

## **Filing a Formal Complaint for Sexual Misconduct**

When the College becomes aware of an incident, in which the Complainant, also known as the Reporting Party, first discloses to a College mandatory reporter, the Reporting Party will meet with the Title IX Coordinator to determine if the complaint reaches the criteria of a Title IX violation as described in Policy 120 or a violation of the NYS “Enough is Enough” law as described in Policy 108.

The Reporting Party will be informed they have the right to file a report with the college, make a report to local law enforcement, to do both, or to not report at all. The Title IX Coordinator will share with the Complainant the right to be protected by the institution from retaliation from reporting the incident and to receive information of available supportive resources from the institution.

The Title IX Coordinator will advise the Complainant that a signed formal complaint is required to initiate a Title IX investigation. However, the Title IX Coordinator may initiate the Grievance Process without a formal complaint signed by the Complainant, if in the Title IX Coordinator’s discretion, the safety of the campus is required due to the circumstances. The Complainant may withdraw their complaint or involvement in the College process at any time.

## **REPORTING TO THE COLLEGE**

A Complainant may choose to share the information with the College by first contacting Campus Safety, the Title IX Coordinator or other trusted college employee. When the Title IX Coordinator receives the formal complaint, the Complainant will be provided with resources, information on supportive measures and the opportunity to discuss the grievance process.

The Title IX Coordinator can be reached Monday-Friday from 8 a.m. – 5 p.m., Lower Rinker Building, Office 122, by phone at 585-594-6222 or by emailing [Robertson\\_monika@roberts.edu](mailto:Robertson_monika@roberts.edu). After hours, Reporting individuals may contact the Title IX Coordinator through their Assistant Dean of Students or through the Office of Campus Safety. Campus Safety can be reached 24 hours a day, 7 days a week by calling 585-594-7777. The Campus Safety Office is located in the Upper Voller Athletic Center (VAC), Room 270.

If what is reported is a violent felony, as defined in subdivision one of section 70.02 of the New York Penal Law, New York State Education Law requires the College to report the alleged offense to law enforcement within 24 hours of receiving the report. The College’s Campus Safety Director will determine if an incident requires reporting. If law enforcement is contacted, the Complainant may choose their level of participation with law enforcement.

Allegations involving an employee of the College may be reported to Diane Wiley, Director of Human Resources at 585-594-6381, located in lower Rinker. The Title IX Coordinator will work with the Director of Human Resources to coordinate the formal reporting process.

## **REPORTING TO LAW ENFORCEMENT**

- Call 911 or the New York State Police Campus Sexual Assault Unit 24/7 hotline at 1-844-845-7269.
- A report may also be made to the Monroe County Sheriff’s Victim Assistance Program at 585-753-4389, online at <https://www.monroecounty.gov/comserv-vap>.
- A report can also be made with the New York State Police at:

New York State Police  
Campus Sexual Assault Victims Unit  
1220 Washington Ave, Building 22  
Albany, NY 12226

The College will assist any person who wishes to make a report with law enforcement officials to report the allegation of sexual misconduct. Additionally, any campus community member may independently report. Law enforcement follows their own procedures. If you choose to contact law enforcement directly, Law enforcement may or may not inform the College of your report. If you wish to make the College aware and be involved, please contact the Title IX Coordinator or the Director of Campus Safety.

Depending on the facts of the case, law enforcement may decide to prosecute the matter and further participation with law enforcement may be required. Once criminal charges are initiated, charges can be withdrawn only with the proper consent of the District Attorneys' Office. The College will act on any information law enforcement shares with the College if there is a concern for the safety of the campus community.

The College fully supports all local, state and federal laws prohibiting sexual misconduct and will cooperate with law enforcement officials who investigate such actions to the fullest extent allowed under the law. In cases reported to law enforcement, the College will coordinate its investigations and responses with those of law enforcement. A concurrent investigation will not prevent the College from conducting its own investigation and conduct processes, except for temporary delays requested by law enforcement.

**OFFICE OF CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION (drop down)**

Complaints may choose to direct their allegations to the Office of Civil Rights, U.S. Department of Education.

The OCR National Headquarters is located at:

U.S. Department of Education  
Office of Civil Rights  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-8778339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)