

**RESPONDENT'S RIGHTS AND OPTIONS**  
**NYU Lutheran Family Health Centers Distance Site**  
**Brooklyn, New York**

The following information provides a short summary of A.T. Still University's ("ATSU" or "the University") policy and processes after a report of sex discrimination, sexual harassment, sexual violence (including sexual assault), domestic violence, dating violence, or stalking has been filed against you. Please contact the Title IX Coordinator, or a Deputy Title IX Coordinator, if you have any questions about this information.

**I. General Information**

- *A.T. Still University's Obligation to Investigate.* The University is required by law to investigate and resolve reports of this nature. The fact that a report has been filed against you does not mean that the University has reached any conclusions about whether the alleged conduct has occurred.
- *Preservation of Evidence.* It is extremely important that you preserve evidence showing the circumstances surrounding the allegations and report. This can include physical evidence (notes, calendars, receipts, clothing, etc.) as well as evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
- *Options.* When a report has been filed against you, you have several options, including, but not limited to:
  - Contacting parents or a relative
  - Seeking legal advice
  - Seeking personal counseling
  - Requesting further information about the investigation and resolution process
- *Counseling.* The University recognizes that having a report filed against you, and the circumstances underlying that report, may cause elevated levels of stress and confusion. Please note that ATSU Counseling Services is a confidential resource that is available to assist you.

ATSU Counseling Services ([http://www.atsu.edu/counseling\\_services](http://www.atsu.edu/counseling_services))  
Art Matthews, 480.219.6170, [amatthews@atsu.edu](mailto:amatthews@atsu.edu)

- *Legal Assistance.* Low cost legal assistance may be available through Legal Services of Eastern Missouri, <http://www.lsem.org>
- *Further information.* ATSU staff is available to provide information and answer questions about the investigation and resolution process.
  - A.T. Still University's Director of Title IX & Training

John Gardner  
800 West Jefferson Street  
Kirksville, MO 63501  
660.626.2113  
[titleix@atsu.edu](mailto:titleix@atsu.edu)

- A.T. Still University's Deputy Title IX Coordinators

Tonya Fitch  
Director of Human Resources  
5850 East Still Circle  
Mesa, AZ 85206-3618  
480.219.6007  
[tfitch@atsu.edu](mailto:tfitch@atsu.edu)

Michael Zajac  
Associate Vice President for Student Affairs  
5850 East Still Circle  
Mesa, AZ 85206-3618  
480.219.6026  
[michaelzajac@atsu.edu](mailto:michaelzajac@atsu.edu)

Donna Brown  
Assistant Vice President of Human Resources  
800 West Jefferson Street  
Kirksville, MO 63501  
660.626.2790  
[dbrown@atsu.edu](mailto:dbrown@atsu.edu)

Lori Haxton  
Vice President for Student Affairs  
800 West Jefferson Street  
Kirksville, MO 63501  
660.626.2236  
[lhaxton@atsu.edu](mailto:lhaxton@atsu.edu)

- *Other Resources.* Other resources that you may find beneficial are:
  - Sunset Terrace Family Health Center  
514 49<sup>th</sup> St.  
Brooklyn, NY 11220  
718.431.2600
  - ATSU Financial Aid Office: <https://www.atsu.edu/financial-aid>
  - Visa and Immigration Assistance
    - Immigration Advocates Network:  
<http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=NY>
    - U.S. Citizenship and Immigration Services:  
<https://www.uscis.gov/about-us/find-uscis-office/field-offices/new-york>

## II. Institutional Procedures

- A.T. Still University's Policy No. 90-210; Prohibition of Discrimination, Harassment, & Retaliation (available at: <https://www.atsu.edu/prohibition-of-discrimination-harassment-and-retaliation>) governs procedures following reports of sex discrimination, sexual harassment, sexual violence (including sexual assault), domestic violence, dating violence, and stalking. ATSU procedures under Policy 90-210:
  - Will provide a prompt, fair, and impartial resolution of the report, under the evidentiary standard of preponderance of the evidence, i.e., whether it is more likely than not that the alleged conduct occurred.
  - Are carried out by University officials who have received training on these issues and how to conduct an investigation and hearing process that promotes safety and accountability.
  - Provide you and the Reporter the right to have a support person/advisor accompany you to all aspects of the investigation and resolution process. A support person/advisor may not advocate for a party like an attorney would in court.
  - Ensure that both you and the Reporter will be notified simultaneously in writing of the outcome of all stages of the process, including any appeals.
- If you desire to have a support person/advisor but cannot find someone that you are comfortable with, please contact the Title IX Coordinator, or a Deputy Title IX Coordinator, for assistance in doing so.
- You are prohibited from retaliating against the Reporter for filing a report or against anyone else who participates in the investigation.

## III. Possible Interim Measures and Sanctions

- *Interim Measures.* At any time during the investigation, the University may impose interim measures pending the outcome. These may include separating you and the Reporter, placing limitations on contact between the parties, suspension, or making alternative living, class-placement, or workplace arrangements. The University will also take reasonable and legal action to implement any court restraining or no-contact order. You must honor any interim measures; violating them is a violation of ATSU's policy separate from the allegations of the report.
- *Sanctions.* If there is a finding that a violation of A.T. Still University's Policy No. 90-210; Prohibition of Discrimination, Harassment, & Retaliation has occurred, sanctions may include counseling or training, separation of the parties, and/or discipline, including written reprimand, probation, suspension, demotion, termination, or expulsion.