

Sexual Assault Victim's Bill of Rights

The impact of sexual violence on a student, as well as on the larger academic community, can be severe and long lasting. When a sexual assault occurs, whether on- or off-campus, New Jersey law requires institutions of higher education to accord the following rights to students.

- the right to have any allegations of sexual assault treated seriously;
- the right to be treated with dignity;
- the right to be notified of existing medical, counseling, mental health or student services, both on campus and in the community;
- the right to be free from any suggestion that a person who has been assaulted is responsible for the assault;
- the right to have any allegation of sexual assault investigated and adjudicated;
- the right to receive the full and prompt cooperation and assistance of campus personnel in notifying law enforcement authorities;
- the right to receive full, prompt and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.
- the right to be afforded the same support allowed an accused in a disciplinary proceeding;
- the right to be notified of the outcome of a sexual assault disciplinary consistent with the requirements of the Family Educational Rights and Privacy Act (FERPA); and
- the right to require campus personnel to take reasonable and necessary actions to prevent further unwanted contact by any alleged assailant;
- the right to be notified of and assisted in changing academic and living situations if such changes are reasonably available;
- the right to be free from any suggestion that a crime must be reported in order to be assured of any protection under this Bill of Rights;
- the right to be free of any pressure:
 - to report a crime if she/he does not wish to do so,
 - to report crimes as a lesser offense than perceived,
 - to refrain from reporting crimes, or
 - to refrain from reporting crimes to avoid unwanted personal publicity.
- the right to have access to campus counseling under the same terms and conditions as any other student seeking counseling;
- the right to be informed of, and assisted, in exercising:
 - any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus, and/or pregnancy,
 - any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.