



***CONNORS STATE  
COLLEGE  
SEXUAL HARASSMENT  
AND SEXUAL VIOLENCE  
POLICY***

***2014 - 2015  
SCHOOL YEAR***

***(EXCERPTED FROM OKLAHOMA STATE  
UNIVERSITY POLICY)***

## Introduction

Connors State College takes acts of sexual harassment, which includes sexual violence, extremely seriously and believes that **1** victim is **2** many. The following information is intended to educate individuals on sexual harassment, including sexual violence, as well as to provide resources for victims of such acts.

Sexual harassment and sexual violence are forms of gender discrimination that are not tolerated at Connors State College. The College strongly encourages victims to report all acts of gender discrimination. This section outlines different avenues for reporting, which includes individuals on campus who survivors can speak with in confidence. Additionally, this section will explain the process of filing a formal complaint with Student Conduct Education and Administration as well as with the police. Please be aware that even if an individual does not want to file a formal complaint, interim measures such as changing academic schedules and housing arrangements may be taken to provide safety in the educational setting.

Connors State College does not discriminate on the basis of race, color, national origin, sex, qualified disability, religion, sexual orientation, veterans' status, genetic information or age in its program and activities. Therefore, the College will address all complaints of sexual harassment, including sexual violence, the same, irrespective if the complainant or respondent are of a protected class or of the same sex or sexes.

Where it is determined that sexual misconduct is more likely than not to have occurred, College conduct sanctions can include suspension. Even if law enforcement and criminal justice authorities choose not to prosecute a particular incident, the College may still pursue the incident through a student conduct process. Instances where gender discrimination is not addressed through the student conduct system the College still has the obligation under Title IX to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.

# Definitions

## **Sexual Harassment**

Sexual harassment is unwelcomed sexual advances, requests for sexual favors and other verbal or physical contact or communication of a sexual nature when:

- a. submission to such conduct or communication is made either explicitly or implicitly a term or condition of educational benefits, employment, academic evaluations or other academic opportunities,
- b. Submission to or rejection of such conduct or communication by an individual is used as the basis for an employment decision or academic decision affecting such individual, or
- c. Such conduct is sufficiently severe, pervasive, or persistent and objectively offensive that has the effect of creating an intimidating, hostile or offensive environment which negatively affects an individual's academic or employment environment.

Sexual harassment does not include verbal expressions or written materials that are relevant and appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the College's educational mission.

Sexual harassment can create a hostile environment. Sexual harassment should be reported even if it doesn't reach the point of a hostile environment. A hostile environment is defined as subjectively and objectively offensive and sufficiently severe or pervasive to alter the conditions of the victim's educational, employment or College environment.

Sexual harassment could occur off-campus and still have an effect on an individual's educational, employment, or College environment as well as create a hostile environment. A one-time non-consensual contact could also create a hostile environment.

Examples of violations:

- Unwelcomed sexual flirtation, advances or propositions of sexual activities.
- Asking about someone else's personal, social or sexual life, or about their sexual fantasies, preferences or history.

- Discussing your own personal sexual fantasies, preferences or history.
- Repeatedly asking for a date from a person who is not interested.
- Whistles, cat calls, or insulting sounds.
- Sexually suggestive jokes, innuendoes, or turning discussions into sexual topics.
- Sexually offensive or degrading language used to describe an individual or remarks of a sexual nature to describe a person's body or clothing. Calling a person a "hunk," "doll," "babe," "sugar," "honey," or similar descriptive terms.
- Displaying sexually demeaning or offensive objects and pictures.
- Staring repeatedly at someone.
- Invading a person's personal body space.
- Making sexual gestures with hands or body movements.
- Rating a person's sexuality.
- Treating a person differently based upon his/her gender.
- Massaging a person's neck or shoulders.
- Touching a person's hair or body.

## **Sexual Violence**

Sexual violence is physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including sexual misconduct, stalking, dating violence, and domestic violence.

## **Sexual Misconduct**

Sexual misconduct is a broad term encompassing any non-consensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior including, but not limited to, the following examples of prohibited conduct:

### **a. Unwelcome sexual touching/exposure**

The touch of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts. This also includes indecent exposure and voyeurism.

### **b. Non-consensual sexual assault**

Unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to, penetration of a bodily opening without effective consent through the use of coercion.

c. Forced sexual assault

Unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age, or disability) of which the assailant was aware or should have been aware.

Effective Consent is:

- informed;
- freely and actively given;
- mutually understandable words or actions; and
- indicates a willingness to participate in mutually agreed upon sexual activity.

Further:

- Initiators of sexual activity are responsible for obtaining effective consent.
- Silence or passivity is not effective consent.
- The use of intimidation, coercion, threats, force, or violence negates any consent obtained.
- Consent is not considered effective if obtained from an individual who is incapable of giving consent due to the following:
  - mental, developmental, or physical disability; or
  - s/he is under the legal age to give consent; or
  - s/he is incapacitated by alcohol, beer or under the influence of drugs.

