator about the statement. If the investigator cannot answer a relevant question, he or she will pose the question to the accused student.
- The Chair will not allow irrelevant questions and may reword questions.

Witness Statements and Questioning:

- The investigator will then call any witnesses, one witness at a time. The investigator will ask the Hearing Board Members to affirm that they read the witness’s statement provided in the Investigation Report.
- The investigator asks the witness if he or she has any clarifications, corrections, or additions to make to his or her statement.
- The Board Members then may ask the investigator questions they have about the witness’s statement. If the investigator cannot answer a relevant question, he or she will pose the question to the witness.
- The complainant then will have the opportunity to ask questions, in writing, to the investigator about the statement. If the investigator cannot answer a relevant question, he or she will pose the question to the witness.
- The accused student will then have the opportunity to ask questions, in writing, to the investigator about the statement. If the investigator cannot answer a relevant question, he or she will pose the question to the witness.
- The Chair will not allow irrelevant questions and may reword questions.

All participants may participate in person, by phone, or by Skype.

After the introduction of witness testimony, the accused student and complainant may offer closing statements. The purpose of the closing statement is to provide the Hearing Board with information or arguments that you would like the Board to consider in making its determination regarding responsibility. If you are participating as the complainant, you will make your statement first, followed by the accused student. These statements may be made orally or in writing or both. The OSC suggests that students prepare a written statement in advance of the hearing, which they may read aloud or supplement at the hearing.
The Investigator will then remind the Hearing Board of the charges and the standard of proof. The parties will then be excused while the Board deliberates. Deliberations occur off the record and are limited to the Chair and the Hearing Board panel members. The OSC generally works with the complainant’s advisor to ensure that the complainant has a safe and comfortable place to wait for the results. It is difficult to predict how long deliberations will take, so it is recommended that the complainant remain in the vicinity of the hearing.

The accused student and complainant will be informed when a decision has been reached so that he or she may return to the hearing. When all parties have returned, the proceedings will go back on the record to inform the parties of the result. The Chair will read the Hearing Board’s findings regarding each charge. If the accused student is found not responsible, the proceedings will be adjourned. The complainant and the accused will receive written notice of the outcome, which will provide information regarding the complainant’s right to appeal that finding. If the accused student is found responsible, the case proceeds to the Sanctioning phase either immediately or after a short break or on the next business day.

**Sanctioning Phase**

The Sanctioning phase is generally much shorter than the Responsibility phase. The sanctioning phase will begin with the accused student’s conduct record, if any. Because a student’s conduct record is confidential and protected under FERPA, complainants cannot be present for this portion of the Sanctioning phase unless the accused student waives his or her right to have the complainant not be present. The complainant may be asked to step out of the room for this portion of the hearing.

Next, the accused student will be allowed to present a reasonable number of character witnesses to speak briefly on his or her behalf, either in writing, by phone, or in person.

In cases involving graduate students, the graduate school may offer information regarding any applicable professional standards or codes of conduct.

In some cases, the Investigator may share any information learned during the course of the investigation that relates to sanctioning and Board Members may ask questions regarding information that is relevant to sanctioning of the accused student and the complainant.

Finally, both the accused student and the complainant are given the opportunity to make a closing statement regarding sanctioning. This statement is an opportunity for the students to provide any information to the Hearing Board that may be relevant to its recommended sanction. For the accused student, this statement might include what he/she has learned from this incident, his or her contribution to Tulane, and any steps he/she would be willing to take to make amends for the conduct. For the complainant, this statement might include information about how this incident had affected him/her, any safety concerns that he/she might have about the other student, and any proposed sanctions that the complainant feels would be appropriate. The OSC suggests that students prepare a written statement in advance of the hearing, which they may read aloud or supplement at the hearing.
After the completion of closing statements, the hearing adjourns and the Board deliberates on a sanction. In determining an appropriate sanction, the Hearing Board is likely to consider the present demeanor of the student, including whether he/she has taken responsibility for the misconduct, the conduct record of the offender, the nature of the offense, the complainant’s wishes, and the extent of harm resulting from the conduct. Sanctions may be increased if the accused student intentionally commits the violation because of the actual or perceived gender, race, color, religion, age, national origin, ethnicity, disability, veteran’s status, sexual orientation, marital status, gender identification, or other legally proscribed characteristic of any person.

Except in cases of expulsion, sanctions will generally include both a “status sanction,” i.e., a sanction that does not require the accused student to take any action but that changes his or her status with Tulane, and an “educational sanction,” i.e., a sanction that requires the student to engage in an activity or accomplish a task. Status sanctions include expulsion, suspension, deferred suspension, disciplinary probation, warning period, or admonition. In certain serious cases, a student is likely to be suspended or expelled. Educational sanctions can take a variety of forms, including community service, letters of apology, alcohol education, reflective essay writing, attending programming events, etc. In addition, students may be restricted from certain buildings on campus, such as residential housing. When an accused student lives on campus, the Board always should consider whether it is appropriate to allow that student to remain in residential housing.

The Hearing Board’s sanction is a recommendation to the University, and it will be forwarded to the Vice President for Student Affairs and/or the Senior Vice President for Academic Affairs and Provost. Because the Hearing Board’s sanction is a recommendation to the University, the complainant and the accused student will be notified of the sanction after this review process has taken place. This notification generally occurs five business days after the hearing, but it may be additional time in certain cases. You will be updated if the review process will require additional time.

When a decision regarding sanctions has been reached, the OSC or CMVSS will attempt to contact you by phone to inform you of the results. You then will receive a written notification of the findings and sanctions.

**Appeals**

If the accused student is found responsible for the charge(s), he/she will have the right to appeal that decision. The appeals process is conducted entirely in writing. The accused student may submit an appeal detailing the grounds for appeal within five business days of receiving written notice of the hearing outcome. The accused student may request additional time to submit the appeal, and this request will be considered by the OSC. He/she may request that the sanctions be deferred pending the result of the appeals process, and this request will be considered by the OSC. The complainant will have the opportunity to submit a written response to the appeal.
If the accused student is found not responsible for any of the charges, the complainant will have the right to appeal that decision and the accused student may submit a written response to that decision.

Grounds for appeal include:

- **Procedural Error:** There was a procedural error that reasonably could have impacted the decision during the hearing.
- **New and Significant Evidence:** New and significant evidence appeared that could not have been discovered by a properly diligent charged student or complainant before or during the original hearing and that could have changed the outcome of the hearing.
- **The Finding is Arbitrary and Capricious:** Reading all evidence in the favor of the non-appealing party, the finding was not supported by reasonable grounds or adequate consideration of the circumstances. In deciding appeals, the appeals board is allowed to make all logical inferences and must make any inferences in benefit of the non-appealing party.
- **Disproportional Sanctions:** The sanctions were disproportionate to the findings. If the appeals board determines that the sanctions ordered were disproportionate to the findings, a rehearing is not required and the appeals board can reduce the sanctions.

When necessary to address allegations of procedural error, the Chair, the Director of Student Conduct, and/or the investigator may submit a brief response to the Appeals Board limited solely to providing information that may be helpful to the Appeals Board in their evaluation of the claims regarding procedural error.

