SOU logo

|  |  |
| --- | --- |
| Policy Title: | Sexual Violence Prevention, Training and Assessment |

|  |  |  |  |
| --- | --- | --- | --- |
| Governing Body: | Southern Oregon University | Policy Number: | FAD.\_\_\_ |
| Policy Contact: | Equity, Diversity and Inclusion | Date Revised: |  |
| Custodial Office: | Equity, Diversity and Inclusion | Date Approved: |  |
| Approved By: | President | Next Review: |  |
| Related Policy: | SAD.007, Equal Opportunity, Harassment and Sexual Misconduct Policy | | |

# Revision History

| Revision Number: | Change: | Date: |
| --- | --- | --- |
|  | Initial version | \_\_\_ 2018 |
|  |  |  |

# A. Purpose

|  |
| --- |
| To provide all members of the Southern Oregon University (SOU) community with a healthy, positive and supportive learning, living, social, recreational and working environment free of sexual violence, harassment, and sexual misconduct. This policy and its corresponding procedures provide a framework and firm commitment to prevention, education, awareness, and to fostering engagement from the university community to enable its members to recognize and to help prevent sexual violence, harassment, and sexual misconduct within the university community. |

# B. Definitions

|  |
| --- |
| 1*. Awareness Raising*: Engaging in activities and efforts that intend to educate and teach participants about the scope, severity and impact of sexual violence. Examples are Denim Day and the Take Back the Night Rally.  2*. Consent*: Knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.  A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has violated this policy.  It is not an excuse that the individual responding party in a sexual misconduct case was intoxicated and, therefore, did not realize the incapacity of the other.  Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical, mental or cognitive restraint or from the taking of incapacitating drugs.  Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with others. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Silence or the absence of resistance alone is not consent. Coercion, force, or threat of either invalidates consent, regardless of timing. A person can withdraw consent at any time during sexual activity by expressing in words or actions that they no longer wants the act to continue, and, if that happens, the other person must stop immediately.  In Oregon, a minor (meaning a person under the age of 18 years) cannot consent to sexual activity except in limited circumstances dictated by law. This means that sexual contact by an adult with a person younger than 18 years old is generally a crime, as well as a violation of this policy, even if the minor consented to engage in the act.  3. *Dating Abuse or Violence*: The perpetration or threat of an act of violence by at least one member of an unmarried couple on the other member within the context of dating. It is also when one partner tries to maintain power and control over the other through abuse or violence.  4. *Domestic Violence/Intimate Partner Violence*: Domestic violence is also referred to as intimate partner violence. It includes physical, sexual or emotional abuse, as well as sexual coercion and stalking by a current or former intimate partner. An intimate partner is a person with whom an individual has or had a close, possibly married, or sexual relationship.  5. *Primary Prevention*: Includes approaches that seek to eliminate the root causes of sexual violence and to stop sexual violence from ever occurring. Primary prevention engages individuals, communities, institutions, and policy makers to create conditions that will stop sexual violence from happening. This is different from activities that exclusively raise awareness of the scope and impact of sexual violence, and how to respond when sexual violence occurs.  6. *Response*: Efforts, support, and actions taken after a sexual assault has occurred. Examples include outreach from the Office of Student Support and Intervention, confidential advising, personal counseling support, as well as a Title IX investigation, or criminal justice actions.  7. *Risk Reduction*: The focus of risk reduction is on potential victims, meaning that most risk reduction strategies are targeted towards potential victims or bystanders who learn strategies to use in-the-moment should an attack or attempted sexual assault happen. Some examples of risk reduction strategies include blue safety lights on campus, self-defense classes, bystander intervention techniques, the buddy system, rape whistles, etc.  8. *Non-Consensual Sexual Intercourse (Rape)*: Non-Consensual Sexual Intercourse (Rape) is defined as any sexual penetration or intercourse (anal, oral or vaginal), however slight, with any body part or object, by any person(s) upon another person(s) that is without consent and/or is by force.  Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.  9. *Non-Consensual Sexual Contact (Sexual Assault)*: Non-consensual sexual contact is defined as any intentional sexual touching, however slight, with any body part or object, by any person(s) upon another person(s) that is without consent and/or is by force. Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.  10. *Stalking*: Engaging in a pattern of conduct (usually involving more than one event over a period of time, regardless of how short) directed at a specific person that would cause a reasonable person to fear for their safety and/or suffer substantial emotional distress.  Stalking includes any behaviors or actions occurring on more than one occasion that collectively instill fear or cause substantial emotional distress to a victim, and/or threaten their safety, mental health, or physical health. Behaviors may include, but are not limited to the following:   * Nonconsensual communication, including face-to-face communication, telephone calls, voice messages, emails, text messages, written letters, gifts, or any other communications that are undesired and place another person in fear. * Use of online, electronic or digital technologies including, but not limited to: * Posting of information and/or pictures in chat rooms or websites * Sending unwanted email or talk requests * Posting private or public messages on Internet sites, social networking sites, and or school bulletin boards or white boards * Installing spyware on a victim's computer or telephone * Using GPS (Global Positioning Systems) or other technologies to monitor a victim * Pursuing, following, waiting, and or showing up uninvited at or near a residence, workplace, classroom or other place where a victim frequents * Surveillance or other types of observation, including staring "peeping" * Trespassing * Vandalism * Nonconsensual touching * Direct verbal or physical threats * Gathering information about the complainant from family, friends, and/or co-workers * Threats to harm self or others * Defamation- lying to others about the victim * Violation of restraining orders, protective orders, and other protective actions   11. *Sexual Harassment*: Unwelcome, sexual verbal, written, online or physical conduct |
|  |