Individuals who commit acts of sexual misconduct assume responsibility for their behavior and must understand that the use of alcohol or other drugs does not reduce accountability for their actions.

Examples of violations:

- Ignoring an individual's protest and engaging in sexual activity.
- Convincing somebody to have sex is likely to constitute intimidation or coercion. If someone is coerced, the "yes" is not effective consent.
- Drinking and/or drug use may render an individual incapable of giving consent for sexual activity. For example, someone who is incapacitated may agree to have sex at the time, but have no

memory of the consent. This person may have been functioning in a “blackout” and did not give effective consent.

- Holding a person down or preventing a person from leaving the room and forcing him or her to engage in sexual activity against his/her will.

## **Stalking**

Stalking refers to one who engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Generally, stalking would include two or more acts which would cause significant mental suffering or anguish which may, but does not have to, require medical or other professional treatment or counseling.

Any actions that a stalker takes to contact, harass, track, or frighten another which could include repeatedly:

- being followed
- unsolicited visits or communication
- using online social media inappropriately
- damaging property.
- showing up at places you go.
- sending unsolicited mail, e-mail, texts, and pictures.
- creating a website about you.
- sending unsolicited gifts.
- stealing things that belong to you.
- calling you repeatedly.

You can be stalked by someone you know casually, a current boyfriend or girlfriend, someone you dated in the past, or a stranger.

## **Dating Violence**

Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes but is limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts that meet the definition of domestic violence.

## **Domestic Violence**

Domestic violence is a crime of violence committed by a

- current or former spouse or intimate partner of the victim,
- person with whom the victim shares a child in common,
- person who is cohabitating with or has cohabited with the victim as a spouse,
- person similarly situated to a spouse of the victim

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions, or threats of actions that influence another person.

## **Retaliation**

The College will not tolerate retaliation against a person who, in good faith, brings a complaint forward. Retaliation against an individual who has brought a complaint forward or against an individual who has participated in an investigation or conduct process is prohibited. See Board of Regents for the Oklahoma Agricultural and Mechanical Colleges Policy Manual, 3.11 Non-Retaliation for more information.

## Victim Information

If you are victim of sexual violence, you are not alone, and you are in no way responsible for your assault.

### **What to do if you are a Victim of Sexual Violence**

- a. If you are not safe and need immediate help, call the police. If the incident happened on campus, call the Connors Police Department at 918-463-6375. If the incident occurred elsewhere in Warner, call the Warner Police Department at 918-463-3911. If the incident happened anywhere else, call the law enforcement agency that has jurisdiction in the location where it occurred.
- b. Do what you need to do to feel safe. Go to a safe place or contact someone with whom you are comfortable. You can call the **Muskogee 24-hour Rape Crisis Line (918-682-7878)** to get advice and discuss options for how to proceed.
- c. Do not shower, bathe, douche, change or destroy clothes, eat, drink, smoke, chew gum, take any medications or straighten the



room or place of the incident. Preserving evidence is critical for criminal prosecution. Although you may not want to prosecute immediately after the incident, that choice will not be available without credible evidence. The evidence collected can also be useful in the campus conduct process.

- d. Go to the Eastar Medical Center to receive care for any physical injuries that may have occurred. While in the emergency room, treatment will be provided for sexually transmitted diseases and to prevent pregnancy.
- e. If you call the Rape Crisis Line, a sexual assault nurse examiner (SANE), a police officer, and a rape volunteer advocate will be sent to the exam site.
- f. Upon arrival at the Eastar Medical Center, you will be taken to a private exam area. The nurse, advocate, and police officer will be directed to this same location. You will be examined to treat any injuries and to gather evidence.
- g. The rape advocate will support you throughout the entire exam, which will be performed by the nurse. The advocate will provide a packet of written materials that contains information about common reactions to rape, follow-up medical needs, and support services.

## **On and Off Campus Resources**

Sexual harassment and sexual violence can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to support that may be found in family and friends, the following agencies and departments can serve as resources for you.

It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other college employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, the College must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

**OSU Victim Advocate Confidential Reporting Option**  
OSU's Victim Advocate that can confidentially provide students with information about on and off campus resources available to victims.

**Dr. Suzanne Burks**  
320 Student Union  
**405-744-5458**

**Women In Safe Home**  
918-682-7878  
24-hour Crisis Line:

**Other Local Services Available To Victims\_ Non-Confidential Reporting Options**

**CSC Police Department**  
**Holloway Hall**  
**918-463-6375**

**Warner Police Department**  
**918-463-3911**

**CSC Student Conduct Education and Administration**  
**Gatlin Hall**  
**918-463-6351**  
**Mike.Jackson@Connorsstate.edu**

**Title IX Coordinator**  
**Gatlin Hall**  
**918-463-6206**  
**Nate.Walker@Connorsstate.edu**

**Medical Services**

It's important to have a thorough medical examination after a sexual assault even if you do not have any apparent physical injuries. Medical providers can treat any injuries and provide tests for sexually transmitted diseases.