After both students have had the opportunity to submit their written statements, the Appeals Board, consisting of a student, faculty member, and staff member (different from those who sat on the Hearing Board) will be selected to hear the appeal. The Appeals Board may reach one of three decisions:

- The Appeals Board may find that the appeal has no merit. In this case, the decision of the Hearing Board is final.
- The Appeals Board may find the appeal has merit on the grounds of procedural error, new and significant evidence, or the finding is arbitrary and capricious. The decision of the Hearing Board no longer applies and a new hearing will be conducted.
- The Appeals Board may find that the appeal does not have merit on the grounds of procedural error, new and significant evidence, or the finding is arbitrary and capricious but does have merit on the grounds that the sanctions are disproportionate. The Hearing Board can reduce the sanctions and the decision then becomes final.

You will receive written notice of the decision of the Appeals Board. Following the completion of the Appeals Process, Tulane’s conduct process is complete.
How can you prepare for the hearing process?

Before the Hearing, you can take the following steps:

- Think about what role you would like to play in the hearing process and whether you will participate in person or by phone.
- Inform the OSC of your advisor so that OSC schedules the hearing at a time when your advisor is available.
- Set up a time with OSC to review the incident report/other documentation.
- Review the hearing board script and the hearing board and student rights sections of the Code of Student Conduct.
- Discuss the standard of proof (preponderance of the evidence) with your advisor.
- Think about whether you object to any of the board members.
- Develop a plan for communicating with your advisor during the hearing.
- Identify witnesses who you would like to participate in the hearing process and inform the investigator of these witnesses.
- Prepare questions for the accused student and witnesses.
- Prepare your closing statement on responsibility.
- Prepare your closing statement on sanctions.
- Consider discussing the matter with your family and loved ones.
- Consider talking about the matter with a counselor. CAPS may be reached at 504-314-2277. For off-campus resources, please contact the CMVSS.

Some additional points to keep in mind before the hearing:

- Any medical treatment, including mental health treatment, you have received will not be shared with the Hearing Board by the OSC unless you consent to our release of this information. You may wish to discuss with the Investigator or your advisor whether there is any information relating to medical treatment that you would like to include in the report.

During the Hearing:

- Keep in mind that the advisor cannot speak on your behalf.
- Prepare any additional questions for the accused student and witnesses and listen to their answers.
- If you have any concerns, speak with the chair. If you decide you would prefer to participate by phone, the OSC is generally able to accommodate this wish at any point during the hearing.
- Request a break.

After the Hearing:

- You have the right to review the file to see the hearing board rationale.
- You may want to meet with your advisor to discuss any appeal issues or to review the accused student’s appeal.
- The accused student has the right to request that the OSC defer sanctions pending appeal. The OSC has discretion on whether or not to grant this request.
- Even if the student is found not responsible, you have the right to speak with CMVSS regarding accommodations.
**Additional Rights**

For the full, official list of rights a complainant has under the Code of Student Conduct, please see Appendix A – Tulane Victim Rights.

**Additional Considerations**

- The OSC attempts to complete the hearing board process within 30-60 days of receiving notice of the incident during the academic year. If an appeal is granted and requires a second hearing, this time period may be extended. It is important that you reach out for support to help you through this process.
- The conduct process may feel stressful and even overwhelming at times. Know that the OSC will take a number of steps to try and prepare you for this process, alleviate your concerns, and make the experience less traumatic for you. Tulane’s Office of Case Management and Victim Support Services can act as a support and advocate for you during this time. Please see the section “Emotional Support” for information on other sources of emotional support.
- Having OSC decline to pursue conduct charges or having your perpetrator be found “not responsible” may feel unfair and frustrating. However, many times victims will still find it empowering to tell their story. It is also important to remember that regardless of the results of the conduct process, you are still able to access resources both within and outside the university.
The Office of Institutional Equity

What to Expect

The Office of Institutional Equity (OIE) partners with the university community to enhance diversity and equal opportunity throughout Tulane University. As such, OIE administers Tulane’s Equal Opportunity/Anti-Discrimination Policies and investigates complaints of discrimination, including complaints of sexual harassment and sexual misconduct in accordance with Tulane’s Equal Opportunity/Anti-Discrimination Policies including Title IX of the Education Amendments of 1972 (Title IX).

Title IX

Title IX prohibits discrimination on the basis of sex in education programs and activities at all universities that receive federal funds (which includes Tulane). Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual misconduct, such as rape, sexual assault, sexual battery, and sexual coercion.

Under Title IX, a school has a responsibility to respond promptly and effectively to reports of sexual misconduct. If a school knows or reasonably should know about sexual harassment and sexual misconduct, the school must take immediate action to eliminate the misconduct, prevent its recurrence, and address its effects. When a school receives a report of possible sexual misconduct, a school must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation.¹

Equal Opportunity/Anti-Discrimination Policies

Tulane prohibits discrimination and harassment because of an individual’s sex by faculty, administrators, staff, students, and individuals affiliated with Tulane University by contract (including non-employees, such as vendors and independent contractors) or by anyone with whom one interacts in order to pursue educational or employment activities at the University. Sexual harassment is unwelcome behavior of a sexual nature. Sexual harassment is defined as unwelcome advances, requests for special favors, and any other verbal, written, physical or other conduct of a sexual nature when: submission to such conduct is implicitly or explicitly made a condition of an individual’s participation in University programs; submission to or rejection of such conduct is used as a factor in employment or academic decisions; or when such conduct would be objectively regarded by a reasonable person as having the purpose or effect of interfering with an individual’s ability to learn or work or participate in University programs of

activities by creating an intimidating, hostile, or offensive environment even if the person engaging in the conduct does not intent to interfere, intimidate, or be hostile or offensive. Sexual harassment may include physical assaults of a sexual nature, such as rape, sexual battery, molestation, or attempts to commit these assaults, as well as intentional physical conduct that is sexual in nature. Tulane’s Equal Opportunity/Anti-Discrimination Policies contains a specific provision prohibiting retaliation. No member of the University community will be disciplined or otherwise retaliated against for refusing sexual advances, objecting to sex discrimination or harassment, or for making a good faith report of discrimination or harassment. Retaliatory or intimidating conduct against any individual who has made a good faith harassment complaint or who has testified or assisted in any manner in an investigation is specifically prohibited and shall provide grounds for a separate investigation.

Tulane’s full Equal Opportunity/Anti-Discrimination Policies can be viewed at: http://tulane.edu/equity/upload/Tulane_EO_Policy_2013.pdf

Confidentiality

OIE is a mostly confidential office. Conversations are kept as confidential as possible throughout the investigation process to the extent practicable and appropriate under the circumstances to protect the privacy of the persons involved. The University is required by law to investigate complaints of discrimination, harassment, or retaliation and will strive to protect, to the greatest extent possible, the confidentiality of persons reporting or accused of discrimination, harassment, or retaliation. However, the University cannot guarantee complete confidentiality where it would conflict with the University's obligation to investigate or where confidentiality concerns are outweighed by the University’s interest in protecting the safety or rights of others. In particular, OIE often shares information with the Office of Student Conduct, the Office of Case Management and Victim Support Services, and TUPD.

