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Brandeis University

# A RESOURCE GUIDE FOR SEXUAL ASSAULT RESPONDENTS

Being accused of sexual harassment or sexual assault can be a worrisome and confusing experience. There are campus resources available to answer your questions and offer you support throughout the investigation process. Please don't be afraid to utilize these resources, which include an advisor or advocate, during the process.

You'll note that if you are accused of sexual misconduct, you are referred to in this document as the "respondent." Under Title IX, the respondent and the complainant both have the right to a fair and equitable adjudication process. This guide is part of our commitment to ensuring a fair process for all.

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## COUNSELING AND ASSISTANCE

### **Title IX Coordinator**

Linda Shinomoto  
781-736-4456  
[shinomot@brandeis.edu](mailto:shinomot@brandeis.edu)  
Office of Human Resources; advice;  
referral to resources

### **Title IX Investigator**

Rebecca Tillar  
781-736-3697  
[rbtillar@brandeis.edu](mailto:rbtillar@brandeis.edu)  
Assistance with answering inquiries  
about rights and responsibilities;  
referral to resources

### **Title IX Case Manager**

Paula Slowe  
781-736-3690  
[pslowe@brandeis.edu](mailto:pslowe@brandeis.edu)  
Assistance with answering inquiries  
about rights and responsibilities;  
referral to resources

### **Dean of Students Office**

781-736-3600  
[brandeis.edu/studentaffairs/deansoffice](http://brandeis.edu/studentaffairs/deansoffice)  
Coordinates campus resources

### **Academic Services**

781-736-3470  
[brandeis.edu/acserv](http://brandeis.edu/acserv)  
Provides academic support; assists  
with faculty communication

### **Graduate Student Affairs**

781-736-3547  
[basile@brandeis.edu](mailto:basile@brandeis.edu)  
Advice and assistance with  
answering inquiries about rights  
and responsibilities; assistance  
with navigating academics;  
referral to campus resources

### **Public Safety**

Emergency: 781-736-3333  
Business: 781-736-5000  
[brandeis.edu/publicsafety](http://brandeis.edu/publicsafety)  
Reporting incidents; filing protec-  
tive orders; assistance with filing  
a report with Waltham Police

## *Confidential University Resources*

### **Brandeis Health Center**

781-736-3677  
[brandeis.edu/studentaffairs/health](http://brandeis.edu/studentaffairs/health)  
Screening, treatments and follow-up  
care for sexually transmitted infec-  
tions; emergency contraception

### **Interfaith Chaplaincy**

781-736-3570  
[brandeis.edu/studentaffairs/chaplaincy](http://brandeis.edu/studentaffairs/chaplaincy)  
Advice; spiritual direction and  
support

### **Brandeis Counseling Center**

781-736-3730  
[brandeis.edu/counseling](http://brandeis.edu/counseling)  
Advice; individual counseling  
Languages spoken: Cantonese,  
French, German, Hebrew,  
Mandarin, Spanish

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## WHAT TO EXPECT NEXT

**Informal investigations** may occur when a Community Standards Report exists in which the discloser or reporter has decided not to serve as a formal SEP complainant. Informal investigations address issues of safety for the reporting party and the entire Brandeis community. No sanctions are issued as a result of an informal investigation, because there is no formal opportunity for the responding party to refute the disclosure or report.

The **special examiner's process (SEP)** is the formal adjudication process of gender-based allegations, including sexual misconduct, domestic violence, dating violence, stalking and sexual harassment. The SEP occurs when the university receives a report from a willing complainant who is a current or former Brandeis community member (student, staff or faculty) against a current Brandeis student. This prompt, fair and impartial process is described in Section 22 of the *Rights and Responsibilities* handbook.

When a student is accused of multiple violations for a single incident or a cluster of related incidents, some of which are gender-based and others of which are not, the SEP will be used to adjudicate all allegations simultaneously or in multiple SEPs as deemed appropriate by the university.

Adjudication through the SEP may result in sanctions and/or protective measures if the respondent is found responsible for one or more violations of *Rights and Responsibilities*.

The standard of evaluation that will be used in the adjudication process is the **preponderance of evidence standard**, which means that the evidence obtained during the investigation must demonstrate that it is “more likely than not” that the respondent has violated university policy.