## Interim Measures

Student Conduct Education and Administration and the Title IX Coordinator can put in place interim measures for student victims of sexual harassment and sexual violence as needed. A formal complaint does not need to be submitted to have interim measures put in place. The College will maintain as confidential any interim measures provided as long as it does not impair the ability to provide the interim measure.

- a. **Assistance in Reporting:** Student Conduct can assist you in filing a complaint with the university conduct process and the appropriate law enforcement agencies against the student(s) who caused harm.
- b. **No Contact Order:** Student Conduct can put in place a No Contact Order between the complainant and the respondent, which would prohibit contact between both parties through any means of communication, as well as not having others make contact on their behalf.
- c. **Emergency Protective Order:** Student Conduct can assist you in filing for an Emergency Protective Order in court with Women in Safe Home. This is a court-ordered petition that prohibits contact between the complainant and accused.
- d. **Safety Measures:** Student Conduct can coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes transportation arrangements or providing an escort.
- e. **Living Arrangements:** Student Conduct can assist in changing your on-campus living arrangements or that of the accused to ensure safety and comfortable living situation.
- f. **Academic Arrangements:** Student Conduct can assist in adjusting your academic schedule or that of the accused as well as assist in providing access to academic support services.
- g. **Other Interim Measures:** Student Conduct can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

When Student Conduct becomes aware of a student who potentially could have been a victim of a sexual harassment, they will contact the

victim in writing through Connors State College email to share these interim measures, reporting options, and other resources available. This will be done no matter the location of the incident.

# Reporting

All forms of sexual harassment including sexual violence should be reported, no matter the severity. Connors State College's primary concern is safety; therefore, individuals should not be deterred in reporting even if the use of alcohol or other drugs was involved.

The College encourages victims of sexual violence to talk to someone about what happened so they can receive support and so that the College can respond appropriately. The College offers both confidential reporting and non-confidential reporting options. It is important to be aware that different individuals who victims can contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure a victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other university employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, the university must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Different employees on campus have different abilities to maintain a victim's request for confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a victim in confidence, and generally report only that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a College investigation into an incident against the victim's wishes. This report is done through a Clery Report and does not include the victim's name or other identifying information.
- Thirdly, some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator.

## **A. Confidential Reporting Options**

Confidential reporting options provide students with the ability to confidentially report and discuss an instance of sexual harassment

including sexual violence without their information being shared with others. Please note confidential reporting limits the College's ability to respond to incidents.

### ***Professional Counselors***

Professional and licensed counselors who provide mental-health counseling (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. These individuals are also not required by the Clery Act to report.

### **College Health Services**

College Health Service providers are confidential reporting options. They are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, they will report incidents without any identifiable information to CSC Police for the purpose of the Clery Act.

While these professional, non-professional counselors, advocates and health providers may maintain a victim's confidentiality, they may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in case of minors, imminent harm to self or others, or requirement to testify if subpoenaed in a criminal case.

If the College determines that the alleged individual(s) pose a serious and immediate threat to the campus the College may issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

### **B. Non-Confidential Reporting Options**

The Board of Regents for Oklahoma Agricultural and Mechanical Colleges and the Clery Act requires all other employees (excluding counselor and victim advocate) who become aware of an instance of sexual harassment including sexual violence to report the instance to CSC Police. The victim's name should not be reported to the police without the victim's permission. The report should include the nature, date, time, and general location of an incident. This is a limited report which includes no information that would directly or indirectly identify the victim. This allows for the College to track patterns, evaluate the program, and develop appropriate campus-wide responses.

Note that the Clery Act requires other crimes to be reported. Visit [safety.okstate.edu](http://safety.okstate.edu) to learn more.

When an instance of sexual harassment including sexual violence is reported to a “responsible employee,” they can expect the incident will be reported to the College’s Title IX Coordinator or Student Conduct Education and Administration. A responsible employee must report to the Title IX Coordinator or Student Conduct Education and Administration all relevant details about the alleged sexual harassment or sexual violence shared by the victim including names, date, time, and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the College’s response to the report. A responsible employee should not share information about the victim to law enforcement.

A “responsible employee” is an employee who has the authority to redress sexual harassment including sexual violence, who has the duty to report incidents of sexual harassment or other student misconduct, or who a student could reasonably believe has this authority or duty.

**Examples include but are not limited to faculty members, advisors, employees in student services offices, and anyone in a supervisory role.**

When a victim tells a responsible employee about an incident of sexual harassment or sexual violence, the victim has the right to expect the College will investigate the alleged sexual harassment, end any sexual harassment, prevent the sexual harassment from reoccurring, and educate on sexual harassment.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations and if the victim wants to maintain confidentiality, then the student should be directed to a confidential resource.

### **Requests for Confidentiality from a Non-Confidential Reporter**

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or conduct action taken, the College must weigh that request against the College’s obligation to provide a safe environment for all students, including the victim.