Contacting OIE

You may contact OIE in person, by phone, and electronically. Complaints regarding possible sexual harassment, including sexual assault, should be directed to a Title IX Coordinator.

In person
OIE is located at Tulane’s Uptown Square, 200 Broadway St., Suite 105A. OIE is open 8:30am-5:00pm Monday-Friday.

By phone
OIE can be reached by phone at 504-862-8083.

Electronically
OIE can be reached via email at oie@tulane.edu. More information about OIE can be found on its website at: http://tulane.edu/equity/

Title IX Coordinators
Tulane University has designated Title IX Coordinators to coordinate Tulane’s compliance with and response to inquiries concerning Title IX. You may contact the following coordinators:
Deborah Love, Title IX Coordinator  
Office of Institutional Equity  
200 Broadway St., Suite 105A, New Orleans, LA 70118  
(504) 862-8083  
dlove1@tulane.edu

Wendy Stark, Deputy Title IX Coordinator  
Office of Institutional Equity  
200 Broadway St., Suite 105A, New Orleans, LA 70118  
(504) 862-8083  
wstark@tulane.edu

Erica Woodley, Deputy Title IX Coordinator for Student Affairs  
Division of Student Affairs  
Lavin-Bernick Center, Room G02  
6823 St. Charles Ave., New Orleans, LA 70118  
(504) 314-2160  
ewoodley@tulane.edu

Investigation

You can report incidents of possible sexual harassment, including sexual assault, directly to OIE. Reports of possible sexual harassment, including sexual assault, made to TUPD, the Office of Case Management and Victim Support Services (CMVSS), and the Office of Student Conduct are always shared with OIE. Once OIE becomes aware of an incident of alleged sexual harassment, including sexual assault, OIE performs an initial investigation into the incident. If OIE becomes aware of a complaint, it will also inform CMVSS of your complaint, if CMVSS is not already aware, so that CMVSS may reach out to you to offer support and resources. The formal complaint process outlined in Tulane’s Equal Opportunity/Anti-Discrimination Policies depends on whether the accused is a Tulane student, staff member, faculty member, or affiliate.

If the Accused Is a Tulane Student

In cases where the accused is a Tulane student, OIE will coordinate its investigation with the Office of Student Conduct. Please see the previous section on the Office of Student Conduct for more information about how this investigation proceeds. You may be contacted by OIE or the Office of Student Conduct to discuss what happened. OIE or the Office of Student Conduct will also contact the accused student and any witnesses. You have the right to determine your level of participation in this investigation and may also inform these offices of your wishes regarding the investigation. The Office of Student Conduct will notify the complaining and the accused student in writing of the findings and the outcome of the investigation in a manner consistent with the Code of Student Conduct.

If the Accused Is a Tulane Staff Employee or Non-Employee Individual Affiliated with the University

In cases where the accused is a Tulane staff employee or affiliate, OIE will investigate the complaint. Resolution will be concluded as promptly as possible, and in most cases within 60 days. You will be contacted by OIE to discuss what happened, and OIE will also contact the
accused and others deemed to have relevant information. You have the right to determine your level of participation in OIE’s investigation and may also make OIE aware of your wishes regarding the investigation. All claims are reviewed based upon the preponderance of evidence standard of whether it is more likely than not that a policy violation occurred. No more than 10 days after a decision has been reached, OIE will notify the complaining and the accused individuals in writing of the findings and outcome of the investigation.

If the Accused Is a Tulane Faculty Member

In the case of a complaint against a faculty member, OIE will perform an initial investigation into the complaint and will work with the grievance committee of that faculty member’s school (ex. School of Liberal Arts) to formally investigate the complaint. All claims are reviewed based upon the preponderance of evidence standard of whether it is more likely than not that a policy violation occurred. The Faculty Grievance Committee will make a determination about whether the accused violated university policy and will recommend appropriate action. No more than 10 days after a decision has been reached by the Faculty Grievance Committee, OIE will notify the complaining and the accused individuals in writing of the findings and outcome of the investigation.

Appeals

An appeal by either the complainant or the accused must be filed in writing with the Office of Institutional Equity within ten (10) working days of receiving written notice of the outcome of the investigation. Responsibility for reviewing appeals will depend on the identity of the accused. For more information, see the full text of Tulane’s Equal Opportunity/Anti-Discrimination Policies.

Victim Rights Under Title IX

You have the right:

- To present your case, including the right to adequate, reliable, and impartial investigation of complaints, the right to have an equitable opportunity to present witnesses and other evidence, and the right to the same appeal processes as the accused
- To be notified of the time frame within which: (a) the school will conduct a full investigation of the complaint; (b) the parties will be notified of the outcome of the complaint; and (c) the parties may file an appeal, if applicable
- For the complaint to be decided using a preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or sexual violence occurred)
- To be notified, in writing, of the outcome of the complaint
- To file a written complaint with the Department of Education’s Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 1-800-421-3481
Additional Considerations

- The process of having the university investigate your complaint may feel stressful and even overwhelming at times. Know that the university will take a number of steps to try and prepare you for this process, alleviate your concerns, and make the experience less traumatic for you. Tulane’s Office of Case Management and Victim Support Services can act as a support for you during this time and advocate for you throughout the investigation. Please see the section “Emotional Support” for additional resources.
- Having OIE determine that there is insufficient evidence to determine that there was a violation of Tulane’s anti-harassment policy may feel unfair and frustrating. It is important to remember that you are still able to access resources both within and outside the university.
The Criminal-Legal Process

Introduction

Should I Tell?

As a victim of sexual assault, you may be experiencing some conflicting emotions about whether or not you should tell the authorities about what has happened to you. If you are experiencing these emotions, know that it is okay to feel this way and that you do not have to do anything you do not want to do. However, keep in mind that there are many good reasons why telling your story can help, such as:

- You may feel less isolated as you deal with the assault.
- You may help encourage others who have survived sexual assault to come forth and tell their stories.
- You could potentially prevent the person who assaulted you from hurting someone else. As a Tulane student, in particular, you can help to keep the campus community safe.
- You can take steps to hold the perpetrator accountable for his/her actions.

Whether or not you should become involved with the criminal-legal system may be an understandably difficult decision for you to make. Talking to supportive people around you (family, friends, counselors, sexual assault advocates) about the pros and cons of doing so may help you come to a decision that is right for you.

What this Section of the Guide Contains

The purpose of this section of the guide is to inform you of the criminal-legal system processes that take place for sexual assault crimes. It contains basic knowledge of what to expect, some of your rights, and some considerations for you to keep in mind. Please know that you have more rights than have been listed.

Your Rights Throughout the Legal Process

- To report your assault to both the Tulane University Police Department (TUPD) and the New Orleans Police Department (NOPD).
- To be notified if and when the person who assaulted you is released from jail, transfers jails, or escapes from jail.
  - You must register with the Louisiana Automated Victim Notification System (LAVNS) to exercise this right. Please call 866-528-6748 or visit www.vinelink.com to register for this service free of charge.
• To have your own personal lawyer present and/or a victim advocate with you during all interviews with law enforcement or criminal-legal system personnel.

