



Title: Sex Offense Policy

Policy:
 No.: ADM 9.09

Date: 8/1/14
 Rev.: 8/1/15

Areas Affected: All BSMCON

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Introduction

The College is committed to providing a learning environment free of all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct. Sexual misconduct which includes sexual assault is a serious offense. The College encourages students to report sexual assault promptly to local law enforcement agencies. The College does not tolerate sexual misconduct in any form.

Sexually abusive behavior within the College community is harmful to both the learning environment and the sense of community the College is trying to foster among students, faculty, and staff. All members of the College community have an obligation to act responsibly in the realm of sexuality. This includes accepting personal responsibility for choices made about alcohol and drug consumption which might lead to behavior which violates another person. Additionally, all members of the College community have the responsibility to recognize and challenge any sexual misconduct.

The purpose of this policy is to encourage students to:

- take responsibility for their behavior,
- ensure compliance with applicable College, state and federal regulations,
- fairly discipline and sanction behavior that is inconsistent with College policies, and
- educate students about implications and consequences of their behavior.


Sexual Harassment and Misconduct

The College is committed to providing a work and educational environment free of sexual harassment. Any form of sexual harassment that creates an offensive or hostile working environment or in which a student or an employee demands sexual considerations in exchange for job benefits, grades, or other educational benefits will not be tolerated. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature is considered sexual harassment.

Conduct includes but is not limited to:

- sexual jokes, innuendo, flirtation, touching, advances, or propositions
- verbal abuse of a sexual nature
- graphic or suggestive comments about an individual's dress or body
- sexually explicit remarks to describe an individual
- display in the workplace of sexually suggestive objects or pictures, including nude photographs

Reference Policy # _____

Approved by:  Signature	Dean of Finance and Administration Provost/VP Title	8/1/15 8/1/15 Date
Approval History: Dean of Finance and Administration - 10/21/13, 5/16/14 Policy Committee - 10/21/13, 5/19/14, 4/20/15		

Any employee or student who believes he or she has been or is being sexually harassed should follow the complaint procedure in the appropriate handbook (Student Handbook or BSHSI Human Resources Policies) and immediately report the facts of the incident, including the names of the individual(s) involved.

If Sexual Misconduct Occurs

If sexual misconduct occurs, many victims do not know where to turn for help or what steps to take after an assault has been committed. Although the choices about which options to explore rest solely with the affected student, the College encourages students to take the following actions:

- Get to a safe place as soon as possible.
- Contact the Police Department (911).

Sexual assault is never the victim's fault. Every attempt will be made to keep the student free from any suggestion that he/she is responsible or was "contributory negligent" or assumed the risk of being a victim of sexual misconduct. Victims of sexual misconduct are strongly encouraged to seek immediate medical attention at an area hospital or medical clinic. If the victim wishes, he/she will be assisted in seeking prompt medical attention.

If at all possible, the victim should not change clothes, shower, bathe, douche, or urinate. Emergency room personnel are trained to check for injuries, as well as collect physical evidence. It is important to preserve evidence as it may be necessary for the proof of criminal sexual misconduct should you decide to pursue charges through the Police Department or other relevant law enforcement authority that it was reported.

Hospital personnel are obligated to contact proper authorities regarding the assault. Although not obligated to do so, victims of sexual misconduct are highly encouraged to take advantage of victim's services to help them understand their options for off-campus proceedings and to receive counseling specific to their needs.

The College will do everything possible to provide a climate that is sensitive to and respectful and supportive of individual needs. The student will have access to existing campus counseling and support services and, when appropriate, adjustments will be made to academic schedules, etc.

Supporting the victim is of primary consideration, as are exploring options and protecting the individual's rights. The individual has a right to confidentiality as allowed by law and to determine what options to pursue. Every report of sexual misconduct will be taken seriously and action will be taken as appropriate. The REACH Student Assistance Program and any Campus Safety Authority (CSA) can provide assistance and support.

Procedures for Reporting Sexual Misconduct

Incidents of sexual misconduct are notoriously underreported on college campuses, often because the victims do not recognize their experience as a criminal offense and/or a college violation or their lack of knowledge of and/or discomfort with campus and community resources.

Any student who is sexually assaulted or the victim of any sexual misconduct is encouraged to report the incident formally to one of the following individuals: the Dean of Students; or any administrator. Sexual misconduct/assault is a criminal matter. The individual(s) listed above are required by law to file an official report.

The College strongly encourages a victim of sexual misconduct/assault to make a report to the appropriate Police Department or other local law enforcement agencies and to speak with a rape crisis or other counselor, on or off campus.

Police officers are trained in handling sexual assault cases. An officer can be dispatched to campus to meet with the person calling, to assist the victim in obtaining medical attention and emotional counseling, and to write a formal report of the incident.

The police report and any supporting evidence are turned over to the appropriate County Attorney's office, which decides whether there is sufficient evidence to prosecute. The College provides an EAP counselor who can keep a sexual assault discussion confidential to the extent allowed by law.

If a report of sexual misconduct is made to any staff or faculty member of the College, the faculty or staff member shall contact the Title IX Coordinator who will assist with notifying the authorities.

Procedure for Processing Reports of Sexual Misconduct

Reports of sexual misconduct alleging criminal conduct are referred to the appropriate Police Department or other relevant law enforcement authority for processing. Reports of non-criminal sexual discrimination/harassment are processed according to the procedure set forth in the Student Handbook and the BSHSI Human Resource Policies for employees.

Both the accuser and the accused are entitled to the same opportunities to have others present during any proceedings. Both the accuser and the accused will be informed of the College's final determination following any proceedings with respect to the alleged sexual discrimination/harassment and of any sanction that is imposed against the accused. Sanctions the College may impose are detailed in the Student Handbook and the BSHSI Human Resource Policies.

Resources

The College provides resources to students and employees regarding education and treatment programs for the awareness of rape, acquaintance rape and other forcible and non-forcible sexual offenses.

Programs regarding sexual assault and safety awareness and self-defense are held each semester on the campus of the College. Audio visual resources on safety awareness are available in the library. These may be used for curriculum infusion. Pamphlets regarding sexual assault are made available to students as well.

YWCA of Richmond, Richmond, VA 23219
Business: 804-980-7301
Hotline: 804-643-0888
Website: <http://ywcarichmond.org>

Chesterfield County Domestic Violence Resource Center
P.O. Box 40
Chesterfield, VA 23832-0040
804-768-4783
www.chesterfield.gov

Hanover Safe Place. Ashland, VA 23005
Toll Free: 888-370-SAFE (7233)
Local Hotline: 804-752-2702
www.hanoversafeplace.com

Safe Harbor
P.O. Box 17996
Richmond, VA 23226
804-249-9470
www.SafeHarborShelter.com