

Indian River State College Administrative Procedures

TITLE:	Procedures Regarding Sexual Assault, Sexual Misconduct, or Other Crimes of Violence
NUMBER:	AP-3.151
REFERENCE(S):	6Hx11-3.151, Sexual Assault, Sexual Misconduct or Other Crimes of Violence 6Hx11-3.15 Campus or Workplace Violence 6Hx11-3.513 Protection of Vulnerable Persons AP-3.13 Non-

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Amorous relationships defined as consensual relationships of a romantic or sexual nature between College employees and other persons within the 'College Community' may impair or undermine the learning and work environments when the relationship is based on unequal authority or power, and/or when one person in the relationship is evaluating the other. Accordingly, it is the policy of IRSC that an employee shall not engage in an amorous relationship with another person within the 'College Community' over whom the employee exercises supervisory authority or educational or professional responsibility. Students taking a class with faculty with whom they are romantically involved are prohibited.

An employee who is involved in such an amorous relationship must recuse himself/herself from an authoritative or evaluative role with respect to the other person. In rare cases where this would not be possible, arrangement must be made, in consultation with the appropriate supervisor, to ensure that the relationship does not threaten the integrity of the educational process and/or impair the work environment.

Sexual Violence and Risk Reduction

Suggestions to avoid committing or becoming a victim of a non-consensual sexual act are offered below:

- If you have limits, make them known as early as possible. Tell a sexual aggressor "NO" clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a person impaired by alcohol or drugs as a sexual opportunity.
- If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:
- Clearly communicate your intentions.

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- You may have a power advantage simply because of your gender or size. Don't abuse that power. Realize that your potential partner could be intimidated by you, or fearful.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
 - Understand and respect personal boundaries.
 - Don't make assumptions about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you do not have consent.
 - Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
 - Never take advantage of someone who is impaired by alcohol or drugs.
 - You may have a power advantage simply because of your gender or size. Don't abuse that power. Realize that your potential partner could be intimidated by you, or fearful.
 - Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
 - Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.
1. Physical assaults of a sexual nature, such as rape, sexual battery, molestation, or attempts to commit these assaults; and intentional physical conduct that is sexual in nature such as touching, pinching, patting, grabbing, poking, or brushing against another individual's body.
 2. Offering or implying an employment-related reward (such as a promotion, raise, or different work assignment) or an education-related reward (such as a better grade, a letter of recommendation, favorable treatment in the classroom, assistance in obtaining employment, grants or fellowships, or admission to any educational program or activity) in exchange for sexual favors or submission to sexual conduct.
 3. Threatening or taking a negative employment action (such as termination, demotion, denial of an employee benefit or privilege, or change in working

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- conditions) or negative educational action (such as giving an unfair grade, withholding a letter of recommendation, or withholding assistance with any educational activity) or intentionally making the individual's job or academic work more difficult because sexual conduct is rejected.
4. The use or display in the classroom or workplace, including electronic, of pornographic or sexually harassing materials such as posters, photos, cartoons or graffiti without pedagogical justification.
 5. Unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments about a person's sexuality or sexual experience. Such conduct between peers must be sufficiently severe, persistent, or pervasive that it creates an educational or working environment that is hostile or abusive. A single incident involving severe misconduct may rise to the level of harassment.

What to Do If You Are Raped, Sexually Assaulted, or Assaulted

If you are on Campus or at a College Function:

- Get to a Place of Safety
- Immediately Call the Police **(911)**
- Call Campus Safety and Security **462.4755**.
- Contact the IRSC Health & Wellness Center **772.462.7825**.
- Go to, or see assistance in getting to, the Health & Wellness Center, the Student Affairs Office, or Provost's Office
- Do not destroy any physical evidence.
- Do not douche, use the toilet, shower, change your clothes or disturb the crime scene.

What to Do If You Witness a Rape, Sexual Assault or Assault, or If One is Reported To You:

If you are on Campus or at a College Function:

- Get to a Place of Safety
- Immediately Call the Police **(911)**
- Call Campus Safety and Security **772.462.4755**.
- If possible, escort the alleged victim to the Health & Wellness Center or to the Office of the Vice President of Student Affairs.
- Contact the IRSC Health and Wellness Center at **772.462.7825**.
- Make sure you do not destroy any physical evidence.
- Tell the victim not to douche, use the toilet, shower, and change clothes or disturb the crime scene.

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How to Report a Complaint or Incident

Indian River State College has designated a Title IX Coordinator and Deputy Title IX Coordinators who will address complaints of sexual harassment, sexual violence, sex discrimination, and gender equity. Should a student, employee and/or visitor experience sexual harassment and/or sexual assault, sexual misconduct, other acts or crimes of violence, stalking and retaliation on one of IRSC's campus locations, they may report

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violence, and notifying students, employees and visitors of campus and community counseling, health, mental health, and other student services;

Be “on call” to assist victims of sexual harassment or violence whenever needed

Provide presentations, training, and workshops to students, faculty, staff and administrators on:

- Sexual violence prevention;
- Bystander intervention;
- Healthy sexuality; and
- Responding to disclosures of sexual violence.

Office of the Equity Officer/Title IX Coordinator will:

- Students, faculty, staff and administrators;
- Orientation programs for new students, faculty, staff, and administrators;
- Campus Safety and Security personnel on the College's Title IX responsibilities and handling of sexual harassment or violence complaints;
- All employees who interact with students regularly on recognizing and appropriately addressing allegations of sexual harassment or violence under Title IX; and
- Students informing them of their options to notify proper law enforcement authorities, including school and local police, and the option to be assisted by school employees in notifying those authorities;
- Student athletes and coaches; and
- School assemblies.

Provide free training on:

- Sexual Assault, Sexual Misconduct, or and Other Crimes of Violence;
- College policies and procedures regarding Sexual Assault, Sexual Misconduct, or and Other Crimes of Violence
- How to identify and report sexual harassment and violence;
- Sexual harassment prevention; and
- Prevention of all forms of discrimination and harassment.

Timely Warning Reporting Obligations

Those who report incidents of sexual misconduct should also be aware that the College must issue immediate timely warnings for incidents reported that are confirmed to pose a substantial threat of bodily harm or danger to members of the ‘College Community’. IRSC will make every effort to ensure that the reporter's name and other identifying information are not disclosed, while still providing enough information for ‘College Community’ members to make safety decisions in light of the danger.

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Enforcement

In the event that sexual assault, sexual misconduct, other acts or crimes of sexual violence occur on any one of the College campuses, sites and/or locations or off-campus locations, local law enforcement agencies with jurisdiction are responsible for investigating the crime and making any subsequent arrests, in collaboration with IRSC Campus Safety and Security. The College will cooperate fully in the enforcement of federal, state, and/or local laws. The existence of criminal proceedings will not necessarily delay or interrupt the procedures outlined in this procedure, unless the law enforcement agency or prosecution requests that the College procedures be suspended, in which case the College will determine whether and for how long to suspend its procedures. However, once notified that law enforcement has completed its gathering of