• To be interviewed by any law enforcement or criminal-legal personnel in a private setting (a room where you will not be heard or identified by anyone other than those persons interviewing you or assisting you).

• To file a civil lawsuit against your perpetrator for any damages or problems that he/she may have caused you (even if criminal charges are dropped on them). This will require you to hire a private attorney.

• To be free from intimidation, harassment, or abuse throughout the criminal justice process.

**Things to Consider Throughout the Legal Process**

• As a Tulane student, a staff member from the Office of Case Management and Victim Support Services is available assist and support you throughout the criminal-legal process. For more information on this office, see the section on this office in the section “Tulane Resources.”

• If you have reported the assault to police and you meet certain qualifications, you may be able to receive compensation for money that you have spent as a result of the crime (such as for hospital or counseling bills). For more information or to see if you qualify, contact the Crime Victims Reparation (CVR) Program at (225) 342-1749 or 1-888-6-VICTIM or visit www.lcle.state.la.us/programs/cvr.asp

• Remember that you are not alone! Refer to the “Emotional Resources” section for more information on where you can obtain emotional support and guidance for any stage of the criminal-legal process.
  o If an arrest has been made in your case, a victim advocate or legal advocate should be assigned to you through the DA’s office. A victim’s advocate is a person who will provide you with support and information during the criminal-legal process. If an arrest has been made in your case and you have not been provided an advocate, you can request one from the DA’s office.

**Law Enforcement**

**Reporting Options**

As a Tulane student, you have the following options for reporting to law enforcement:

• Make an official report to both TUPD and NOPD
• Make a confidential report (rather than an official report) to TUPD
• Make no report to TUPD or NOPD
What to Expect – TUPD
You can report the assault to TUPD by calling TUPD or by walking into their station. To contact the Uptown District of TUPD, call (504) 865-5911 or walk into the TUPD station located on the ground floor of the Diboll Complex (see Appendix B, Campus Map - Uptown). To contact the Downtown Medical District of TUPD, call (504) 988-5555 or walk into the TUPD station located on the first floor of the Medical School Building/Hutchison Memorial Building at 1430 Tulane Ave. (see Appendix C, Campus Map - Downtown). If you call TUPD, the dispatcher will ask you for basic information such as your name and location and for basic details about the incident. The dispatcher will also ask questions to determine your safety. The dispatcher will assign an officer to go meet you and will stay on the line with you until the officer arrives. If you walk in to the TUPD station, you will be taken into a private area and an officer will be summoned to come speak with you. TUPD officers receive on-going training in how to interact sensitively with victims of sexual assault.

The responding TUPD officer will then determine your immediate safety and medical needs. The officer will also obtain detailed information about the incident and work to obtain preliminary statements from you and any witnesses. The officer will document any evidence present. The officer will also offer transportation to the hospital for a forensic exam. See the section “The Medical Process” for more information about going to the hospital and receiving a forensic exam.

The TUPD officer will contact an investigator who will either immediately come to the scene or will continue the investigation on the next working day. The investigator will interview you and explain your rights and options for reporting and resources. The investigator will also always notify the Office of Student Resources and Support Services that a sexual assault has been reported. See the section “Tulane Resources” for more information about the Office of Student Resources and Support Services, which includes the Office of Student Conduct and the Office of Case Management and Victim Support Services.

TUPD will assist you in reporting to NOPD. Please see the next section, “NOPD,” for more information about reporting assault to NOPD.

What to Expect – NOPD
If you decide to report the crime to authorities and have not already reported to TUPD, you can contact your local law enforcement agency by calling 911. NOPD can also be contacted in non-emergency situations by calling (504) 821-2222. A police officer will come to you wherever you are to ensure your safety and to perform a preliminary interview. Or, if you prefer, you can go to the nearest police station to report the crime.

In the preliminary interview, the officer will ask you questions about the crime. The officer may advise you to go to the hospital for an immediate medical examination. After basic information about the crime is obtained, the officer will contact the New Orleans Police Department Sex Crimes Department to send out a sex crimes detective to meet with you and investigate the case.
The sex crimes detective will ask you detailed and personal questions about what has happened. In the investigation, you may be asked to choose a suspect from a lineup (usually in the form of photographs) or to assist a police sketch artist in drawing a picture of the person who assaulted you. Be sure to tell the detective everything you can think of regarding the crime. The more details and facts you provide the detective, the more thorough the investigation will be. If you remember something about the crime later on that you did not tell the detective, you should tell him or her as soon as possible. If the detective finds sufficient evidence to suggest that the crime occurred, then the detective will then send an investigation report to the District Attorney’s Office. While NOPD’s investigation is ongoing, the detective assigned to your case should be able to provide you with updates on the investigation and case.

During your interviews, the police officers and detectives may ask you questions that seem very personal and difficult. These questions may or may not touch on such topics as the nature of your relationship with the person who assaulted you, the reasons why you were in the situation or place that the crime occurred, whether you resisted (and if you did not resist why this was), and so on. While these questions may seem intrusive and insensitive, it is the job of law enforcement to collect facts. Having someone present during these interviews may help reduce some of the potential discomfort that you may experience. NOPD will allow a friend, family member, or advocate to be present during an interview to provide you with support.

**What to Expect – the Arrest**
Once the NOPD detective gathers enough information and the suspect is identified, an arrest will be made. Although law enforcement has the ability to arrest the person who assaulted you as soon as you make a report, they may decide that there is not enough evidence to do so at that time. Know, however, that even if law enforcement does not immediately make an arrest, the person who assaulted you can still be arrested at a later time in the criminal justice process. In some cases the police must work with the district attorney’s office to gather more information before an arrest can be made.

If the perpetrator is arrested, you may want to sign up for the Louisiana Automated Victim Notification System (LAVNS) in order to be notified if your perpetrator is released from jail (including if he/she is released from jail on bail), transfers jails, or escapes from jail. See the section “Resource Guide” for more information about LAVNS. In the event that your perpetrator is arrested and then released from jail on bail, a criminal protective order may be issued. A protective order is a legal document that prevents your perpetrator from coming near you. If a criminal protective order is not issued, you may be eligible to file for a protective order within civil court. As a Tulane student, the Office of Case Management and Victim Support Services can provide you with more information about protective orders. Additionally, the two local sexual assault centers in the New Orleans area can provide you with information about protective orders. Please see the Resource Guide for more information about these sexual assault centers.
Additional Rights

You have the right:

- To decide whether or not you want to report your assault to law enforcement
- To refuse to disclose any information to law enforcement that you do not wish to share
- To request that law enforcement not give out your name, address, or any other pertinent information to the public. This is called a Rape Shield Law.
- To a complete copy of the police report
- To report the crime without your parents’ permission if you are under the age of 18