If the College honors the request for confidentiality, a victim must understand that the College’s ability to meaningfully investigate and respond to the incident may be limited.

Although rare, there are times when the College may not be able to honor a victim's request in order to provide a safe environment for all students.

When weighing a victim's request for confidentiality or that no investigation or conduct process be pursued, the following will be considered:

- The increased risk that the alleged respondent will commit additional acts of sexual or other violence, such as:
  - whether there have been other sexual violence complaints about the same alleged respondent;
  - whether the alleged respondent has a history of arrests or records from a prior school indicating a history of violence;
  - whether the alleged respondent threatened further sexual violence or other violence against the victim or others;
  - whether the sexual violence was committed by multiple respondents;
- whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the College possesses other means to obtain relevant information of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue conduct action. If none of these factors is present, the College will likely respect the victim's request for confidentiality.

If determined that the College cannot maintain a victim's confidentiality, the College will inform the victim prior to starting an investigation. The College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. The College may not require a victim to participate in any investigation or conduct process. Retaliation against the victim, whether by students or College employees, will not be tolerated.



## **Reporting to the Police**

The College strongly encourages individuals to report sexual violence and any other criminal offenses to the police. This does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, college conduct actions, and/or civil actions against the perpetrator.

If the incident happened on campus, it can be reported to the CSC Police Department in Holloway Hall or at 918-463-6275. If the incident occurred elsewhere in Warner, it can be reported to the Warner Police Department at 918-463-3911. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

Please know that the information you report can be helpful in supporting other reports and preventing further incidents.

## **Report to Student Conduct**

Anyone can report any instances of sexual harassment and sexual violence to Student Conduct Education and Administration at the Office of Campus Life in Gatlin Hall or at 918-463-6351. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused are students, the incident will be addressed through the Student Conduct process once a complaint is filed.

Additionally, as stated above, the College strongly encourages individuals to report any instance of sexual harassment and sexual violence to the police.

# Student Conduct Process

## Once You Have Filed a Complaint with Student Conduct

We want you to be knowledgeable about the process that occurs once you have filed a complaint with Student Conduct. The following describes the investigation process, the hearing itself, and the outcome of the hearing. Student Conduct will be available to explain the process to you individually as requested. The Student Conduct process will be prompt, fair, and impartial. This means the process will be completed within a reasonable timeframe as designated below and without undue delay. The process will be conducted in a manner that is consistent with the College's policies and will be transparent to all parties. Lastly, the Student Conduct process will be conducted by officials who do not have conflict of interest or bias for the complainant or respondent.

### Investigation

- a. You will be notified of receipt of your complaint and the actions the College official will take.
- b. A College official will meet with you to discuss the complaint submitted, to review the investigation and hearing process, and to determine the outcome you desire from your complaint.
- c. An investigation will be conducted by a non-biased Title Investigator. This investigation will include:
  - meeting personally with the complainant,
  - meeting personally with the student(s) accused,
  - meeting personally with any witnesses, and
  - reviewing any documentary evidence.
- d. The investigation of complaints will be adequate, reliable, and impartial. The Title IX Investigator will compile an investigation report.
- e. The investigation process can take up to 60 days. If at any point either party would like an update of the investigation process, all they need to do is ask and an update will be provided.
- f. The College official will determine if a conduct hearing is possible.

- g. If it is determined that the College will proceed with a formal conduct hearing, the complainant and the accused student(s) will be notified of the hearing date.

## Hearing

- a. You will be notified at least five days in advance of the hearing date, time, and location. Hearings will be scheduled around your academic schedule.
- b. A hearing will consist of the College Conduct Committee Hearing. The hearing panel will be comprised of three members: a faculty member, a staff member and a student.
- c. The hearing includes opening statements, presentation of the investigation report, providing information and witnesses, and closing statements.
- d. You are permitted to have a person of your choosing to accompany you throughout the hearing as a person of support.
- e. You are permitted to be present during the hearing (except during deliberations of the panel). You and the respondent will be in the same room in a pre-arranged, non-threatening set-up. If there is a known immediate safety risk, communicate this to Student Conduct Education and Administration, and accommodations can be arranged.
- f. You are permitted to make statements, present witnesses and information during the hearing. Witnesses and information need to be directly related to the incident.
- g. The standard of proof used in all college conduct hearings is preponderance of the evidence, which means the determination to be made is whether it is more likely than not a violation occurred. This is significantly different than proof beyond a reasonable doubt, which is required for a criminal prosecution.

## Outcome

- a. Possible outcomes can include the entire range of sanctions listed in the *Student Code of Conduct*. When it is determined that sexual misconduct is more likely than not to have occurred, the outcome can include separation from the College.

- b. You have the right to be informed of the outcome. You will be notified within two business days after the hearing, at the same time the respondent is informed of the outcome.
- c. You have the right to appeal the decision reached through the hearing proceedings within seven days after the hearing.

