Sexual Harassment, Sexual Assault, and Intimate Partner Violence Prevention, Reporting, and Support Resources
SCOPE OF VIOLENCE
College Students are Significantly Impacted

Rates of Violence by Gender Identity (% of students)

- Sexual Assault
- Dating Violence
- Stalking

Sources: AAU Climate Survey on Sexual Assault and Sexual Misconduct (2015); Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, National Crime Victimization Survey, 2010-2014 (2015).
WE ARE ALL IMPACTED

Sexual Violence Affects People of all Identities and Communities

GENDER
Women, men, and gender non-binary persons all experience sexualized violence. Rape is neither a women’s issue, nor a heterosexual phenomenon.

RACE
Women of color face heightened risk of experiencing sexual violence and at an earlier age. Race and ethnicity may play a role in a person’s decision to access particular resources.

STATUS
Sexual violence occurs among all economic levels and backgrounds, although low-income women and LGBTQ persons face heightened risk and sometimes limited support.

ABILITY
Persons with disabilities experience sexual violence at alarmingly high rates and may face additional risks and obstacles to help and support.
PREVALENCE OF INTERPERSONAL VIOLENCE

• 1 in 5 women are likely to experience sexual assault.
  *(The National Intimate Partner & Sexual Violence Survey, CDC 2015)*

• 1 in 16 men are likely to experience completed or attempted sexual assault during college.

• The rate of intimate partner and sexual violence impacting LGBTQ students is equal to or higher than that of heterosexuals.
  *(The National Intimate Partner & Sexual Violence Survey, CDC 2010)*

• Only about 10% of victims come forward on college campuses. However, in 2/3 of the incidents, the victim told someone about the event.
VIOLENCE EXPERIENCED PRIOR TO ENROLLMENT

• Among those experiencing sexual assault, intimate partner violence, and/or stalking, 22% of women and 15% of men first experienced some form of sexual violence between the ages of 11 and 17.

• As prior incidents may continue to impact a student’s participation and academics, reporting and support options remain available to those who have experienced sexual assault, stalking, and dating/domestic violence prior to enrollment.
LINGERING MYTHS

Myth: Sexual assault is most often committed by strangers.

• Fact: Over 80% of sexual assaults are committed by persons known to the victim.

Myth: False reports of sexual assault are common.

• Fact: Only 2-8% of reported assaults are estimated to be false reports, and sexual assault is no more likely to be falsely reported than other crimes.

Myth: Sexual assault is almost always physically violent.

• Fact: In sexual assaults committed by acquaintances or intimate partners, coercion is more often present than physical force or violence.

Myth: Sexual misconduct only occurs in person through physical contact.

• Fact: Sexual misconduct increasingly occurs online and via social media.
Effective Consent is consent that is informed and freely and actively given. Effective consent requires mutually understandable words or actions indicating a willingness to engage in mutually agreed-upon sexual activity.

• The person who wishes to engage in sexual activity with another bears the burden of specifically obtaining effective consent. If effective consent is in question or ambiguous, then the person who wishes to engage in sexual activity must clarify or explicitly ask for permission.

• Effective consent must be maintained by both parties throughout the sexual interaction.

• Effective consent for one form of sexual activity does not constitute effective consent for another form of sexual activity.
DEFINITIONS
EFFECTIVE CONSENT

• When "no" to a form of sexual activity is communicated by word or action, that sexual activity must cease immediately. Repeated requests to engage in that sexual activity may amount to coercion, as explained below.

• Effective consent to sexual activity may be withdrawn at any time, at which point sexual activity must cease immediately.

• There is no requirement for a person to resist, physically or otherwise, in order to demonstrate a lack of effective consent. Effective consent means communicating "yes" by word or action; the absence of saying or indicating "no" does not equate to effective consent.
Because effective consent must be informed, an individual must not engage in sexual activity with another person if the individual knows or reasonably should know the person is incapacitated.

Previous sexual relationships of the complainant and the respondent with others are generally irrelevant to the existence of effective consent, but a previous, current, and/or subsequent sexual relationship between the complainant and the respondent may or may not be relevant to demonstrating or establishing, depending on the facts and circumstances, whether effective consent was sought or obtained.
• Effective consent expires. Effective consent lasts for a reasonable time, depending on the circumstances. Thus, effective consent on one occasion, whether on the same day or another day, may not carry over to another sexual interaction.

• Because effective consent must be informed, an individual must not engage in sexual activity with another person if the individual knows or reasonably should know the person is incapacitated.
• Effective consent is deemed withdrawn when an individual knows or reasonably should know that the other person has become incapacitated at any point during sexual activity.