Additional Considerations

- The sooner that you report the crime the better. This gives law enforcement the opportunity to collect evidence before it is altered or otherwise affected. Additionally, to qualify for the Crime Victims Reparations Program you need to report the crime to the police within 72 hours (unless there are valid reasons for not reporting before then).
- You have 168 hours after you were assaulted to get a medical forensic exam. Any evidence collected will be relevant for any criminal/legal processes. It is often difficult to collect forensic evidence beyond 72 hours after the assault, so the sooner you go to the hospital the better. For more information on what to expect at the hospital, see the “Medical Process” section of this guide.
- You may feel misunderstood, upset, and/or blamed by how you were treated by law enforcement. These feelings are valid and understandable and may be due to the trauma you endured in the assault.
  - Remember that there are support systems available to help you process these emotions. See “Emotional Support” for more information on available support systems.
  - If you feel like you were unjustly treated, however, you should get the officer or detective’s badge number in order to file a complaint. As a Tulane student, the Office of Case Management and Victim Support Services can assist you in filing a complaint. See “Tulane Resources” for more information on this office.
  - For information on how to file a complaint about NOPD, visit http://new.nola.gov/nopd/citizen-services/complaints/

The District Attorney’s Office

What to Expect

Victim Advocate
Once the DA’s office is notified by NOPD of an arrest in your case, a victim’s advocate from the DA’s office is assigned to you. The victim advocate will then reach out to you to make contact. The victim advocate may request a meeting with you. You may choose whether or not you would like to speak with the victim’s advocate and accept any assistance they offer. The victim advocate’s role is to provide with you support and to help you understand the criminal-legal process. The victim advocate can also provide you with updates on your case.

**The Assistant District Attorney**

When the sex crimes detective from NOPD finishes investigating the case, he or she will give a written report of the information obtained from the investigation to an Assistant District Attorney (ADA) at the District Attorney’s office. The ADA will review the information and determine whether there is enough evidence to take your case to court. If the ADA thinks that there is sufficient evidence on which to argue for a conviction, then formal charges will be filed against the person who assaulted you and your case will enter into the trial process. If not, the ADA may decline to take your case to court and no criminal charges will be filed against your perpetrator. During the process of making this determination, you may be contacted by the DA’s office to get more information about the assault. The DA’s office may also request a meeting with you. The ADA is the person who ultimately presents evidence that the sexual assault occurred to the judge or jury in an effort to convict the person who assaulted you.

**The Defense Attorney**

At some point an attorney who is representing the person who assaulted you (now called the “defendant”) may ask you questions about the case. Because anything you (or your friends or family) tell this person may be used in court, it is best that you (and your friends and family) first consult with the ADA before answering questions from anyone associated with the defendant, including the defense attorney.

**Additional Rights**

You have the right:

- As a Tulane student, to request support and assistance from the Office of Case Management and Victim Support Services throughout the criminal-legal process. See “Tulane Resources” for more information on this office.
- To refuse any interview with the defense attorney or any employee or agent working for the defense attorney.
- To review any investigation reports related to your case.
- To request a meeting with the District Attorney’s office in order to discuss the outcome of the case.

**Additional Considerations**
• When you talk to the ADA, the best thing you can do is cooperate and tell him or her all that you know. Note, however, that anything you tell the ADA will also be shared with the defense attorney.
• You may feel angry, confused, and/or blamed if the ADA decides that there is not enough evidence to take the case to trial. These feelings are understandable and there are support systems available to help you process these emotions. See the section “Emotional Support” for more information on available support systems.

The Trial Process

What to Expect

Grand Jury Hearing
If formal charges are filed against the person who assaulted you, then the case will be sent to a grand jury. A grand jury is a group of normal citizens who will hear testimony and decide what the defendant’s formal charge (if any) will be. A grand jury is a closed hearing, meaning that no one not directly involved in the case will be able to attend. You may have to testify, and your perpetrator will most likely be present in the room. At the end of the hearing the grand jury will make a decision as to whether they will charge your perpetrator with the crime presented by the ADA, reduce the charges, or dismiss the case.

Arraignment, Pretrial Motions, & Pretrial Conference
After formal charges are filed, the person who assaulted you will be arraigned. An arraignment is a formal meeting in court where the defendant answers “guilty” or “not guilty” to the charges. If the defendant answers “guilty,” then the judge will sentence him at that time. In felony cases, defendants typically enter not guilty pleas at arraignment.

If the defendant answers “not guilty,” then one or more pretrial “motions” are scheduled.

A motion is a request by the defense attorney for the judge to issue a ruling or an order about the case. A common pretrial motion in criminal cases is the “preliminary exam,” in which the judge determines whether there is enough evidence to suggest that the defendant committed the crime (a.k.a. “probable cause”). If the judge does not find probable cause, then the defendant will be released from his court obligations and the case may be dismissed.

After the pretrial motion hearings, a pretrial conference is scheduled. At this meeting, the ADA, defense attorney, and judge discuss your case in more detail. Plea bargaining often occurs at this point (if it has not already occurred), in which the ADA and the defense attorney try to work out what they believe to be an appropriate resolution to the case. If the defendant maintains his “not guilty” plea, however, a trial date will be scheduled.

The Trial
The actual trial will consist of opening arguments, testimony, and closing arguments. A judge or a jury will decide whether the defendant is guilty or not guilty.

The trial could last anywhere from a few hours to several days or weeks. During this time you will most likely have to testify again. Police officers, health care workers, and witnesses to the crime will most likely also testify. It is also possible that the person who assaulted you may choose to testify, but he or she has the right to remain silent.

If the defendant is found guilty, the judge will either hand down a sentence on that day or will schedule sentencing at a later date. At this point you can submit a Victim Impact Statement to the court. This statement gives you the chance to tell the court the emotional, physical, and financial losses you have incurred as a result of the assault. It will be presented in open court with the judge, the ADA, and the defendant present.

After a “guilty” verdict, the defendant may try to appeal the decision. Unfortunately, if the defendant is found “not guilty,” the ADA cannot do the same. Remember, though, that you still have the right to file a civil lawsuit against your assailant for any damages or problems that the person may have caused you.

**Sentencing**

There are a number of possible sentences that can be given to the person who assaulted you. For example, your assailant may be sentenced to a term of imprisonment or be put on probation. Judges will also sometimes order restitution as a condition of probation or parole. This means that your perpetrator will have to pay you for financial losses incurred as a result of the crime. If this is the case, a probation or parole officer will be responsible for collecting payments from your perpetrator and giving them to you.

**Additional Rights**

You have the right:

- As a Tulane student, to request assistance and support through Office of Case Management and Victim Support Services throughout the criminal-legal process. For more information on this office see the section “Tulane Resources.”
- To seek restitution from the person who assaulted you for financial losses you incurred as a result of the assault.
- To be informed of and present at any of the criminal-legal proceedings that have to do with the final resolution of your case.
- To be informed of any proceeding where post-conviction actions, such as appeals, are being considered, as well as be present at any post-conviction hearing involving your perpetrator being released from prison.
- To receive a timely resolution of the case.

**Additional Considerations**
The trial process can understandably seem scary and intimidating. However, know that your victim advocate and the ADA will take a number of steps to try and prepare you for this process, alleviate your fear, and make the experience less traumatic for you. Please see the section “Emotional Support” for additional resources.

