

COMPLAINANT'S RIGHTS AND OPTIONS
San Ysidro Health Center Distance Site
San Diego, California

The following information provides a summary of your rights and options after filing a report of sex discrimination, sexual harassment, sexual violence (including sexual assault), domestic violence, dating violence, or stalking at A.T. Still University ("ATSU" or "the University"). Please contact the Title IX Coordinator, or a Deputy Title IX Coordinator, if you have any questions about this information.

I. General Information

- *Options.* Once you have made a report, you have several options, including, but not limited to:
 - Contacting parents or a relative
 - Seeking legal advice
 - Seeking personal counseling
 - Pursuing legal action against the perpetrator
 - Pursuing disciplinary action
 - Requesting no further action be taken
 - Requesting further information about the investigation and resolution process
- *Notifying Authorities.* If requested, the Title IX Coordinator or a Deputy Title IX Coordinator will assist you in contacting local law enforcement regarding the incident. You may decline to notify such authorities.
- *Restraining Orders.* If you have obtained or obtain a temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court, you may provide such information to the Title IX Coordinator or a Deputy Title IX Coordinator. If provided, the ATSU will take all reasonable and legal action to implement the order.
- *Requesting Changes to Your Current Situation or Other Protective Measures.* Please inform the Title IX Coordinator or a Deputy Title IX Coordinator if you wish to change your academic, living, transportation, or working situation, if you want information about taking a leave of absence and related financial aid information, or if you want any other specific protective measure to be implemented. The University will make such accommodations or provide such protective measures if so requested and if they are reasonably available, regardless of whether you choose to report the incident to local law enforcement.
- *Preservation of Evidence.* It is extremely important that you preserve evidence as it may be necessary to prove the report you are making or need to obtain a protection order. In the case of physical violence, including sexual assault, domestic violence, and dating violence, you should go directly to the emergency room and should not bathe, urinate, douche, brush teeth, drink liquids, or change clothes until after you are examined and, if necessary and you so choose, a rape examination is completed by a trained forensic professional at the hospital. Having a forensic examination does not obligate you to file criminal charges. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.). This type of evidence is important and may be the only available evidence in cases of sexual harassment or stalking.

II. Institutional Procedures

- ATSU's Policy No. 90-210, Prohibition of Discrimination, Harassment, and Retaliation and accompanying procedures (available at: <https://www.atsu.edu/prohibition-of-discrimination-harassment-and-retaliation>) govern reports of sex discrimination, sexual harassment, sexual violence (including sexual assault), domestic violence, dating violence, and stalking. The procedures:
 - Will provide a prompt, fair, and impartial resolution of your report, under the evidentiary standard of preponderance of the evidence, i.e., more likely than not that the alleged conduct occurred.
 - Are carried out by University officials who have received training on these issues and how to conduct an investigation and hearing process that promotes safety and accountability.
 - Provide you and the respondent the right to have a support person/advisor accompany you to all aspects of the investigation and resolution process. A support person/advisor may not advocate for a party like an attorney would in court.
 - Ensure both you and the respondent will be notified simultaneously in writing of the outcome of all stages of the process, including any appeals.
 - Prohibit retaliation by the respondent or anyone else against you for making a report or against anyone else for participating in the investigation.
- If you desire to have a support person/advisor but cannot find someone that you are comfortable with, please contact the Title IX Coordinator or a Deputy Title IX Coordinator for assistance in doing so.

III. Possible Interim Measures and Sanctions

- *Interim Measures.* At any time during the investigation, the University may impose interim measures for the parties or witnesses for the protection of those involved and to ensure equal access to ATSU's educational programs and activities. These may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative living, class-placement, or workplace arrangements.
- *Sanctions.* If there is a finding that a violation of the ATSU's Policy No. 90-210, Prohibition of Discrimination, Harassment, and Retaliation, has occurred, sanctions may include counseling or training, separation of the parties, and/or discipline of the respondent. Sanctions for employees may include a disciplinary warning to be added to the employee's file, probation, suspension with or without pay, and/or termination. Sanctions for students may include reprimand, a disciplinary warning to be added to the student's permanent file, probation, suspension, and/or dismissal.

