

East Stroudsburg University
Sexual Misconduct Initial Inquiry Checklist

This checklist is completed by the Title IX coordinator when a student has been the victim of any type of sexual misconduct (sexual harassment, sexual assault, stalking, dating and domestic violence or sexual exploitation). It serves as a guide in assuring that the student receives all pertinent care and information needed to respond to the incident. The student complainant /victim's wishes determine the follow-up and use of any referrals and support services offered.

The form may also be used as a structured interview guide by other ESU officials who may be contacted by a student wishing to report any form of sexual misconduct. Please send the completed checklist to the Vice President for Student Affairs Office, 121 Reibman Administration Bldg. Then complete a Campus Security Authority report which can be found at <http://www.esu.edu/cleryreport>.

The student complainant should always receive a copy of this form upon completion of an interview.

1. _____
Name of University/Title IX Officer Name of Complainant/Victim Name of Respondent/Assailant

2. **Date of the Incident:** _____ **Date of Interview:** _____

3. **Student ID #:** _____ **Gender** _____ **Ethnicity:** _____

4. **Student instructed on the need for medical care:** **Completed:** _____

- A. Even if there are no physical injuries, the complainant/victim may be at risk for sexually transmitted diseases, and in some cases, pregnancy. It is best to go to the hospital or University Health Services to be evaluated.
- B. Crime Victim Compensation will cover the hospital exam in most cases and it is not reported on family insurance.
- C. In Monroe County there is a team that is activated when a person goes to the hospital for a sexual assault exam. A Victim's Advocate will meet the student at the hospital and explain the process and can stay during or through the exam if wanted.
- D. If a student feels he or she was drugged, the hospital can collect a urine sample for forensic testing.
- E. A forensic examination will preserve collected evidence. Evidence can deteriorate over time. It is best to get to the hospital within five days of the assault.
- F. Even if the victim is uncertain whether to make a police report, evidence can be collected now for use at a later date. It is harder to go back and collect evidence at a later date.
- G. Medical care may still be needed, even if the assault has taken place in the past.
- H. The student may be referred to the ESU Health Center if more than five days have passed since the assault and no legal actions are planned.

Note any injuries reported:

5. **Student instructed on the preservation of evidence:** **Completed:** _____

- A. Preserving physical evidence is important if the student is interested in pursuing charges either right away or in the future.

- B. As indicated above, evidence deteriorates over time. It is best to have a forensic exam completed within five days of the assault.
- C. Advise the student not to shower, bathe, douche, or brush their teeth. Save all the clothing worn at the time of the assault. Place each item of clothing in a separate paper bag. Do not use plastic bags. Do not disturb anything in the area where the assault occurred.
- D. Advise the student to write down as much information as can be remembered about the assault and the perpetrator.
- E. If the student believes that he or she was given a date rape drug, advise him or her not to urinate until he or she is seen in the ER. If the student can't wait, advise him or her to collect the urine in a clean container with a lid and take it to the ER.

6. **Student advised on counseling options:** **Completed: _____**

- A. Victim counselors are available to students, even if he or she chooses not to go to the hospital. Call the 24hour hotline of Women's Resources of Monroe County (see resources on page 4) for immediate assistance. B. ESU Counseling and Psychological Services is free to students and provides an on-campus option for care.
- C. Discuss the option of private counseling, which a student may have available through his or her own health insurance.

7. **Student advised on need for a safe environment:** **Completed: _____**

- A. Residence Life and Housing can offer assistance for on-campus housing safety needs.
- B. The Vice President for Student Affairs can assist making accommodations for the complainant by adjusting academic schedules, work schedules or assignments, changes in transportation and/or other accommodations needed to feel safe.
- C. University Police can provide information about the process for obtaining a protection from abuse order.
- D. Refused Accommodations: _____

8. **Student advised on policy for reporting incident/investigation requirements:** **Completed: _____**