- Generally, it can take 6 months to 3 years for a case to go trial. Because this can be one of the most frustrating aspects of the criminal-legal process, it is important that you reach out for support to help you get ready for trial.
- Having the case dismissed or receiving a “Not Guilty” verdict at the end of the trial may seem unfair and frustrating. However, many times victims will still find it empowering to tell their story and to stand up to the perpetrator in court.

**The Civil Process**

Victims of sexual assault have the option filing a civil lawsuit against their perpetrator. This may be done in addition to or in the absence of any criminal-legal cases. A civil lawsuit can help you to pursue compensation for any damages or problems that the perpetrator may have caused you. A civil suit is also another avenue for making your voice heard and attempting to hold the perpetrator accountable. Pursuing a civil suit will require you to hire your own attorney.

Describing the civil process and analyzing the pros and cons of pursuing a civil case is beyond the scope of this guide. If you are considering whether or not a civil suit is a good option for you, you may wish to consult with one of the resources listed in this guide or with an attorney.
On-Campus Resource Guide

This list contains information about resources available to you on-campus. When more detailed information about a particular resource is available in another part of the guide, it is indicated.

Strictly Confidential Resources
These resources offer strictly confidential services. Except in rare, extreme circumstances, nothing will be shared without your explicit permission.

Counseling and Psychological Services (CAPS)
Science and Engineering Lab Complex, 1st floor
Phone: (504) 314-2277
Website: tulane.edu/health
- Provides mental health services, including individual and group counseling and medication management
- Will provide referrals to off-campus counseling services, as appropriate
- Services are free for students who have paid the Student Health fee

Sexual Aggression Peer Hotline & Education
Phone: (504) 654-9543
Website: tulane.edu/studentaffairs/violence/saphe.cfm
- 24-hour peer-operated crisis hotline
  - only operates during Fall and Spring semesters
  - SAPHE members go through extensive training annually in order to be able to respond to victims and to provide them with accurate information about on- and off-campus resources
- Provides support and resource referrals to victims, their friends, and their family members

Student Health Center
Uptown: Corner of Willow St. and Newcomb Place
Phone: (504) 865-5255
Downtown: 27 Elk Place, Room 261, adjacent to the Saratoga Garage
Phone: (504) 988-6929
Website: tulane.edu/health
- Provides primary health care, men’s & women’s health care, and pharmacy services
- Can provide initial or follow-up treatment for sexual assault; however cannot perform a forensic exam or collect forensic evidence
- Please see section “Medical Process” for more information about the Student Health Center

theWELL (Center for Wellness and Health Promotion)
Reily Student Recreation Center, Suite 115
Phone: (504) 314-7400  
Website: tulane.edu/health/wellness  
• Comprehensive health promotion services for students, including free massages and confidential HIV testing

**Mostly Confidential Resources**
These conversations are kept as confidential as possible, but information about incidents of sexual misconduct must be shared with key staff members so that the University can offer resources and accommodations and take action if necessary for reasons of safety. In planning any response, your wishes are given full consideration.

**Case Management and Victim Support Services**
Lavin-Bernick Center, Suite G02  
Phone: (504) 314-2160  
24/7 On-Call Phone: (504) 920-9900  
Website: tulane.edu/studentaffairs/violence  
• Provides response and support resources to victims of sexual assault including:
  o no contact orders  
  o emergency housing or housing reassignment  
  o academic accommodations  
  o health and counseling referrals  
  o information and referrals regarding the University’s conduct process and the criminal justice system, including information regarding filing a report  
  o assistance and support through the University’s conduct process or criminal justice system  
  o ongoing support throughout the recovery process  
• Professional is on-call 24/7 to provide support services  
• Any incident of sexual assault can be reported to this office  
• Please see the section “Tulane Resources” for more information about the Office of Case Management and Victim Support Services

**Office of Institutional Equity**
University Square, 200 Broadway St., Suite 105A  
Phone: (504) 862-8083  
E-mail: oie@tulane.edu  
Website: tulane.edu/equity  
• Investigates incidents of sexual misconduct that may violate Tulane’s Equal Opportunity/Anti-Discrimination Policies  
• Any incident of sexual assault can be reported to this office  
• Please see the section “Tulane Resources” for more information about the Office of Institutional Equity

**Office of Student Conduct**
Lavin-Bernick Center, Suite G02  
Phone: (504) 865-5516
Online reporting: tulane.edu/concerns
Website: tulane.edu/studentaffairs/conduct/
• Manages all non-academic misconduct allegations, including sexual misconduct allegations, for the undergraduate and graduate student populations at Tulane University
• Any incident of sexual assault where the perpetrator is a Tulane student can be reported to this office
• Please see the section “Tulane Resources” for more information about the Office of Student Conduct

Title IX Coordinators
Tulane University has designated Title IX Coordinators to coordinate Tulane's compliance with and response to inquiries concerning Title IX. Any incident of sexual assault can be reported to a Title IX Coordinator. See the section on the Office of Institutional Equity in the section “Tulane Resources” for more information about Title IX.

Deborah Love, Title IX Coordinator
Office of Institutional Equity
200 Broadway St., Suite 105A, New Orleans, LA 70118
(504) 862-8083
dlove1@tulane.edu

Wendy Stark, Deputy Title IX Coordinator
Office of Institutional Equity
200 Broadway St., Suite 105A, New Orleans, LA 70118
(504) 862-8083
wstark@tulane.edu

Erica Woodley, Deputy Title IX Coordinator for Student Affairs
Division of Student Affairs
Lavin-Bernick Center, Room G02
6823 St. Charles Ave., New Orleans, LA 70118
(504) 314-2160
ewoodley@tulane.edu

Tulane University Police Department – Downtown Campus
1430 Tulane Avenue
Emergency Phone: (504) 988-5555
Non-Emergency Phone: (504) 988-5531
Website: tulane.edu/police
• Students can report any incident of sexual assault to TUPD and receive assistance in reporting an assault to NOPD
• Students can receive assistance from TUPD in seeking medical care, including transportation to the hospital for a forensic exam
• Offers safety escorts to students, including shuttles services during the evening and personal escorts within one mile of campus
• Students can register for Rave Guardian, a personal safety device for cell phones, through TUPD’s website
• Offers Rape Aggression Defense (RAD) classes, a self-defense tactics and techniques course for women
• Please see the section “Criminal-Legal Process” for more information about TUPD

Tulane University Police Department – Uptown Campus
Diboll Complex, 1st floor
Emergency Phone: (504) 865-5911
Non-Emergency Phone: (504) 865-5381
Website: tulane.edu/police

• Students can report any incident of sexual assault to TUPD and receive assistance in reporting an assault to NOPD
• Students can receive assistance from TUPD in seeking medical care, including calling the TEMS ambulance if needed and providing transportation to the hospital for a forensic exam
• Offers safety escorts to students, including shuttles services during the evening and personal escorts within one mile of campus
• Students can register for Rave Guardian, a personal safety device for cell phones, through TUPD’s website
• Offers Rape Aggression Defense (RAD) classes, a self-defense tactics and techniques course for women
• Please see the section “Criminal-Legal Process” for more information about TUPD

Off-Campus Resource Guide
This section contains information about off-campus resources that may assist victims of sexual assault. When more detailed information about a particular resource is available in another part of the guide, it is indicated.