• Agreement or acquiescence obtained through the use of fraud, force (actual or implied), or other forms of coercion, as defined below, is not effective consent.

• Effective consent requires mutual understanding and agreement regarding the use and/or method of prophylaxis and contraception.
EFFECTIVE CONSENT

• A person's age may be a factor in determining the ability to give effective consent. For example, under Tennessee law, a person who is under the age of 18 cannot effectively consent to sexual intercourse with a person four or more years older than the underage person.

• The existence of a cognitive disability or other condition that significantly limits a person's ability to understand the nature of an action for which effective consent is requested may be a factor in determining the ability to give effective consent.

• The existence of a physical disability or other circumstances may prevent a person from giving effective consent.

• The intoxication of a respondent does not excuse the failure to obtain effective consent.
DEFINITIONS

CLARIFICATIONS: FORCE & COERCION

• **Force** includes physical force (such as pushing, hitting, pinning down), threats (direct or indirect expressions of intent to inflict harm to self or others), intimidation (implied or indirect threats), and/or other forms of coercion.

• **To coerce** is to exert power or control over another person by use of force, pressure, manipulation, threats, or intimidation. Determinations regarding whether actions or statements amount to coercion will be made on a case-by-case basis. For example, repeated advances or requests to engage in sexual activity may or may not amount to coercion depending on all of the relevant facts and circumstances.
The impact of alcohol and other drugs varies from person to person. A person wishing to engage in sexual activity with another whom the person knows or reasonably should know has consumed alcohol or other drugs must specifically determine the capacity of the other person to provide "effective consent," as explained above.

Depending on the level of a person's intoxication, the person may or may not be able to give effective consent.

Determinations regarding whether a person's level of intoxication affects the person's ability to give effective consent will be made on a case-by-case basis.
**CONSENT & ALCOHOL AND DRUGS**

**INTOXICATION AND INCAPACITATION**

*Intoxication* refers to a state of stupefaction, exhilaration or euphoria resulting from the ingestion of alcohol or other chemical substances.

*Incapacitation* means the inability to make or carry out a rational, reasonable decision. One who is incapacitated cannot give effective consent. Incapacitation can result from intoxication from alcohol or other drugs, or from the voluntary or involuntary taking of GHB, Rohypnol, Burundanga, Ketamine, or other sedatives or "date-rape" drugs. Evidence of incapacitation may include, but is not limited to, one or more of the following:

- slurred speech
- bloodshot eyes
- dilated pupils
- the smell of alcohol on the breath
- shaky equilibrium
- unsteady gait
- vomiting
- outrageous or unusual behavior
- unconsciousness
- elevated blood alcohol level
- blacking out
- sleeping
CONSENT & ALCOHOL AND DRUGS

BLACKING OUT

Blacking out is an amnesia-like state that may be brought on by drugs, heavy drinking, or intoxication; blacking out is not necessarily incompatible with the ability to engage in simple or even complex behavior. Afterwards the person has no recollection of all or part of the events that occurred during the blackout. There is a distinction between passing out (falling asleep or becoming unconscious) due to drug or alcohol use and blacking out in that a person in a blackout remains conscious and operative.

Blacking out, incapacitation, and intoxication do not provide a valid explanation or excuse for engaging in any form of sexual misconduct.

Depending on the facts and circumstances, intent may or may not be required to violate this policy. For example, engaging in intercourse without obtaining effective consent constitutes a violation of the policy regardless of intent. On the other hand, intent may be an appropriate consideration in some instances (such as when one person brushes up against another person in a crowded room).
Types of Offenses

PROHIBITED BEHAVIORS

- Sexual Assault – Intercourse
- Sexual Assault – Contact
- Sexual Harassment (including Hostile Environment)
- Sexual Exploitation
  - Includes non-consensual taking and/or distribution of pictures/videos
  - Efforts to blackmail a person
- Stalking
- Dating Violence
- Domestic Violence
- Retaliation
- Other forms of sexual misconduct
PROHIBITED BEHAVIORS

DEFINITIONS: SEXUAL ASSAULT

**Sexual Assault – Intercourse** is any vaginal and/or anal penetration – however slight – by any body part (e.g., penis, tongue, or finger) or object, and/or oral copulation (mouth to genital contact), by any person upon another without effective consent. Sexual Assault – Intercourse also includes an individual causing someone else to penetrate him/her/them vaginally, anally, or orally without effective consent.