## Federal Guidance

According to the US Department of Education, Title IX of the Education Amendments, which most of us just refer to as Title IX, prohibits discrimination on the basis of sex in education programs or activities.

Sexual harassment of students, faculty, or staff, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. Title IX covers a broad array of state and local agencies like CSC that receive US Department of Education funds. These agencies include approximately 16,000 local school districts, 3,200 colleges and universities, and 5,000 for-profit schools.

Programs and activities, which receive US Department of Education funds must operate in a nondiscriminatory manner. In order to ensure that the US Department of Education funds are not being used by an institution that engages in discriminatory practices, the US Department of Education set up the Office for Civil Rights, often referred to as OCR who is responsible for enforcing Title IX.

US Department of Education places significant obligations on higher education institutions like OSU to address allegations of sexual harassment and sexual violence. This of course does not supplant or replace the criminal justice system – or the ability of a survivor to seek redress using the criminal system -- rather these requirements are intended to support students so they can continue in their education free of harassment or discrimination.

US Department of Education and CSC expects that once the Institution has notice of sexual harassment, sexual misconduct, or sexual violence the Institution should:

Take immediate and appropriate steps to investigate what occurred and take prompt and effective action to:

1. First end the harassment
2. Second Prevent any reoccurrence and
3. Third remedy the effects.

CSC has decided to adopt a practice that defines all employees, with very limited exceptions, as mandatory reporters. Therefore, for almost all employees if you learn about sexual harassment, discrimination or sexual assault, you are expected to promptly contact the campus Title IX Coordinator if the issue involves a faculty or staff or the Office of Student Conduct if the issue involves a student. These offices will take

responsibility for prompt notification of CSC PD and other appropriate College officials.

In addition to Title IX, the US Department of Education also enforces the Clery Act which is a federal law intended to ensure that students, members of the campus community, and the public are provided with accurate, complete, and timely information about safety and crime on and around campus so individuals can make informed decisions about safety while in and around campus.

The Act was named in memory of Jeanne Clery who was raped and murdered in her residence hall room at Lehigh University in 1986. Her killer was another student. Three automatic doors had been propped open with pizza boxes and there had been several violent crimes reported to campus authorities but they had failed to report these crimes to the community. Her parents, Connie and Howard Clery, believe she would have been more cautious if she had known about other violent crimes at Lehigh.

Congress agreed and the Clery Act was enacted in 1990 and amended in 1998, and requires higher education institutions to report crime statistics to current & prospective students & employees. This is achieved through the Annual Security Report and is compiled annually based upon reports made to CSCPDP.

In addition to the Annual Security Report, the Act requires CSC to maintain a Daily Crime Log and to send out emergency notification and timely warnings if the campus community is found to be in imminent threat. You may be familiar with these notifications that you receive via email, text message, and voice mail.

# Resources for College Employees

As a CSC employee, when an incident of sexual harassment or other crime is reported to you, there are three simple steps that you should follow to ensure that you have fulfilled your obligations.

1. Get the facts.
2. Inform the individual you have to report the incident and provide them resources.
3. Report the incident to the appropriate individuals.

## **1. Get the facts**

First please know that if a crime is currently ongoing or you feel that it is an emergency, call 911.

Assuming that there is not an ongoing emergency, you must first get the facts of the incident. Facts would include the date and time the incident occurred, where the incident occurred, what the details of what occurred, and the date it was reported to you. This information is critically important to determine if this incident has been previously reported by others.

You do not have to prove what happened or who was at fault; the appropriate and appointed individuals will investigate. In addition, do not try to apprehend the alleged individual of a crime.

## **2. Inform the individual that you have to report the incident and provide resources**

Please ensure that you tell the person reporting the incident to you that you must report what happened.

“I need to let you know that I am required to report what you have shared with me to the CSC police department for the purpose of crime statistics. I will not be reporting your name to CSC PD unless you provide consent for me to do so. However, CSC policy and federal laws requires that I report all of what you have shared with me to the appropriate College officials [Title IX Coordinator, Student Conduct].”

There is a distinct difference between what the Clery Act requires College officials to report to CSCPD and what Title IX requires of College officials to report internally.

When reporting to the police, the Clery Act does not require you to identify the victim by name involved unless the victim consents. If more information is needed after you report, you might be asked to follow up with the individual or ask if the individual is willing to have you share their

name so the police can follow up. Know that the data compiled at the end of the year in the annual security report contains no names of either the victims or perpetrators.

When reporting to the Title IX Coordinator or the office of Student Conduct, Title IX requires that you provide both the victim and alleged individual's names and details of what you know. The College is required to take immediate and appropriate steps to investigate what occurred and take prompt and effective action to:

- End the harassment
- Prevent any recurrence and
- Remedy the effects.

The College will not be able to fulfill its federal requirements and maintain a safe living and learning environment if you do not share all the information.

