



SEXUAL HARASSMENT AND SEXUAL VIOLENCE

The background of the slide features a blue-tinted image of classical architectural columns, likely from a university building, which are slightly out of focus and serve as a backdrop for the text.

SEXUAL HARASSMENT AND SEXUAL VIOLENCE

Why is this important to you?

Sexual assaults against college students are also on the rise . . .

Campus Rape May Be 'Worse Than We Thought,' Study Shows

Posted: 05/20/2015 3:00 am EDT | Updated: 05/20/2015 8:59 am EDT



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Study has more disturbing findings about campus rape of freshmen women

By Kelly Wallace, CNN

Updated 4:10 PM ET, Wed May 20, 2015

STUDY: 19% FRESHMEN WOMEN AT A N.Y. COLLEGE VICTIM OF RAPE, OR ATTEMPTED RAPE

CNN
3:57 PM ET
NEWSROOM

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CNN Parents



Sexual assault prosecutions against students are on the rise . . .

Former USU student, fraternity brother to stand trial on rape, sex assault charges

By McKenzie Romero, Deseret News

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Published: Thursday, Aug. 6 2015 2:05 p.m. MDT

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Jason Relopez talks to his lawyer Shannon Demler in 1st District Court during a preliminary hearing on Thursday, Aug. 6, 2015. Relopez was bound over to stand trial for rape and aggravated sexual assault.

Eli Lucero

Summary

A former Utah State University student and fraternity brother has been ordered to stand trial,

LOGAN – A former Utah State University student and fraternity brother has been ordered to stand trial, accused of sexually assaulting two female students he met through the school's Greek system.

DAILY NEWS

U.S.

Troy University students charged in spring break gang rape

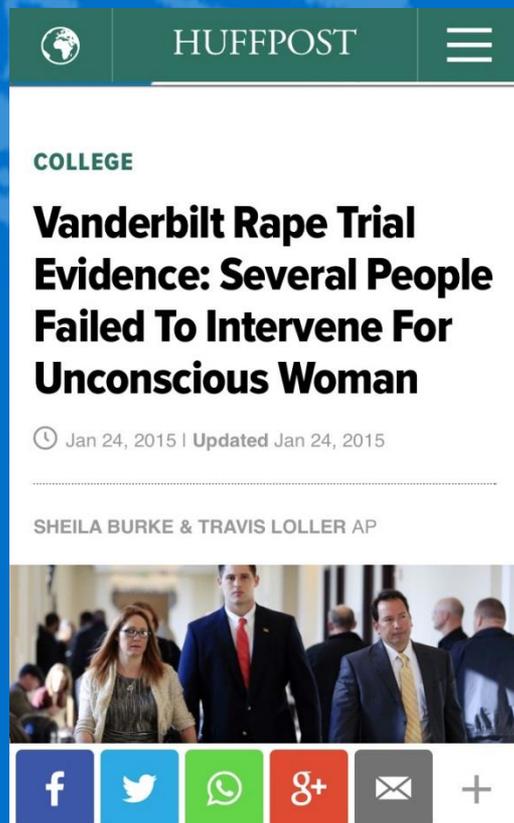
NINA GOLGOWSKI

NEW YORK DAILY NEWS

04/10/2015 9:24 PM ET



Students are in a unique position to help stop a sexual assault before it takes place . . .



- - No one intervened when:
 - Accused is seen with unconscious victim in his car.
 - Accused is seen carrying unconscious victim into dorm.
 - Others in room when attack begins – some participate, at least one leaves.
 - Victim seen lying naked in hallway after attack.

Students are in a unique position to help raise awareness about sexual assault prevention . . .



Photo: Kenneth Lee/Georgetown Voice

Students chalk Red Square in support of sexual assault survivors

By Kenneth Lee on August 7, 2015

News

71 reported rapes on UGA campus: Student organization raising awareness

Published by Grady Newssource on April 7, 2015 | 0 Comment



UPDATE:



**What do you need to know to
protect yourself
and
to help your friends and classmates**

What is Title IX?

- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.
- What does it prohibit?
 - Discrimination on the basis of sex
 - Sexual harassment
 - Sexual assault and sexual violence

Sexual Harassment and Violence are Prohibited at MTSU

- TBR Policies 6:01:00:00, 6:02:00:00, and 6:03:00:00 – Sex Discrimination, Sexual Harassment or Sexual Misconduct
- TBR Guideline P-080 Discrimination & Harassment – Complaint & Investigation Procedure
 - Both available at www.tbr.edu/policies/
- MTSU Policy I:01:10 Equal Opportunity, Affirmative Action, and Nondiscrimination
- MTSU Policy I:01:23 Misconduct, Discrimination, and Harassment Based on Sex
 - Both available at www.mtsu.edu/policies/

What is Sexual Harassment?

Unwelcome conduct of a sexual nature including sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature.

Examples

- Work or educational benefits in return for sexual favors;
- Suggestive or inappropriate communications, email, notes, letters, or other written materials displaying objects or pictures which are sexual in nature;
- Sexual innuendoes, comments, and remarks about a person's clothing, body, or activities;
- Humor and jokes about sex that denigrate men or women;
- Sexual propositions, invitations, or pressure for sexual activity;
- Suggestive or obscene gestures;
- Patting, pinching, and other inappropriate touching.