**Sexual Assault – Contact** is any contact of a sexual nature – however slight – with the breasts, buttocks, groin, genitals, mouth, or other body part of another, by any person upon another without effective consent. Sexual Assault – Contact also includes an individual causing someone else to touch him/her/them with, or on, any of these body parts without effective consent.
Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when:

- Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (often referred to as quid pro quo harassment); and/or
- Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's education or employment programs and/or activities. The severity, persistence, and pervasiveness of conduct are assessed from both a subjective and objective perspective. A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe.
PROHIBITED BEHAVIORS
DEFINITIONS: SEXUAL HARASSMENT (continued)

• The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, a single offensive verbal or written expression, standing alone, is often not sufficient to constitute a hostile environment. In evaluating whether a hostile environment exists, the totality of the circumstances, including, but not limited to, the following will be considered:

• The frequency, nature, and severity of the conduct;
• Whether the conduct was physically threatening;
• The effect of the conduct on the complainant's mental or emotional state;
• Whether the conduct was directed at more than one person;
• Whether the conduct arose in the context of other discriminatory conduct;
• Whether the conduct unreasonably interfered with the complainant's educational or work performance and/or participation in University programs or activities; and
• Whether the conduct implicates concerns related to academic freedom or protected speech.
Sexual Exploitation is non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other improper purpose. Forms of sexual exploitation include, but are not limited to, the following:

- Invasion of privacy of a sexual nature;
- Non-consensual digital, video, or audio recording of nudity or sexual activity;
- Voyeurism;
- Procuring, offering, or promoting prostitution;
- Knowingly exposing someone to or transmitting a sexually transmitted infection, sexually transmitted disease, or HIV (human immunodeficiency virus);
- Intentionally or recklessly exposing one's genitals in non-consensual circumstances or inducing another to expose their genitals; and
- Intentionally disclosing or threatening to disclose the sexual orientation, gender identity, and/or gender expression of another if the person has kept, or sought to keep, their status private from the person(s) to whom it is disclosed.
**Dating Violence** is sexual, psychological, or physical abuse or the threat of such abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the violence is perpetrated. The existence of a social relationship of a romantic or intimate nature may be determined by the length of the relationship, the type of relationship, the frequency of the interactions between the persons involved in the relationship, and other relevant contextual factors. Whether the alleged conduct constitutes abuse or the threat of abuse will depend on a number of factors, including, but not limited to, the nature, severity, and frequency of the conduct. Whether a party was acting in self-defense may also be considered. Dating violence does not include acts covered under the definition of domestic violence.
Domestic Violence is sexual, psychological, or physical abuse or the threat of such abuse committed by a person who is the current or former spouse or domestic partner of the person against whom the violence is perpetrated; a person who shares a child in common with the person against whom the violence is perpetrated; • a person who is cohabitating or has cohabitated as a spouse or in the context of a social relationship of a romantic or intimate nature with the person against whom the violence is perpetrated; or • a person who is a party to another type of intimate relationship, including as a parent, guardian, or other status defined by Tennessee law, except platonic roommates, or by University policy, with the person against whom the violence is perpetrated.

Whether the alleged conduct constitutes abuse or the threat of abuse will depend on a number of factors, including, but not limited to, the nature, severity, and frequency of the conduct. Whether a party was acting in self-defense may also be considered.
PROHIBITED BEHAVIORS

DEFINITIONS: RETALIATION

**Retaliation** is any adverse action threatened or taken, whether directly or through a third party, against another person because they have complained about, reported, or participated in the investigation or disposition of alleged sexual misconduct.

Retaliation in an effort to discourage a person from reporting sexual misconduct or participating in a sexual misconduct investigation, or to punish a person for doing so, is also prohibited. Individuals involved in investigations or disciplinary proceedings are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation.

While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others who may support or assist them during the process.
In addition to the behaviors reviewed above, the following are also prohibited:

- **Attempting** to commit sexual misconduct.
- **Facilitating, aiding, encouraging, concealing, and/or otherwise assisting** a violation of this policy.

*Please note* – These definitions describe behavioral expectations for those living and/or working on campus and may or may not be the same as those for criminal offenses under Tennessee state law.
SUPPORT AND RESOURCES

Victim Advocacy Services
• Nashville Sexual Assault Center
• Jeanne Crowe Advocacy Center
• Vanderbilt University Project Safe Center

Law Enforcement
• Vanderbilt University Police Department
• Metro Nashville Police Department

Medical Providers
• Vanderbilt University Medical Center
  forensic examination (a/k/a “rape kit”) available on site

The safety app offered by Vanderbilt University Public Safety is free and available for download in the Apple and Google Play stores.