- A. The Office of Student Conduct and Community Standards enforces the Student Code of Conduct (found in the Student Handbook) and is the office responsible to conduct the required university investigation following the report of a case and the adjudication of the case if the victim chooses to go forward with conduct code charges against the respondent where the perpetrator and victim are students.
- B. Human Resources must be informed and will follow up if the case involves a faculty or staff member assaulting a student.
- C. University due process rights for the victim should be explained (victims do not have to file charges but have the right to do so in the future). Victim can choose to pursue a complaint with University Police, Stroud Regional and/or State police; Human Resources (when the respondent is a nonstudent); and the Office of Student Conduct and Community Standards (when the respondent is a student). The victim also reserves the right to not pursue a complaint.
- D. University due process rights of the alleged attacker should be explained (he or she may be able to continue to attend the university until judicial action can be taken; this depends on severity of the incident). E. Victim can choose to file campus proceedings even if legal action is not taken.
- F. University judicial action may be taken in addition to actions taken by civil or criminal courts.
- G. A report must be submitted using the Campus Security Authority online form. Information will be kept as confidential as possible but must be shared with those who need to know to provide support for the victim and make sure the campus is safe.

9. **Student advised on reporting options:** **Completed: _____**

ESU Police:

If a person wishes to file a formal complaint of sexual assault, he or she will be directed and, when possible, escorted to Public Safety. Public Safety will work cooperatively with other University offices.

- A. University Police investigates all criminal complaints when victims request that an investigation be conducted.
- B. University Police can also coordinate investigations with outside agencies as needed.
- C. University Police strongly encourages faculty, staff, and students to report any illegal activity immediately.
- D. Reports can be made 24 hours a day by calling University Police, stopping by the office (located in Hemlock Suites across from Kemp Library), or by using one of the emergency phones located throughout the University.

Stroud Area Regional Police/Other Municipalities

- A. Assaults committed off campus must be reported to the police in the area the incident occurred, if the student wants to pursue charges outside of the University.
- B. Criminal charges are filed by police agencies.
- C. Police will investigate and gather information and evidence.
- D. Police will file criminal charges if they find that the charges are appropriate.

10. **Student advised what to expect if legal route/prosecution is chosen:** Completed: _____

- A. The victim has a right to take legal action or not take legal action.
- B. The victim will work with the police and the prosecuting attorney.
- C. The victim may be required to tell details of the assault to other legal authorities such as a grand jury or the defense attorney.
- D. A trial generally will take place several months after the incident is reported.

11. **Student advised that information has to go into a campus security report but the information will be kept to only those sources that need to know for the safety of the victim and the campus.**

Completed: _____

12. **A Campus Security Authority Report should be filled out online and this will include the Sexual Misconduct Report Form.**

Completed: _____

For additional comments, please attach a separate sheet

13. **Please sign below to indicate that all the information above was reviewed with the complainant.**

Signature of University/Title IX Officer

Signature of Complainant/Victim

Referral(s) made to: (Please Check as appropriate)

Completed _____

- ESU Vice President for Student Affairs/Title IX Coordinator
- ESU Women's Center
- ESU Human Resources
- ESU University Health Services
- ESU Counseling and Psychological Services
- Pocono Medical Center
- Women's Resources of Monroe County
- ESU Office of Student Conduct
- ESU University Police
- Stroud Area Regional and/or State Police
- ESU Residence Life and Housing
- Other: _____

Resource Contact Information:

Women's Resources of Monroe County Crisis Hotline/Counseling, 570-421-4200, www.wrmonroe.org

ESU Vice President of Student Affairs/Title IX Coordinator, 570-422-3140,
http://www4.esu.edu/about/administration/student_affairs/vice_president.cfm

ESU Counseling and Psychological Services (CAPS), 570-422-3277,
www4.esu.edu/students/counseling_services/index.cfm

ESU Student Conduct and Community Standards, 570-422-3461, www.esu.edu/studentconduct

ESU Residence Life and Housing Operations, 570-422-3191, www4.esu.edu/students/residence_life/index.cfm

ESU Health Center, 570-422-3553, www4.esu.edu/students/health.cfm

ESU VOICE Center, 570-422-3225, www.esu.edu/voice

Women's Center, 570-422-3463, www4.esu.edu/about/administration/student_affairs/womens_center.cfm

Stroud Area Regional Police Department, 570-421-6800, www.sarpd.com/