### All parties (complainant and respondent) to a Brandeis University SEP adjudication are entitled to the same rights, including:

- The right to an advisor who can offer passive assistance during the SEP as well as any university meeting related to the adjudication that involves the complainant or the respondent
- The right to an advocate who can communicate with specific university officials on a student's behalf
- The right to present evidence and witnesses
- The right to be silent in response to questions
- The right to simultaneous notification, in writing, of the SEP's outcome
- The right to appeal based on the bases enumerated in *Rights and Responsibilities*

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## WHAT ARE MY PRIMARY RESOURCES?

**An advisor** is any person of your choosing who serves as a passive support person during an official meeting that is part of the adjudication process. This person provides emotional support and may help as you navigate the process but may not speak on your behalf.

**An advocate** is any person of your choosing from the Brandeis community who, unlike an advisor, can advocate for you in writing or by talking with university staff, including the Title IX coordinator, dean of academic services, dean or assistant dean of students, director of community living, and/or a senior member of the University Police.

Brandeis University encourages all accused students/respondents to review our sexual misconduct and adjudication policies detailed in Sections 3 and 22 of *Rights and Responsibilities*.

Additional resources for you, including medical, mental health and academic assistance, are described in detail below:

### *Adjudicatory Concerns*

If you have concerns about the investigative process (whether an informal Title IX investigation or a Special Examiner's Process), you or your advocate can ask the **investigator**, who will respond to these questions. In addition, you may wish to have your advisor accompany you to your meetings with the investigator.

Respondents will have the opportunity to fully describe their experiences to the investigator. If there is evidence to establish that you have been falsely accused, that will be considered in the investigation.

The following are some suggestions to help you clearly articulate your experiences to the investigator:

- Remember/write down as many details as possible about the events that transpired, whether or not you consider them important.
- Compile a list of possible witnesses who can lend credibility to your statement.

### *Medical Concerns*

We understand you might be concerned about STDs, STIs and/or pregnancy. Please seek assistance at the Brandeis Health Center. The health center offers a wide range of STD testing. You can call 781-736-3677 for an appointment with a nurse practitioner. If you have concerns about insurance coverage, the nurse will help you with a payment plan that meets your needs.

## *Mental Health Concerns*

The Brandeis Counseling Center is available to help respondents find a referral to an off-campus mental health professional.

You might offer to help an accused friend by accompanying him or her to the Brandeis Counseling Center to schedule the first visit. Support persons for respondents may also obtain counseling from the center.

## *Academic Concerns*

Academic Services helps undergraduate students communicate with faculty and supports students in meeting their academic obligations through tutoring, planning meetings and academic advising.

If you are a respondent and you're not sure who your academic advisor is, you can visit the Academic Advising home page on the Brandeis website to locate this information. Academic advisors are used to handling confidential information with great care, so you can share with them as much or as little as necessary in order for them to understand what kind of academic help you need during this time. You can call 781-736-3474 to make an appointment with your advisor.

Jessica Basile, director of Graduate Student Affairs, works with graduate students to communicate with faculty and provides resources and support to help students meet their academic obligations.

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## **IF YOUR FRIEND HAS BEEN ACCUSED**

- Listen from your friend's point of view.
- Accept your friend as a person, even if you have questions about your friend's behavior.
- Provide an atmosphere where your friend can express honest feelings.
- Be honest with your friend about how much support you can provide.
- Help your friend generate alternatives and options for dealing with emotions and the situation.
- Let your friend make the ultimate decision about what to do.
- Direct your friend to campus resources, including Title IX officers, the Brandeis Counseling Center, the Brandeis Health Center, Academic Services and the Interfaith Chaplaincy.
- Realize that you may also be affected, and seek counseling if necessary.

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## WHAT NOT TO DO

- Don't try to tell your friend what to do.
- Don't offer insincere help or support.
- Don't blame your friend for what happened.
- Don't blame the student who has brought the complaint.
- Don't assume you know how your friend wants to be treated.
- Don't rely on your friend to deal with your own feelings about what might have happened.
- Don't break your friend's trust by telling others what might have happened in conversation or on social media.
- Remember that sharing details of your friend's experience online, in writing or in person with other students could be upsetting to your friend and to the student who brought the complaint, so please refrain from discussing the process with anyone other than your friend and any confidential resources you seek (such as counseling services, your health care provider or chaplain). For more information regarding the importance of maintaining confidentiality in these situations, please refer to the Confidentiality Policy in Section 17 of *Rights and Responsibilities*.