# C. Policy Statement

|  |
| --- |
| 1. SOU is committed to ending sexual violence, harassment, stalking and other forms of misconduct on its campus and in the community. To this end, the university offers the following:  (a) Students: All incoming students are required to complete the online Title IX education and training module within the first six weeks of class. All new students will have the opportunity to engage in consent, sexual wellness, bystander intervention, and violence prevention education. Sexual violence prevention trainings will be offered on campus to students annually, and the prevention team will offer in-class interactive workshops at faculty request.  (b) Faculty and Staff: Faculty and staff are required to complete two hours of sexual harassment/violence prevention training every two years. New faculty and staff are required to go through training within 45 days of first day of employment. Additionally, all faculty and staff are strongly encouraged to engage in an annual workshop on campus supports/resources, how to support survivors, and how to identify perpetrator behaviors. Sexual violence prevention trainings will be offered on campus to faculty and staff annually.  (c) Student Fee Funded Entities: All clubs and organizations (students, staff, faculty, and community) are required to complete sexual violence prevention training annually.  (d) Academic Programs: Each program on campus is encouraged to proactively address within their curricula strategies for preventing sexual violence, harassment and misconduct in the larger discipline, providing students with training and tools they can use throughout their professional careers.  2. SOU is committed to quality assessment efforts and will complete a Campus Climate Survey every 4 years to assess the effectiveness of its sexual violence, harassment and misconduct prevention and response efforts. |
| This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval. |

# D. Policy Consultation

|  |
| --- |
| ViPRA Prevention Subcommittee, Student Health and Wellness Center, Office of Student Support and Intervention, Campus Public Safety, Student Life, Human Resources, (will add all departments/individuals/off campus partners who have read and approve of policy) and Policy Council. Policy was posted on \_\_\_\_\_\_, 2018 for community comment. |

# E. Other Information

|  |
| --- |
| Related laws and regulations include: Campus SaVE Act, Clery Act, Erins Law, Title IX and NAIA regulations. |
| The Policy Contact, defined above, will write and maintain the procedures related to this policy and these procedures will be made available within the Custodial Office. |