What's a Hostile Environment?

- Sexual harassment of a student creates a hostile environment if the conduct is sufficiently serious that it denies or limits a student's ability to participate in or benefit from the institution's programs.
- This is usually a number of events, but a single incident of sexual harassment, such as rape, can create a hostile environment.

What is Sexual Violence?

Physical sexual acts perpetrated **against a person's will** or where a person is **incapable of giving consent** due to the victim's use of drugs or alcohol.

Sexual violence can include rape, sexual assault, domestic/dating violence, and stalking.

ALL ARE PROHIBITED

What is Sexual Assault?

Sexual contact without consent where the accused knows or has reason to know that the victim did not or could not consent.

- Includes the accused touching the victim **and** forced touching of the accused by the victim.

Sexual contact includes, but is not limited to:

- Intentional touching of intimate parts; or
- Intentional touching of the clothing covering the immediate area of intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification.

What is Stalking?

A willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

- Harassment means conduct directed toward the victim that includes, but is not limited to, repeated or continuing nonconsensual contact that would cause a reasonable person to suffer emotional distress, and that actually causes the victim to suffer emotional distress.

Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose.

What is Dating Violence?

Violence against someone the accused is dating or has a sexual relationship with or has dated or had a sexual relationship with in the past.

Violence includes, but is not necessarily limited to:

- Intentionally inflicting, or attempting to inflict, physical injury on the victim;
- Physical restraint;
- Placing the victim in fear of physical harm to victim or victim's pets; or
- Malicious damage to the victim's personal property (including pets).

What is Domestic Violence?

Violence against a person when the victim and accused are: current or former spouses; living together or have lived together; related by blood, adoption, or marriage; or children of a person in a relationship described above.

Violence includes, but is not necessarily limited to:

- Intentionally inflicting, or attempting to inflict, physical injury on the victim;
- Physical restraint;
- Placing the victim in fear of physical harm to victim or victim's pets; or
- Malicious damage to the victim's personal property (including pets).

What is Consent?

Consent is an informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is:

- Asleep;
- Unconscious;
- Mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason;
- Under duress, threat, coercion, or force.

Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

Effect of Trauma

Victims may behave differently during and after traumatic events, such as a sexual assault.

- Absence or delay in resistance
- Delayed recognition
- Absence or delay in reporting

What is Consent?

“NO” NEVER MEANS “YES”

- Absence of a “NO” is not consent.
 - Get a “YES” -- EVERY TIME
- Saying “YES” while intoxicated is not consent.
- Saying “YES” to kissing is not consent for oral sex.
- Saying “YES” to oral sex is not consent for sex.
- Saying “YES” to sex with one person is not consent for sex with another.

GET CONSENT AT EACH STEP

How do you know you have consent?



Green: Keep Communicating

- Partners come to a mutual decision about how far to go.
- Partners clearly express their comfort with the situation.
- You feel comfortable and safe stopping at any time.
- Partners are excited!

(Adapted from American College Health Association, Shifting the Paradigm: Primary Prevention of Sexual Violence Toolkit.)

How do you know you have consent?



Yellow: Signs You Should Pause and Talk

- You are not sure what your partner wants.
- You feel like you are getting mixed signals.
- You have not talked about what you want to do.
- You assume that you can do the same things you've done before.
- Your partner stops or is not responsive.

How do you know you have consent?

Red: Signs You Should Stop

- Your partner is too intoxicated to give consent.
- You are too intoxicated to gauge consent.
- You don't think he/she would agree to have sex if they were sober.
- Your partner is asleep, unconscious, or for any other reason is physically or mentally unable to communicate consent.
- You are using physical force or size to have sex.
- You hope your partner will say nothing and go with the flow.
- You have had sex before but they have said they're not interested tonight.
- You have coerced your partner in any way (asking repeatedly, pressuring, physically intimidating them).
- You intend to have sex by any means necessary.



Role of Drugs and Alcohol

At least half of sexual assaults involve alcohol consumption by the accused, the victim, or both.

Victim who is impaired may be legally incapable of consenting to sexual activity.

Thus, any sexual activity that takes place is, by definition, without consent.

MTSU typically will not pursue discipline against a victim that was impaired during the event.