Lastly, there are a number of campus and community resources available to victims of crimes. Please inform the individual about their option to report directly to law enforcement themselves; however, you do not need to convince the person reporting this to you to speak to the police if they are unwilling to do so.

**3. Report the incident to the appropriate individuals.**

After the facts have been collected and the individual has been informed of the report and provided resource, you now must report the incident to the appropriate officials.

If a student is involved, contact Student Conduct at 918-463-6351. When there is not a student involved and only involves faculty and staff members, call the University's Title IX Coordinator at 918-463-6206.

| <b>Who To Contact About Sexual Violence</b>   |                                  |
|---|----------------------------------|
| Student Involved                              | Student Conduct & call CSCP      |
| No Student Involved                           | Title IX Coordinator & call CSCP |
| <b>Who To Contact About Sexual Harassment</b> |                                  |
| Student Involved                              | Student Conduct                  |
| No Student Involved                           | Title IX Coordinator             |

**Reporting for Faculty and Staff (Non-Student) Instances**



Faculty and staff shall report any instances of sexual harassment and sexual violence by another faculty or staff member to the Title IX Coordinator in Gatlin Hall or at 918-463-6206. As stated above, the College also strongly encourages individuals to report any instances to the police.

## **Employee Obligation to Report (Student Instances)**

As stated above, in compliance with the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges Policy 30:10-1-19 Reporting of Sexual Assault Allegations, College employees who become aware of a student instance of sexual violence shall immediately report such instance to the CSC Police Department. For all student instances of sexual harassment and sexual violence, College employees shall contact Student Conduct Education and Administration in Gatlin Hall.

Additionally, if College employees are made aware of an incident that is a form of sexual harassment and sexual violence, they must report the incident, including the name of the perpetrator, to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges.

## **Clery Reporting**

College employee's obligations to report criminal activity extends beyond your obligation to report sexual harassment and sexual violence. Under the Clery Act University employees are also required to report the following crimes to the CSC Police Department:

- Sex Offenses
- Stalking
- Dating Violence
- Domestic Violence
- Aggravated assaults
- Hate crimes
- Burglary
- Motor vehicle theft
- Robbery
- Arson
- Criminal homicide
- Arrests and disciplinary referrals for violations of liquor, drug, and weapons laws

Definitions of these crimes are provided online at [safety.okstate.edu](http://safety.okstate.edu). The reporter does not need to worry about trying to make a determination on the specific crime; they just need to report it.

Generally speaking, the Clery Act has exhaustive guidance regarding locations of crimes and what must be reported. In order to simplify this guidance if you become aware of one of these crimes, on campus, or off campus but closely related to the College, error on the side of caution and report it.

Under normal circumstances when a crime is reported – the Police are called and speak to all involved parties. Once the police are called, your reporting requirements are met and there is no need to call the police. But there are times when folks simply are not ready to speak to the police. This is not uncommon, and we do not coerce individuals to report. You still must report the crime to the best of your ability.

The Clery Act also includes requirements regarding reporting of missing students. Any employee who receives a report of a missing student should call CSCPd immediately.

## **Victim Interaction**

If approached by an alleged victim of sexual harassment or sexual violence, it is important to be aware that the individual is choosing to tell you about a very traumatic incident. Active listening will be a key skill as well as emotional support, guidance, and direction. The following is recommended when interacting with an alleged victim of sexual harassment or sexual violence:

- Address the victim by name
- Introduce yourself by name and position and explain your role at the College. This is also the time to tell the victim of your reporting obligations and whether or not you can maintain confidentiality. Victims of sexual harassment or sexual violence need clear boundaries and role definitions of those professionals who offer help because their personal boundaries have been violated.
- Be non-judgmental. Do not blame the victim in any way for his or her experience.
- Be mindful that the victim may be emotionally distraught or even in shock.
- Share with the victim available resources both on campus and off campus. Resources can include reporting to the police or filing a formal complaint with Student Conduct Education and Administration
- Be patient, and if necessary, repeat what options are available. A victim may be in shock therefore may not hear everything the first time you say it.

- Follow your specific reporting obligations if you have them.

## **Faculty and Staff Complaint Process**

If a member of the CSC Community believes that he or she has been the victim of discrimination or discriminatory harassment or has information about discrimination/harassment in the college community, he or she may promptly report, without fear of reprisal, the facts of the incident and the name(s) of the individual(s) involved to the Office of Equal Opportunity (EO), located in Gatlin Hall. This report initiates a complaint.

Alternatively, a member of the college community may report the situation to his or her immediate supervisor, department head, or Vice-President, who will immediately notify EO of the report. This report initiates a complaint. Supervisors must immediately report any complaints they receive or incidents of alleged harassment or discrimination they witness to the Director, Equal Opportunity / Title IX Coordinator.

The Office of Equal Opportunity (or an alternate investigator, where appropriate) will promptly, fairly, and thoroughly investigate all claims of harassment and discrimination, regardless of whether such complaints are reduced to writing. All complaints of discrimination and harassment will be treated in the strictest confidence possible under the particular circumstances.

