



UNIVERSITY OF MINNESOTA

Victim Rights Policy

Sexual Assault • Relationship Violence • Stalking • Harassment

Reporting:

You may file a criminal charge with the University of Minnesota Police Department at (612) 624-2677 or file a complaint with the Title IX Coordinator at the Office of Equal Opportunity & Affirmative Action at (612) 624-9547. You may report to some, all or none of these offices as you see fit.

Campus Assistance:

If you would like assistance in notifying the proper law enforcement and/or campus authorities, you may call The Aurora Center at (612) 626-2929 or their Helpline at (612) 626-9111. They are free and confidential. The Helpline is available 24 hours a day, 7 days a week. Walk-in appointments are available during business hours.

The Aurora Center also provides crisis counseling and options or assistance with other needs you may have. Their website is aurora.umn.edu

There are numerous on and off campus resources available which provide counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid services. Please see the accompanying resources handout for this information.

Confidentiality:

The Aurora Center staff and volunteers are required to keep all information about you confidential unless you give written permission to release information, with the exception of instances where mandated reporting is necessary (i.e. child abuse and neglect). Law enforcement and the University have a legal obligation to keep personally identifying information of yours out of public records.

Preserving Evidence:

If you think you may want to make a police report, save your clothes, sheets, etc. in a paper bag and do not shower. You have up to 168 hours (7 days) to get a free medical forensic exam for evidence collection at any hospital Emergency Department. Additionally, if possible, save e-mails, texts, photos, and other types of evidence which may help to prove that the alleged criminal offense occurred and/or help you to obtain a protective order.

Investigations:

Upon receipt of a complaint, the University's Office of Equal Opportunity and Affirmative Action (EOAA) will investigate and promptly respond to your complaint. You may participate in University disciplinary proceedings concerning your complaint. If you wish, you may have a support person or advisor (such as an Aurora advocate or attorney) present throughout the University's disciplinary proceedings.

You have the right to be notified of the outcome of any University disciplinary proceeding concerning your complaint, subject to the limitations of the Minnesota Government Data Practices Act, and to be notified of any appeal procedures.

For more information about the University of Minnesota disciplinary process involving complaints of sexual assault, dating violence, domestic violence, and stalking see the handout entitled "A Summary of the University's Investigative and Disciplinary Procedures in Cases of Alleged Sexual Assault, Sexual Harassment Stalking and Relationship Violence."



The Aurora Center for Advocacy & Education
117 Appleby Hall
128 Pleasant Street SE Minneapolis, MN 55455
(612) 626-2929
www.umn.edu/aurora

A UNIT OF THE OFFICE FOR
Student Affairs



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Reparations:

If you file a police report, you have the right to financial compensation for losses incurred as a result of the crime from the State of Minnesota Crime Victims Reparations Board at (651) 201-7300 or 1-888-622-8799 and the Office of the Victims of Crime at 1-800-363-0441.

Accommodations, Protective Measures & Employment:

At your request, the University will assist you as is reasonable and feasible (in cooperation with law enforcement) in shielding you from your alleged assailant. This may include providing alternative work, academic, or living arrangements if these options are available and feasible. The Aurora Center can assist you in requesting accommodations.

Any accommodations or protective orders afforded to you will be maintained as confidential to the extent that maintaining such confidentiality will not impair the ability of the University to provide the accommodations or protective measures. If personally identifying information must be used to facilitate a request, Aurora Center staff will obtain your consent before providing this information.

The University of Minnesota complies with Minnesota law in recognizing lawful Orders for Protection and Harassment Orders. Any person who obtains such an order should provide a copy to the University of Minnesota Police Department. Staff at the Aurora Center can assist those interested in requesting such protective orders.

Information:

If you have questions, concerns, or comments regarding any experience around sexual assault, relationship violence, or stalking, please call The Aurora Center for a free and confidential consultation. For complete information on Victim's Rights in the State of Minnesota, see Statute 611A at www.revisor.mn.gov/statutes.



Office of Equal Opportunity and Affirmative Action
274 McNamara Alumni Center
200 Oak Street SE Minneapolis, MN 55455
(612) 624-9547
www.diversity.umn.edu/eoaa/

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Definitions

University of Minnesota Policy (Academic/Administrative Policy 2.3.6)

Sexual Assault:

Actual, attempted or threatened sexual contact with another person without that person's consent. Sexual assault often is a criminal act that can be prosecuted under Minnesota state law, as well as under the Student Conduct Code and employee discipline procedures.

Relationship Violence:

Causing physical harm or abuse, and threats of physical harm or abuse, arising out of a personal, intimate relationship. Relationship violence often is a criminal act that can be prosecuted under Minnesota state law, as well as under the Student Conduct Code and employee discipline procedures.

Stalking:

A course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to feel fear. Stalking often is a criminal act that can be prosecuted under Minnesota state law, as well as under the Student Conduct Code and employee discipline procedures.

Consent:

A determination about the existence of consent is a critical element in the investigation of a sexual assault. University policy requires affirmative consent between individuals engaging in sexual activity. Affirmative consent is defined as “informed, freely and affirmatively communicated willingness to participate in sexual activity that is expressed by clear and unambiguous words or actions.” Clear and unambiguous words or actions are those that are freely and actively given by informed individuals that a reasonable person in the circumstances would believe communicate a willingness to participate in a mutually agreed upon sexual activity. The following factors will be considered when determining consent:

- It is the responsibility of each person who wishes to engage in the sexual activity to obtain consent.
- A lack of protest, the absence of resistance and silence do not indicate consent.
- The existence of a present or past dating or romantic relationship does not imply consent to future sexual activity.
- Consent must be present throughout the sexual activity and may be initially given, but withdrawn at any time.
- When consent is withdrawn all sexual activity must stop. Likewise, where there is confusion about the state of consent, sexual activity must stop until both parties consent again.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent is not obtained where:
 - There is physical force, threats, intimidation or coercion.
 - There is incapacitation due to the influence of drugs or alcohol.
 - There is the inability to communicate because of a physical or mental condition
 - An individual is asleep, unconscious or involuntarily physically restrained.
 - An individual is unable to understand the nature or extent of the sexual situation because of mental or physical incapacitation or impairment.
 - One party is not of legal age to give consent pursuant to Minnesota state law.