Use of Drugs and Alcohol by the Accused

Commonly, the accused is also impaired

- Liquid courage
- Lowers inhibitions
- Impairs judgment or you don't think clearly
- May cause you to do things you wouldn't do when sober or not high

Voluntary intoxication by the accused does not excuse the conduct

- The accused will be held to the same standards

Reporting Options

If you are a victim of sexual harassment/ hostile environment/sexual violence or know someone who is **and you want MTSU to take action**, the following people can help:

Marian Wilson
Title IX Coordinator
Institutional Equity &
Compliance
116 Cope Administration Bldg.
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2185
marian.wilson@mtsu.edu

Laura Sosh-Lightsy
Office of Judicial Affairs
and Mediation Services
208 Keathley University
Center
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2750
laura.lightsy@mtsu.edu

Diane Turnham
Associate Athletic Director/
Senior Women's Administrator
150A Murphy Center
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2938
diane.turnham@mtsu.edu

Reporting Options

If you are a victim of sexual harassment/ hostile environment/sexual violence or know someone who is **and you want to keep it confidential**, contact the following:

MTSU Counseling Services
326-S Keathley University
Center
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2670

MTSU Student Health Services
1848 Blue Raider Drive
Murfreesboro, TN 37132
(615) 898-2988

Domestic Violence and Sexual
Assault Program
2106 East Main Street
Murfreesboro, TN 37130
(615) 896-7377
24-hour Crisis Line:
(615) 494-9262

Reporting Options

The victim always has the option of reporting to law enforcement and to pursue a criminal investigation.

MTSU Police 1412 East Main Street Murfreesboro, TN 37130 (615) 898-2424 Emergency: 911	Murfreesboro City Police 302 S. Church Street Murfreesboro, TN 37130 (615) 893-1311 Emergency: 911
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Law enforcement investigation can take place simultaneously with University investigation.

What Resources are Available to Help Victims?

- Educational assistance – such as schedule adjustments, housing modifications, etc.

<p>Marian V. Wilson, Ph.D., Title IX Coordinator 116 Cope Administration Bldg. 1301 East Main Street Murfreesboro, TN 37132 (615) 898-2185 marian.wilson@mtsu.edu</p>	<p>Laura Sosh-Lightsy, Judicial Affairs 208 Keathley University Center 1301 East Main Street Murfreesboro, TN 37132 (615) 898-2750 laura.lightsy@mtsu.edu</p>	<p>Diane Turnham, Assoc. Athletic Director 151 Murphy Center 1301 East Main Street Murfreesboro, TN 37132 (615) 898-2938 laura.lightsy@mtsu.edu</p>
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- Confidential counseling services

<p>MTSU Counseling Services 326-S Keathley University Center 1301 East Main Street Murfreesboro, TN 37132 (615) 898-2670</p>	<p>Domestic Violence and Sexual Assault Program 2106 East Main Street Murfreesboro, TN 37130 (615) 898-7377 24-hour Crisis Line: (615) 494-9262</p>
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Available Resources, cont.

- Medical Resources

Student Health Services
1848 Blue Raider Drive
Murfreesboro, TN 37132
(615) 898-2988

www.mtsu.edu/healthservices

Saint Thomas Rutherford Hospital
1700 Medical Center Parkway
Murfreesboro, TN 37129
(615) 396-4100

www.sths.com

What Happens when a Complaint is Received?

- Prompt, fair and impartial investigation by the University:
 - Victim also has right to file complaint with MTSU University Police to initiate a criminal investigation.
- Investigation will protect the safety of the victim:
 - Steps taken to immediately stop the harassment
 - Can include no-contact orders, new residence hall assignments, etc.
- Steps taken to prevent the harassment from happening again and promote accountability:
 - Can include discipline of offender (ex. probation, suspension, expulsion from MTSU)
 - Can include training and additional education

What Happens in an Investigation?

- Investigation is conducted by Deputy Title IX Coordinator.
 - Special training on conducting sexual misconduct investigations
- Victim, accused, and witnesses are interviewed and submit statements.
 - Victim and accused have equal rights to present evidence and witnesses and be accompanied by an advisor.
- Investigator prepares report which is reviewed by President, who makes final decision.
- Victim and accused will be simultaneously notified of the outcome.
- Either party may pursue an appeal if they are dissatisfied with the decision.

What are Consequences to the Accused?

If the accused is found responsible, referred to appropriate office for decision on discipline.

MTSU Student Disciplinary Rules prohibit dating violence, domestic violence, stalking, sexual assault and sexual harassment.

Wide range of sanctions available, all the way up to probation, suspension, and expulsion.

Similar rules apply to faculty and staff.

- Sanctions include suspension and termination

What are Consequences to the Accused?

- Criminal consequences:
 - Offenses that violate MTSU policy may also be criminal and result in criminal sanctions.
 - Criminal prosecution potentially resulting in incarceration.

Retaliation

ABSOLUTELY PROHIBITED

No Exceptions

- Anything that discourages someone from reporting or supporting claim of harassment/hostile environment/sexual violence
- Prohibited at all stages of process
- Prohibited by everyone
 - Accused, friends, family, classmates . . .
- Prohibited against anyone involved in process
 - Victim, witnesses, reporter . . .

Bystander Intervention

- Notice the event.
- Interpret it as a problem.
- Assume personal responsibility.
- Know how to help.



The Bystander Effect

- The more people who are there to witness a situation where someone needs help, the less likely it is that someone will actually intervene.
- A person's feeling of responsibility is not as strong when that responsibility is shared by others.

Questions

- Read MTSU's Policy I:01:23, Misconduct, Discrimination, and Harassment Based on Sex
 - www.mtsu.edu/policies
- Visit MTSU's Sexual Violence webpage
 - www.mtsu.edu/sexual-violence/
- Contact the Title IX Coordinator

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