Sexual Assault Centers

Family Justice Center
701 Loyola Ave., Suite 201, U.S. Postal Service Tower, New Orleans, LA 70150
Phone: (504) 592-4005
Crisis Hotline: (504) 866-9554
Website: nofjc.org

• Provides 24-hour crisis hotline, counseling, advocacy, support groups, and resource referrals to victims of sexual assault
• All services offered free of charge

Metropolitan Center for Women and Children
Locations in Orleans and Jefferson parishes; services vary by location
Phone: (504) 837-5400
Crisis Hotline: (504) 837-5400  
Website: mcwcgno.org  
- Provides 24-hour crisis hotline, counseling, advocacy, support groups, and resource referrals to victims of sexual assault  
- All services offered free of charge

Counseling Resources

If you have private health insurance, you may want to look into counseling through your insurance. Keep in mind, however, that if you use your parents’ insurance, they may be notified that you are accessing counseling services. Some of the counseling services below accept private insurance; all of them operate on a sliding scale or have low fees for those without insurance. Please also keep in mind that victims of sexual assault can get free off-campus counseling through local Sexual Assault Centers (see prior section). Additionally, the Office of Case Management and Victim Support Services can assist you in finding off-campus counseling services (see section “Tulane Resources” for more information about this office).

**Family Services of Greater New Orleans**  
2515 Canal St, Suite 201, New Orleans, LA 70119  
Phone: (504) 822-0800  
Website: fsgno.org  
- Victims of crime are eligible for free counseling, court advocacy, case management, personal advocacy, and crisis counseling through the VOCA (Victims of Criminal Acts) program  
  - To be eligible, the victim must be a resident of Orleans or Jefferson parish and a victim of a criminal act, such as sexual assault or domestic violence  
- Victims who do not meet eligibility requirements for the VOCA program can receive low-cost counseling services  
  - Students should present their student ID to receive a student rate

**Jewish Family Service of Greater New Orleans**  
Main Office: 3330 W. Esplanade Ave, Suite 600, Metairie, LA 70002  
Uptown Office: 1426 Amelia St, New Orleans, LA 70115  
Phone: (504) 831-8475  
Email: jfs@jfsneworleans.org  
Website: www.jfsneworleans.org/programs-services/counseling  
- Counseling services provided on a sliding fee scale

**Trinity Counseling Center**  
2108 Coliseum St., New Orleans, LA 70130  
Phone: (504) 522-7557  
Website: trinitycounselingnola.org  
- Counseling services provided on a sliding fee scale
Emergency Resources

**Children’s Hospital**
200 Henry Clay Avenue, New Orleans, LA 70118
Main: (504) 899-9511
Emergency department: (504) 896-9474
Website: www.chnola.org
- Forensic exams/forensic exams for individuals under 18 years of age

**New Orleans Emergency Medical Services**
Emergencies: 911
Website: www.nola.gov/government/ems
- Call for immediate medical assistance and transport to a hospital

**New Orleans Police Department**
Emergencies: 911
Non-emergencies: (504) 821-2222
Website: www.nola.gov/government/nopd
- Call to report a sexual assault to NOPD
- See section “The Criminal-Legal Process” for more information about reporting a sexual assault to NOPD

**Tulane-Lakeside Hospital**
4700 S. I-10 Service Road W, Metairie, LA 70001
General: (504) 780-8282
Emergency room: (504) 780-4501
Website: www.tulanehealthcare.com/tulanelakeside
- Forensic exams/forensic exams

**University Medical Center**
2000 Canal Street, New Orleans, LA 70112
Main: (504) 702-3000
Website: www.umcno.org
- Forensic exams and evidence collection
- Sexual assault nurse examiners (SANE nurses) are on-call 24/7 to examine and treat sexual assault victims
- See section “The Medical Process” for more information about accessing the SANE clinic at University Medical Center

Healthcare Clinics

**Planned Parenthood**
4018 Magazine St., New Orleans, LA 70115
Phone: (504) 897-9200
Website: www.plannedparenthood.org/health-center/centerDetails.asp?f=2805&a=91650&v=details
- Offers comprehensive women’s health services including family planning, Pap smears, STI treatment and testing, pregnancy testing, and HIV testing
- Offers men’s health services including reproductive/sexual health checkups, STI testing and treatment, and HIV testing
- Accepts private insurance as well as Medicaid

Tulane Uptown Ob-Gyn Clinic
200 Broadway Street, New Orleans, LA 70118 (in Uptown Square)
Phone: 504-988-9000
Website: www.tulane.edu/som/departments/ob-gyn/clinical-care/locations.cfm
- Offers OB/GYN services
- Accepts private insurance
- A Tulane shuttle can provide free transportation from the Uptown Campus to Uptown Square, where this clinic is located

Women’s Healthcare Center, Inc.
2701 General Pershing St., New Orleans, LA 70115
Phone: (504) 899-6010
Email: whccno@gmail.com
Website: www.womenshealthcarecenter.com
- Family planning and pregnancy termination services

Victim Resources

Louisiana Crime Victims Reparations Office
Statewide phone: (225) 342-1749 or 1-888-6-VICTIM
Orleans parish: (504) 827-6702, ext. 4377
Website: www.lcle.state.la.us/programs/cvr.asp#
- Victims of certain crimes, including sexual assault, are eligible to receive monetary assistance for losses incurred as a result of the assault if the assault was reported to law enforcement within 72 hours of it occurring (or the victim has a valid reason for delaying reporting)
- Victims can contact the CVR office or visit their website for an application
- For assistance with an application, Tulane students who are victims can call one of the numbers above or contact the Office of Case Management and Victim Support Services (see section in “Tulane Resources”)

Louisiana Automated Victim Notification System (LAVNS)
Phone: 866-528-6748
Website: www.vinelink.com
- A free service that will notify crime victims of their offender’s status (parole, release, transfer, etc.)
• Victims can register for this service online or by phone
Acknowledgements

Acknowledgement is given to Tulane School of Social Work graduates Katharine Head, Marti Tidwell, and Jennifer Verheul, whose capstone professional project “Surviving Sexual Assault: A guide to the criminal legal system” served as a starting point for this document.

Acknowledgement is also given to the following individuals for their assistance in developing and editing this document: Erica Woodley, Assistant Vice-President of Student Affairs & Assistant Dean of Students; Abigail Gaunt, Director of Student Conduct; Lori Coulter, Program Coordinator, Office of Student Resources and Support Services; Jenna Rae Vercillo, Assistant Director of Student Conduct; Reid Noble, Interim Uptown District Commander, Tulane University Police Department; Deborah Love, Vice President, Office of Institutional Equity; Wendy Stark, Director and Investigator, Office of Institutional Equity; Kandace Hamilton, Associate Director and Investigator, Office of Institutional Equity; Scott Schneider, Associate General Counsel.
Appendix A
Tulane Victim Rights – Code of Student Conduct

A. Rights of the Victim. Any member of the University community who alleges that a student violated his/her rights is entitled to procedural protections under the Code, including the right:

1. To consult with the Student Conduct Administrator or designated representative in confidence; however, the University cannot guarantee complete confidentiality, notably where confidentiality would conflict with the University’s obligation to investigate.