Through VandySafe, you can:
• Contact VUPD via phone call or real-time text chat
• Submit an iReport (via text, photo, and/or video)
• Trigger a mobile BlueLight and shares your location instantly with VUPD
• Virtual Walkhome – VUPD Dispatch can monitor your walk home, to your car or office
• Share your location with a friend
• Emergency guides
LOCAL AND NATIONAL

CONFIDENTIAL RESOURCES

NASHVILLE
SEXUAL ASSAULT
CENTER

1-800-879-1999
24-hour crisis and support hotline

www.sacenter.org
101 French Landing Dr.
Nashville, TN 37228

PROJECT SAFE
CENTER

24-HOUR HOTLINE
615-322-SAFE (7233)

@VUProjectSafe
www.Vanderbilt.edu/projectsafe
304 West Side Row

RAINN

1-800-656-HOPE (4673)
National Hotline
www.rainn.org

Confidential support from trained staff; Support finding a local health facility trained to care for survivors of sexual assault and offers services like sexual assault forensic exams

LIMITED
CONFIDENTIAL
RESOURCE

CONFIDENTIAL
CAMPUS-BASED

NON-CONFIDENTIAL RESOURCES

CONFERENCE SERVICES
615-343-8699
www.vanderbilt.edu/meetatvanderbilt/
2401 Vanderbilt Place
Branscomb Quad 3100C
Academic Intern Housing Program Director

TITLE IX COORDINATOR
615-343-9004
www.Vanderbilt.edu/titleix
110 21st Ave South
Baker Building, Suite 975
Reports, Investigations, Interim Measures,

VUPD
Emergencies: 911 or 615-421-1911; 615-322-2745 for non-emergencies
police.vanderbilt.edu
111 28th Ave South
Emergency Response, Safety Planning, Self-Defense Course, Safety Escort
SAFETY ON CAMPUS

A person who experiences sexual assault or intimate partner violence is never to blame for those experiences. As we work to make our campus and community safer, individuals may consider the following safety measures to help reduce potential risks.

- Vandy Safe app
  Free, available for iOS and Android in the App Store

- VUPD
  Call 911 if on campus
  Or 615-421-1911 in emergencies; 615-322-2745 for non-emergencies

- RAD Classes
  Self-defense courses designed to help you learn to fight off an attacker, offered by VUPD

- Walking Escorts & Blue Light Phones
  Vanderbilt offers Vandy Vans, walking escorts, and has installed several emergency blue light phones across campus
CRIME PREVENTION TIPS
SAFETY CONSIDERATIONS

Personal Safety
- Walk or jog in groups of three or more
- Avoid isolated or dark areas
- Travel with confidence and purposes
- Avoid wearing earphones while walking or jogging
- Familiarize yourself with the locations of campus emergency phones
- Avoid using ATMs at night
- Stay alert and plan ahead to prioritize your safety throughout your day

Residential and Workplace Safety
- Get to know your neighbors and co-workers, so you can more easily identify unusual visitors to your area
- Do not prop open exterior doors
- If you enter through an electronic key card access door, do not allow strangers to enter with you on your code. Persons should have their own cards and cards if they have been granted access to buildings and areas.
- Always lock your door when you leave
- Lock your door while you sleep
- Lock your door if you are working late in an isolated area
- Get involved—If you see something you consider suspicious or out of place, please call police immediately

For more Crime Prevention assistance, please connect with VUPD and/or Project Safe.
We urge you to prioritize your own safety and call law enforcement officers when you witness or are involved in situations at risk for physical violence. If and when it feels safe for you to do so, consider the following bystander intervention strategies:

- **Address the situation directly**
  - For example, if you know one or more of the involved parties, approach and ask if everything is okay

- **Create a distraction**
  - For example, approach one of the involved parties and ask if they can give you directions or if you know them from class or work

- **Delegate** to others with more training, authority, or ability than you have to respond at this time
  - For example, call the police or call a local sexual assault hotline to ask for guidance on how to proceed. In a workplace setting, consult with a supervisor about the behavior you are witnessing.
Everyone has a role to play.
CONTACT US

Vanderbilt University Police Department
In an emergency: 911
615-322-2745 for non-emergencies

Vanderbilt University Project Safe Center
24-hour crisis/support line: 615-322-SAFE (7233)
615-875-0660 during business hours, Monday-Friday

Vanderbilt University Title IX Coordinator
615-343-9004 during business hours, Monday-Friday
THANK YOU

You must click the star below and follow the instructions on the next page in order to submit and record your completion of this module.

Click Here