IV. Confidentiality

- ATSU cannot guarantee confidentiality to those who report incidents of sexual assault, dating violence, domestic violence, and stalking, except when those reports are made to ATSU Counseling Services. If the reporting party requests confidentiality or asks that a report not be investigated, the University will take reasonable steps consistent with the request. However, the University's ability to respond to the allegation may be limited in such cases. ATSU may not be able to grant such a request when the allegation suggests a continuing threat to the University community.

- Throughout the investigation, the University will maintain as confidential any accommodations or protective measures provided to involved parties, to the extent maintaining such confidentiality does not impair the University's ability to provide such accommodations or protective measures.
- ATSU is required by law to make certain statistical disclosures of crimes reported to it. If an incident that is a crime is reported, the University will make the statistical disclosure without disclosing personally identifying information about the parties involved.

V. Resources Available

- ATSU Title IX Coordinator

John Gardner
Director of Title IX & Training
800 West Jefferson Street
Kirksville, MO 63501
660.626.2113
titleix@atsu.edu

- ATSU Deputy Title IX Coordinators

Tonya Fitch
Director of Human Resources
Deputy Title IX Coordinator
5850 East Still Circle
Mesa, AZ 85206-3618
480.219.6007
tfitch@atsu.edu

Michael Zajac
Associate Vice President for Student Affairs
Deputy Title IX Coordinator
5850 East Still Circle
Mesa, AZ 85206-3618
480.219.6026
michaelzajac@atsu.edu

Donna Brown
Assistant Vice President of Human Resources
Deputy Title IX Coordinator
800 West Jefferson Street
Kirksville, MO 63501
660.626.2790
dbrown@atsu.edu

Lori Haxton
Vice President for Student Affairs
Deputy Title IX Coordinator
800 West Jefferson Street
Kirksville, MO 63501
660.626.2236
lhaxton@atsu.edu

- On-Campus Counseling (confidential resource for students)

ATSU Counseling Services (http://www.atsu.edu/counseling_services)
Mesa, AZ Campus: Art Matthews, 480.219.6170, amatthews@atsu.edu

- Local Police

Emergency – 911 (off-campus)
Emergency – 911 (on-campus)
San Diego Police Department – 619.531.2000

- Student Financial Aid

Katie Clay
Director, Student Financial Aid
800 West Jefferson Street
Kirksville, MO 63501
866.626.2878, ext. 2356 or 660.626.2356
kclay@atsu.edu

- Hospitals

Sharp Chula Vista Medical Center
751 Medical Center CT
Chula Vista, CA 91911

Scripps Mercy Hospital
435 H St
Chula Vista, CA 91910

- Support Agencies/Hotlines

Mental Health Resources

NAMI San Diego – Warm Line
800.523.5933

Community Research Foundation: Jane Westin Center
1045 9th AVE, San Diego, CA 92101
619.235.2600

San Ysidro Health Center: Behavioral Health Services
286 Euclid AVE, Suite 302, San Diego CA92114

Domestic Violence

Becky's House YWCA of San Diego, Battered Women's Legal Service
Crisis line: 619.239.3164

Center for Community Solutions
East: 888.385.4657 North: 760.747.6282 Coastal/Main: 858.272.5777
4508 Mission Bay Drive, San Diego, CA 92109

Please contact the Title IX Coordinator to discuss other resources that may be available in the community

- Legal Assistance, Visa and Immigration Assistance
 - *Legal Assistance.* Low cost legal assistance may be available through Legal Aid Society of San Diego, 2990 Viewridge AVE, San Diego, CA 92123
 - Immigration Advocates Network:
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=AZ>
 - U.S. Citizenship and Immigration Services: <http://www.uscis.gov/about-us/find-uscis-office/field-offices/arizona>