Upon receipt of a complaint, the Director of Equal Opportunity/Title IX Coordinator (or an appropriate alternate investigator) will make every effort, within thirty calendar days, to complete a thorough investigation of the circumstances of the allegations. However, if additional time is needed to conduct a thorough investigation, the Director, Equal Opportunity/Title IX Coordinator may, in her/his discretion, extend the time for completing the investigation as reasonably necessary. In this case, the complainant and the respondent will be notified of the estimated time needed to complete the investigation.

The investigation will include interviews with the complaining party, the respondent, and any material witnesses identified, as well as a review of any documents or other evidence. The complaining party and the respondent will be kept apprised of the conduct of the investigation and will be given the opportunity to provide any additional relevant information to the investigator, including the names of additional witnesses to contact and/or additional documents to review before the investigation is closed. The complainant and respondent will be promptly

notified of the final determination. The Office of Equal Opportunity has no independent authority to impose sanctions.

If EO finds that there has been a violation of this policy and if the Vice-President or division head seeks advice as to the appropriate penalty, EO may provide a recommendation as to the appropriate sanction. The Vice-President or division head will then be responsible for deciding upon and imposing disciplinary action as soon as reasonably possible.

Sanctions imposed on those individuals who have been found to be in violation of the College's nondiscrimination policy shall be commensurate with the severity and/or frequency of the conduct, and shall be adequate and sufficient to prevent such conduct in the future. Staff members who receive disciplinary penalties under this policy may consult Human Resources for information about the Grievance process, which may be used to challenge alleged violations, misinterpretations, or inequitable application of policies or procedures. Faculty members who receive disciplinary penalties under CSC's nondiscrimination policies may contact the Human Resources Director's office for information about the Grievance process.

# Preventative Measures

The College encourages students to help in preventing harmful and negative incidences by being responsible for their own personal safety, intervening by they are a bystander of such incidences, and by educating themselves through College sponsored trainings.

## **Awareness Education**

**Connors State College takes acts of sexual violence and sexual harassment seriously.**

**Additionally, Student Conduct Education and Administration provides education on sexual violence to any group of students, faculty, or staff. Topics include but are not limited to sexual assaults, sexual harassment, the conduct process for sexual misconduct, how to support a victim, bystander intervention, prevention strategies, and resources available for victims.**

## **Bystander Intervention**

To prevent sexual violence, it is important that people are approached as potential witnesses or bystanders to behaviors related to sexual violence. If you witness these behaviors, there are certain ways you can step up to prevent a risky situation from getting worse.

In order to intervene, first someone has to:

### **1. Notice the incident**

Bystanders first must notice the incident taking place. It's important to become attune to what situations may be risky; i.e., if you're at a party, and you see someone stumbling as they're being led into a different room, this is a risky situation.

### **2. Interpret the incident as emergency**

By "emergency," we mean a situation wherein there is risk of sexual or domestic violence occurring in the near future.

### **3. Assume responsibility for intervening**

It has been found that often, people believe that someone else will help in a situation where there are many people around. However, it is important to realize that others may also be thinking the same thing. If you're unsure if you should do something, ask a friend what they think -- it might be the case that they've been thinking the same thing.

#### **4. Have the bystander intervention skills to help**

There are a number of different techniques that someone can use to intervene in a risky situation, some of which we've listed below.

#### **The 4 Ds (Bystander Intervention Techniques)**

Please remember that your safety is of the utmost importance. When a situation that threatens physical harm to yourself or another student, ask someone for help or contact the police.

**1. Direct:** Step in and address the situation directly. This might look like saying, "That's not cool. Please stop." or "Hey, leave them alone." This technique tends to work better when the person that you're trying to stop is someone that knows and trusts you. It does not work well when drugs or alcohol are being used because someone's ability to have a conversation with you about what is going on may be impaired, and they are more likely to become defensive.

**2. Distract:** Distract either person in the situation to intervene. This might look like saying, "Hey, aren't you in my Spanish class?" or "Who wants to go get pizza?" This technique is especially useful when drugs or alcohol are being used because people under the influence are more easily distracted than those that are sober.

**3. Delegate:** Find others who can help you to intervene in the situation. This might look like asking a friend to distract one person in the situation while you distract the other, asking someone to go sit with them and talk, or going and starting a dance party right in the middle of their conversation. If you didn't know either person in the situation, you could also ask around to see if someone else does and check in with them. See if they can go talk to their friend, text their friend to check in, or intervene.

**4. Delay:** For many reasons, you may not be able to do something right in the moment. For example, if you're feeling unsafe or if you're unsure whether or not someone in the situation is feeling unsafe, you may just want to check in with the person. In this case, you can combine a distraction technique by asking the person to use the bathroom with you or go get a drink with you to separate them from the person that they are talking with. Then, you can ask them, "Are you okay?" or "How can I help you get out of this situation?"