2. To decline or opt to participate in any conduct investigation or proceedings.

3. To receive notice that complaints to federal, state or local law enforcement may be appropriate under the circumstances.

4. In cases involving gender-based personal violence, as defined in Section III.E, to request assistance from University personnel in submitting complaints to appropriate law enforcement authorities.

5. To request assistance in locating medical, counseling, mental health, or other student services.

6. To request accommodations, such as a different housing assignment or class schedule, as a result of the charged student’s conduct. The Vice President for Student Affairs or designated representative will determine whether requested accommodations are reasonably available.

7. To request that a No Contact Order be issued. The Vice President for Student Affairs or designated representative will determine whether such an order should be issued.

8. To have a University complaint reviewed according to the procedures set forth in Section V.D if the Student Conduct Administrator refuses to accept the complaint.

9. To appear and be heard at the charged student’s hearing. A victim has the right to decline to participate in an investigation or hearing and to remain silent. A victim's silence will not be interpreted to mean that the accused student is not responsible. A victim’s decision not to participate may hinder the ability of the University to investigate a report or decrease the likelihood that the accused student will be found responsible for violating Tulane’s policies.

10. To request special accommodations for the hearing, such as testimony by telephone, video-conferencing, or special seating arrangements, at the hearing. The Student Conduct Administrator or designated representative has sole discretion and final authority to determine whether accommodations are justified by the nature of the alleged conduct.
11. To have a complaint resolved without discrimination on account of his/her actual or perceived race, sex, color, religion, national origin, age, disability, genetic information, sexual orientation, gender identity, gender expression, pregnancy, marital status, military status, veteran’s status, or any other status or classification prohibited by federal, state, or local law.

12. To submit a written or oral statement concerning the charged conduct prior to a decision on violation.

13. As a complainant, to submit a written or oral statement, in the event of a finding of violation, concerning an appropriate sanction.

14. To receive reasonable protection from retaliation, intimidation or harassment in response to a complaint.

15. To notice and an opportunity to be heard if a charged student requests that the University void conduct records involving the victim.

16. To serve as the Complainant by notifying the Student Conduct Administrator in writing in advance of the hearing of his/her intention to serve in this role.

17. To be informed, in writing, of the foregoing rights under the Code within a reasonable time after the Division of Student Affairs becomes aware that the victim’s rights have been alleged to have been violated.

B. **Rights of the Complainant.** Any member of the University community who alleges that a student violated his/her rights is entitled to serve as the Complainant by notifying the Student Conduct Administrator in writing in advance of the hearing of his/her intention to serve in this role. Complainants are entitled to procedural protections under the Code, including the right:

1. As a complainant in a case involving gender-based personal violence, as defined in Section III.E, to receive written notice of charges accepted by the Student Conduct Administrator and the date of the hearing. This notice will be sent through Tulane’s electronic mail.

2. As a complainant, to access the conduct file, including all statements submitted in the conduct proceeding, except as prohibited by the Family Educational Rights and Privacy Act (“FERPA”) or other federal, state, or local law. Requests to access the conduct file must be made in writing to the Student Conduct Administrator. Requests to receive a copy of a conduct file must be directed to the Office of General Counsel.

3. As a complainant, to request that a case that would normally be heard by a Hearing Board be heard through an Administrative Hearing. The Vice President for Student Affairs or designated representative has discretion regarding whether to grant this request.
4. As a complainant, to request that a Hearing Board have a different makeup (e.g., that no student sit on the panel). The Vice President for Student Affairs or designated representative has discretion regarding whether to grant this request.

5. As a complainant, to challenge Hearing Board members on the ground of personal bias. Complainants should direct such challenges either in writing to the Student Conduct Administrator in advance of the Hearing Board or verbally on the record to the Hearing Chair at the Hearing. Such questions will be resolved by the Student Conduct Administrator or designated representative.

6. As a complainant in a case involving gender-based personal violence, as defined in Section III.E, to have a willing advisor of his/her choice throughout the investigation and resolution of a complaint; a victim in such a case shall not select a witness in the matter as an advisor. As a complainant in any other case, this advisor must be selected from faculty, staff or students of the University and shall not be a witness in the matter, a practicing attorney, or a campus police officer as an advisor. An advisor may not speak on the student’s behalf during the hearing.

7. As a complainant, to identify witnesses to be interviewed by the Investigator, subject to provisions requiring that advance notice of at least 5 business days be provided to the University Investigator of such witnesses, absent exceptional circumstances and setting forth the Chair’s control over the order of the Hearing.

8. As a complainant, to question witnesses at the hearing through the University Investigator at the Chair’s discretion.

9. As a complainant, to have access to a copy of any statement by the Hearing Board accompanying its determination, except as prohibited by the Family Educational Rights and Privacy Act (“FERPA”) or other federal, state, or local law. Requests to access any statement by the Hearing Board must be made in writing to the Student Conduct Administrator. Requests to receive a copy of this statement must be directed to the Office of General Counsel.

10. As a complainant in cases involving a crime of violence and/or gender-based personal violence, as defined in Section III.E, to be informed of the final determination and sanction.

11. As a complainant, to submit a written statement to the Appellate Panel concerning any request for appeal by the charged student.

12. As a complainant, to appeal a finding that the charged student did not violate the Code of Student Conduct.

13. As a complainant in cases involving gender-based personal violence, as defined in Section III.E, to appeal sanctions as disproportionate.
Appendix B: Campus Map - Uptown
Appendix C: Campus Map – Downtown

1. Hutchinson Memorial Building (School of Medicine) – TUPD
2. Tulane University Hospital and Clinic
3. Tidewater Building & Parking Garage (Tulane University Health Sciences Center & School of Public Health and Tropical Medicine)
4. DCI Building (Tulane Hospital & Clinic Conference Center)
5. Tulane Cancer Center & Saratoga Parking Garage
6. Elks Place – Student Health Center
7. Deming Pavilion (Student Housing)
8. J. Bennett Johnston Building
9. Primary Care Clinic & LaSalle Parking Garage
10. The Medical Center of Louisiana at New Orleans–East Campus (Charity Hospital)
11. Veterans Affairs Medical Center
12. Environmental Science Building
13. The Medical Center of Louisiana at New Orleans–West Campus (University Hospital)
14. School of Medicine Parking Garage
15. H.E.A.L. Parking Garage
16. Women’s Clinic (143–147 S. Liberty)
17. 1555 Poydras St. (School of Medicine offices and Technology Services)
18. 131 S. Robertson Building
   (Tulane University School of Medicine)
A Note on This Guide

This guide was created and produced by the Office of Case Management and Victim Support Services in the Division of Student Affairs at Tulane University. To request additional copies of this guide or to provide feedback on the guide, please contact Julia Broussard, Assistant Director, Case Management and Victim Support Services, by phone at 504-314-2161 or by email at jbrouss@tulane.edu.