Resources, Rights, and Options for Students Accused of Sexual Offenses

Clark University strives to provide a safe campus community. Any allegations of sexual offenses will be taken seriously and investigated by the University. Clark University’s goal is to provide a fair and equitable process of investigation to the student bringing forward a sexual offense complaint and the student who will be responding to a sexual offense complaint. Clark University’s complete sexual offense policy can be found on Clark’s Safety and Security Website (clarku.edu/safety). The following information is intended to assist students accused of a sexual offense, who will be participating in University judicial proceedings, through the sexual offense hearing board.

On-Campus Resources and Services

On-Campus Confidential
The following on-campus resources are available to provide assistance or counseling on a fully confidential basis. Students should feel open to discuss the many dynamics that come with being part of a sexual offense case:

Counseling/Psychological Services - Confidential and free individual therapy is available to students, including education regarding coping techniques when accused. Counselors may also be able to refer you to additional off-campus resources.

Center for Counseling & Personal Growth (508) 793-7678

Medical Services - Confidential physical health services are available.

Health Services (508) 793-7467

On-Campus Non-Confidential
The following on-campus resources are available to assist you. By law, Clark staff and faculty cannot ensure confidentiality.

University Police – Basement of Bullock Hall; (508) 793-7575
University Police will investigate the allegation openly and without bias.

Residential Life and Housing – 142 Woodland Street (Corner House), first floor (508)-793-7453
Can assist with room change requests or discuss other housing options. In addition, Administrators, Professional Live-in Staff, and Student Residential Advisors (RAs) are trained to respond to sexual offense incidents. They are aware of the rights that accused students have.

Dean of Students Office – Alumni & Student Engagement Center - 2nd Floor; (508) 793-7423
Provides support, assistance, and guidance to students. Complaints that involve possible violations of the Student Code of Conduct, including complaints related to sexual offenses, may be handled by the Dean of Students Office, the Dean’s designee, or the Sexual Offense Hearing Board. This staff is very well versed in the rights of accused students and what the process regarding hearing boards entails.

International Students and Scholars Office – 142 Woodland Street (Corner House), second floor; (508) 793-7362
Students involved in an investigation/adjudication of a sexual offense case may have questions about how the case may affect their visa or travel status. This office can assist international students with visa or immigration related issues.
Title IX Coordinator - The Title IX Coordinator is the University official designated to receive and investigate complaints related to sexual offenses on campus.

Lynn Levey (Title IX Coordinator)  (508) 793-7194
David Everitt (Deputy)  (508) 793-7295
Adam Keyes (Deputy)  (508) 793-7423
Catherine Usoff (Deputy)  (508) 793-7670

Statement of Rights of the Respondent

- The right to investigation and appropriate resolution of all credible complaints of sexual offenses made in good faith to University administrators against the accused student;
- The right to be treated with respect by University officials;
- The right to be informed of and have access to campus resources for medical, counseling, and advisory services;
- The right to be fully informed of the nature, rules and procedures of the campus judicial process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right to make voluntary opening and closing statements at the campus conduct proceeding and to have those statements considered by the board in determining its sanction;
- The right to appeal the finding and sanction of the hearing board, in accordance with the standards for appeal established by the institution;
- The right to review all information and reports available regarding the complaint, subject to the confidentiality limitations imposed by state and federal law, at least 48 hours prior to the hearing;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to a hearing closed to the public;
- The right to petition that any voting member of the hearing board be removed on the basis of bias;
- The right to have the University compel the presence of student, faculty and staff witnesses, and the right to ask questions, directly or indirectly, of witnesses, and the right to challenge information.
- The right to have complaints heard by hearing officers who have received annual sexual offenses adjudication training;
- The right to have University policies and procedures followed without material deviation;
- The right to have an advisor of their choosing to accompany and assist in the campus hearing process.
- The right to a fundamentally fair hearing and fair practice.
- The right to a decision based solely on information presented during the hearing process. Such information shall be credible, relevant, based in fact, and without prejudice;
- The right to written notice of the outcome and sanction of the hearing;
- The right to a conduct hearing board comprised of representatives of all genders;
- The right to be informed in advance, when possible, of any public release of information regarding the complaint.

Please know that retaliation because a person has filed a good faith complaint alleging a sexual offense or participated in an investigation or other process related to such a complaint is strictly prohibited. The University will respond promptly to investigate any claims of retaliation.