Information gathered from Vassar College Bystander Intervention website, <http://savp.vassar.edu/prevention/bystander-intervention.html>

## How to Support a Friend

If your friend is a victim of sexual harassment or sexual violence, the following information can offer guidance on how to help and support:

- a. Listen and accept what you hear. Do not press for details. Allow your friend to reflect on what has happened and to share some of her/his feelings.
- b. Keep what is said confidential unless you are required to report
- c. Let your friend know that she/he is not to blame. Many victims tend to blame themselves for the offender's actions, especially if the perpetrator was an acquaintance.
- d. Encourage your friend to obtain a medical examination.
- e. Allow your friend to make their own decision about their next steps.
- f. Seek emotional support for yourself.
- g. Accept their choice of solution to the assault even if you disagree with what they have chosen to do. It is more important that they feel empowered to make choices and take back control than it is for you to impose what you feel you think is the correct decision.
- h. Encourage your friend to file a police report. Filing a report does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, college disciplinary actions and/or civil actions against the perpetrator. Information can be helpful in supporting other reports and/or preventing further incidents (even anonymous reports are somewhat useful).
- i. Remind your friend of campus resources including Student Conduct Education.

## Campus Safety Tips

Students at college accept new responsibilities, including taking appropriate measures to ensure their own personal safety. In combination with CSC's efforts to maintain a safe living and learning

environment, the College encourages students to follow these safety tips to protect themselves.

**At home, in your apartment or in a residential hall:**

1. Keep your room door locked when you are napping/sleeping or not in your room.
2. Never let unauthorized persons come into your room, enter residence halls or enter apartment security doors. Always ask to see proper identification.
3. Never prop open doors.
4. Do not hide keys outside your room or apartment. Do not put your name or address on your key rings.
5. Avoid working or studying alone in a campus building.
6. Never dress in front of a window. Close the blinds or curtains after dark.
7. If you are awakened by an intruder inside your room, do not attempt to apprehend the intruder. Try to get an accurate description of the intruder and call the police.
8. Any suspicious activity should be reported to the CSC Police immediately.

**Protect your possessions:**

1. Always keep your doors locked. Never prop open a door.
2. Secure your vehicle. Close all windows and lock all doors.
3. Adequately protect all valuables in your room, such as wallets, jewelry, credit cards, cash and computers. Do not leave valuables or cash in plain view.
4. Do not lend your keys to anyone.
5. Never hide your keys outside your apartment or room. Do not put your name or address on your key rings.
6. Take all valuable items home with you during vacations.
7. When in a public place, keep valuable possessions out of sight. If you must leave for any length of time, take personal items with you.

**When driving:**

1. Carry your car keys when approaching your vehicle so you can enter quickly.
2. Always check underneath your car upon approach and in the rear seat for intruders before entering your automobile.
3. Lock your doors and keep windows rolled up whenever possible.
4. Drive on well-traveled and well-lit streets.
5. Never hitchhike, and never pick up hitchhikers.
6. If someone tries to enter your stopped vehicle, sound the horn and drive to a safe area such as a convenience store.



7. If your vehicle breaks down, ask any person who stops to help to call the police. Do not allow any person access to you or inside your car. Roll down your window no more than an inch. Be aware that an accident may be staged to give the other driver an opportunity to commit a criminal act.
8. Leave enough room between your car and the one ahead so you can drive around it if necessary.
9. Call ahead when driving home late at night and have someone watch you walk from your car to your residence.
10. Limit distractions such as cellphones.

**While walking or jogging:**

1. Avoid walking or jogging alone, and try not to walk or jog after dark.
2. Avoid dark or vacant areas and walk along well-lit routes.
3. Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or move quickly to a lighted area, or a group of people.
4. Have your keys ready when returning home. Keep your personal or valuable items concealed and close to your body.
5. Avoid wearing headphones or earbuds when walking or jogging. Always be aware of your surroundings avoid risky actions.

**Socially:**

1. Do not give out your personal information such as your phone number, email address, social media usernames, etc., to individuals you don't yet trust.
2. If you perceive communication from another individual to be inappropriate or is making you uncomfortable, threatening, etc. do not respond.
3. Don't put your daily schedule, phone number or address online.
4. Make sure you trust online website where you choose to share your personal information (especially financial information such as credit cards).
5. Before going to a party where alcohol will be present, make a plan, know your limits and appoint a designated driver to remain sober.
6. At a party, stay and leave with the friends you came with.
7. Make your own drink and keep your drink in your hands at all times.
8. If someone is pressuring you into drinking, leave the situation.

For additional information on campus safety tips visit [safety.okstate.edu](http://safety.okstate.edu).

## Notice of Nondiscrimination

CSC does not discriminate on the basis of race, color, national origin, sex, qualified disability, religion, sexual orientation, veterans' status, genetic information or age in its programs and activities. The Equal Opportunity Officer is designated to handle inquiries regarding the non-discrimination policies and can be reached at 918-463-6205 or at Gatlin Hall, CSC, Warner, OK 74469.