



Victim Rights

Sexual Assault * Relationship Violence * Stalking

Reporting: You may file a criminal charge with the University of Minnesota Police Department at (612) 624-2677 or file a complaint with university officials including the Equal Opportunity & Affirmative Action at (612) 624-9547 who works with the Office for Student Conduct and Academic Integrity. 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. 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 www.umn.edu/aurora. You may also seek counseling with Student Counseling Services at (612) 624-3323 or Boynton Mental Health at (612) 624-1444. The Sexual Violence Center is a free and confidential off-campus resource available (612) 871-5111.

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 & neglect). Law enforcement and the University have a legal obligation to keep any 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 120 hours 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 that may be helpful if you choose to report.

Investigations: Upon receipt of a complaint, the University 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/advisor present, such as an Aurora Advocate or an attorney if you are represented by one.

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 know any appeal procedures.

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.

Accommodation & 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.

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

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

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

Definitions

University of Minnesota Sexual Assault/Relationship Violence/Stalking 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.