



Nicholls State University

OFFICE OF TITLE IX & CIVIL RIGHTS COMPLIANCE

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Reporting Steps and Options

If you have experienced Prohibited Conduct as previously described, you should consider the following:

Reporting the Incident

All involved parties have many options, including seeking counseling or assistance from a Confidential Resource, making a report under the Sexual and Interpersonal Misconduct Policy, and/or making a report to law enforcement. The University recognizes that deciding among these options can be difficult and is an intensely personal decision. Individuals are encouraged to seek assistance from a Confidential Resource and to explore all potential reporting and support options. Students and employees can access confidential resources on campus through the Nicholls University Counseling Center, Nicholls University Health Services, and the University Chaplain. More detailed contact information for Confidential Resources is provided in the Resources page on the website.

A. Emergency Law Enforcement Assistance

Law enforcement assistance is available both on and off campus. Individuals are encouraged to contact law enforcement and seek help as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense. To contact law enforcement, call the Nicholls State University Police Department or Thibodaux Police Department. Contact information is provided in the Resources section.

B. Reporting Options and Related Information

The University encourages all individuals to report prohibited conduct or a potential violation of this policy to the Office of Title IX and Civil Rights Compliance, the Nicholls State University Police Department, and/or to local law enforcement. A complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. Upon request, the University will assist a complainant in contacting law enforcement at any time. Under limited circumstances that appear to pose a threat to the health or safety of any University community member, the University may independently notify law enforcement.

An individual may make a report to the University, to law enforcement, to neither, or to both. Campus resolution processes and law enforcement investigations operate independently of one another, although the University will coordinate information with the Nicholls State University Police Department as appropriate. Anyone can make a report as follows:

- Make a report to the Office of Title IX and Civil Rights Compliance in person, by telephone, by email, or online at nicholls.edu/titleix/report.
- If on campus, contact the Nicholls State University Police Department for assistance in filing a criminal complaint and preserving physical evidence (985-448-4746).
- If off campus, contact local law enforcement to file a criminal complaint (dial 911 or, if in Thibodaux, 985-446-5021).

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a Sexual and Interpersonal Misconduct report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Office of Title IX and Civil Rights Compliance, an individual can also request supportive measures.

1. Anonymous Reporting

Anonymous reports can be made by submitting information on the Nicholls Title IX website: nicholls.edu/titleix/report. Based on the nature of the information submitted, the University's ability to respond to an anonymous report may be limited.

2. Requests for Anonymity

Once a report has been shared with the Office of Title IX and Civil Rights Compliance, a complainant may also directly request that their identity remain private (request for anonymity), that no investigation occur, or that no disciplinary action be taken. The University will carefully balance this request with the University's commitment to provide a non-discriminatory environment, and the respondent's right to have specific notice of the allegation(s) if the University were to take action that affects the respondent. In such circumstances, the Title IX Coordinator may arrange for limited fact-finding by an investigator to gain a better understanding of the context of the complaint or take other appropriate steps, including consulting with the University's threat assessment team.

3. Amnesty

The University wishes to encourage good faith reports of conduct prohibited under the Sexual and Interpersonal Misconduct Policy. Therefore, the University will not pursue disciplinary action against a student enrolled at the University who makes a good faith report to the University as a complainant or a witness to an incident of Prohibited Conduct for a violation by the student of the University's Student Conduct Code. This amnesty applies only to conduct occurring at or near the time of the incident, regardless of the location at which

the incident occurred or the outcome of the University's resolution process. This includes amnesty for disclosure of personal consumption of alcohol or other drugs (underage or illegal) which would otherwise be a violation of the Code of Student Conduct.

The University may investigate to determine whether a report of Prohibited Conduct was made in good faith. A student will not receive amnesty for reporting an incident involving their own commission or assistance in the commission of Prohibited Conduct. A student who makes a report but is later found responsible for Prohibited Conduct at or near the time of the incident, may not be entitled to a determination that the report was made in good faith. Granting of amnesty is final and may not be revoked. Even when amnesty is extended, the University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

Similarly, the University will not pursue disciplinary action against students (complainants, respondents or witnesses) for conduct in violation of the Sexual Conduct Policy. Under no circumstances will a complainant or witness who makes a report of sexual assault or other Prohibited Conduct, or a respondent who participates in a resolution process be charged with violating the Sexual Conduct Policy, regardless of the outcome.

Getting Medical Attention

Any necessary medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted infections, test for pregnancy, and to determine the existence or extent of physical injury and the need for treatment. Additionally, forensic evidence can be collected if criminal prosecution or a protective order is desired or may be desired in the future.

Preserving Evidence of the Incident(s)

It is important to preserve evidence as it may be necessary in providing proof of criminal sexual assault, intimate partner violence or stalking, or in obtaining a protective order. Evidence is best collected as soon as possible. If the incident involved sexual assault or other physical contact, try (if possible) to preserve any evidence before a medical exam by not washing or changing clothes, brushing teeth or hair, eating, or other actions that might compromise evidence. Even if more time has passed, it may still be possible to collect evidence, and it is certainly possible to be evaluated for other injuries and tested for sexually transmitted infections and/or pregnancy. Further, related electronic evidence (e.g., text messages, photographs) and documents should be preserved as well. Some people may wish to report Prohibited Conduct as a crime, while others may not want to report. The decision can be difficult. No one should be forced into making a choice right away. Having evidence collected in no way obligates you to file a complaint with the University or to make a report to law enforcement agencies that could lead to criminal prosecution, or to seek a protective order, but would preserve this information in the event that you

decide to take such actions at a later date, or decide later to ask the University to initiate disciplinary proceedings.

Seeking Counseling Support

Self-care is important when coping with events that would be prohibited under the Policy. You are encouraged to seek confidential counseling and support from offices and/or entities identified in the Resources section of this website. If you have additional questions or need further assistance, the Office of Title IX and Civil Rights Compliance can assist you in navigating these resources and options.