



MTI COLLEGE

Safety on Campus

Sexual Harassment, Violence and Discrimination Prevention

In compliance with the
Clery Act and Title IX



To Report an On-Campus Crime or Emergency

Step 1: Get to safety

Step 2: Dial 911 (if immediate assistance is required)

Step 3: Notify an MTI On-Campus Emergency Contact

On-Campus Emergency Contacts

- All life-threatening emergencies and serious crimes requiring immediate assistance should be reported by first dialing 911 and then notifying the campus director, director of operations or CFO during the daytime or the evening dean or campus security after 5pm.
- Other crimes and safety related incidents should be reported to the college campus director, director of operations or CFO during the daytime and to the evening dean or campus security after 5pm. This includes any suspicious individuals or activities observed on campus.

On-Campus Emergency Contacts

During the day:

- Malcolm Carling Smith, Campus Director(916) 339-4371
- Michael Zimmerman, Director of Operations(916) 339-4360
- David Allen, Chief Financial Officer.....(916) 339-4336
- Campus Security:(916) 955-5989

During the evening:

- Sue Thornton, Evening Dean(916) 339-1970
- Campus Security:(916) 955-5989

Please Note:

- Security personnel patrol the parking lot from 3:00 p.m. to 11:00 p.m. Monday through Friday, and 8 a.m. to 5 p.m. on Saturday.
- Any of the emergency contacts can also be contacted through the front desk in the main building or by calling (916) 339-1500.

Every effort should be made to preserve any evidence for the investigative authorities. Also, when dialing 911 for immediate assistance, callers are reminded to be prepared to provide a clear location for the emergency response authorities.

In the event of sexual assault, the victim's physical and emotional well-being is the first priority. If desired, the victim will be provided with the initial medical and counseling services necessary until the victim is capable of making these arrangements on his or her own. These initial services will be paid through institutional funds. In addition, the Title IX Coordinator will be notified of the incident and will provide information on resources and services that are available.



Introduction

MTI College is committed to providing a safe and healthy learning and working environment for all members of our campus community. One aspect of our efforts in this area is our compliance with government safety regulations. Due to our status as an institution of higher learning which participates in federal financial aid programs, MTI is subject to and committed to complying with the provisions of the Jeanne Clery Act (Clery Act), Title IX of the Education Amendments of 1972 (Title IX), and other federal and state regulations to ensure campus safety.

The Jeanne Clery Act (Clery Act) promotes campus safety by ensuring that students, employees, parents, and the broader community are well-informed about important public safety and crime prevention matters. Recently, the Clery Act was amended by the Violence Against Women Reauthorization Act, which broadened Clery requirements to address all incidents of sexual violence (sexual assault, domestic violence, dating violence and stalking). Title IX of the Education Amendments of 1972 (Title IX) is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. In accordance with the requirements contained in these Acts and MTI's commitment to maintaining a campus and workplace free from sexual discrimination, harassment and violence, all students and employees must abide by MTI's standards of conduct as a condition of enrollment and employment.

We hope you will find this information handout informative and helpful. Information can also be found online at www.mticollege.edu or on the MTI e-learning website at <http://elearning.mticollege.edu>. Copies are also available upon request.



Our Commitment

MTI's Sex Discrimination and Sexual Misconduct Complaint and Grievance policy strictly prohibits any form of sexual violence, including dating violence, domestic violence, sexual assault and stalking, or sexual harassment committed by or perpetrated against students, employees, or third parties regardless of their sexual orientation, gender identity, part- or full-time status, disability, race, or national origin; and extends to all MTI-related programs and services held on or off the MTI campus, and non-school related activities that affect the school environment.

- ▶ MTI College is committed to maintaining a positive and productive learning and work environment free from sexual harassment, violence, discrimination and retaliation.
- ▶ The college investigates all complaints in a thorough, impartial and timely manner. The college takes prompt and equitable action to investigate and address any reports or complaints that come to the attention of school personnel, either formally or informally. If an allegation is determined to be credible, the college takes immediate steps to eliminate the harassment, prevent its reoccurrence, and address its effects as appropriate.
- ▶ Students and/or employees found engaging in acts of sexual harassment or sexual violence, or who knowingly make false allegations regarding such behavior are subject to appropriate disciplinary action up to and including expulsion or termination. Allegations of criminal misconduct are reported to the appropriate law enforcement agency.
- ▶ The college takes all reasonable and appropriate steps to respect the confidentiality of the complainant (the individual or victim filing the complaint) and the individual(s) against whom the complaint is filed within its overall obligation to maintain an environment that is free from sexual discrimination and sexual violence.
- ▶ The college is committed to protecting the complainant and ensuring that he or she has the ability to continue his/her educational activities in a safe and harassment-free environment before, during and after the investigation of the complaint.
- ▶ The college does not tolerate acts of retaliation against an individual who raises an allegation of sexual or gender-based discrimination or misconduct, an individual who is cooperating in an investigation of such an allegation, or an individual who opposes discriminatory practices. Any person found taking retaliatory action against such an individual will be subject to disciplinary action up to and including expulsion or termination.



Title IX Coordinators

The following individuals have been identified as MTI College's Title IX Coordinators and are located on the MTI College campus at 5221 Madison Avenue, Sacramento, CA 95841:

- Carol Castle, Academic Officer/ALO (Lead) – ccastle@mticollege.edu or (916) 339-4335
- David Allen, VP/Chief Financial Officer – dallen@mticollege.edu or (916) 339-4336
- Jamie Gums, Director of Cosmetology (Paul Mitchell Cosmetology program) – jgums@mticollege.edu or (916) 339-4390

The Title IX Coordinators are available to assist with the following:

- For information or training about students' rights and courses of action available to resolve reports or complaints involving potential sex discrimination;
- To file a complaint or make a report of sex discrimination, including sexual misconduct, or any related claims of retaliation;
- To notify the college of an incident, policy or procedure that may raise potential Title IX concerns;
- To get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct;
- To ask questions about the college's policies and procedures related to sex discrimination, including sexual misconduct, or retaliation.

In the event that an incident, policy or procedure about which the student seeks to file a complaint appears to create a conflict of interest with the Title IX compliance team, the individual may contact the campus director Malcolm Carling Smith at mcarlingsmith@mticollege.edu or (916) 339-4371.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinators or the U.S. Department of Education's Office for Civil Rights. Complaints of sex discrimination regarding an alleged violation of Title IX may also be filed with the U.S. Department of Education's Office of Civil Rights using the online form located at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>, or by calling the Office of Civil Rights enforcement office located in San Francisco at (415) 486-5555.



What is Sexual Harassment?

Sexual harassment is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing; or
- Submission to, or rejection of, such conduct is used as the basis for employment decisions (such as advancement, performance evaluation, or work schedule) or academic decisions affecting the student (such as grading or letters of recommendation); or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's working conditions, academic experience, or of creating what a reasonable person would perceive as a hostile working or academic environment.

Sexual harassment does not include material or discussion that is appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the institution's educational mission.

What is Gender-based Harassment?

Gender-based harassment refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.

What Constitutes Harassment?

Harassing conduct may take many forms, including verbal acts and name-calling; nonverbal behavior such as graphic and written statements; or conduct that is physically threatening, harmful, or humiliating. 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. Harassment creates a **hostile environment** when it is sufficiently severe, pervasive, or persistent that it interferes with or limits a student's ability to participate in or benefit from school, including all activities and services. 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.

Whether conduct constitutes sexual harassment or sexual violence is determined based upon the manner in which the conduct or comments are perceived; not the manner in which they are intended.



Stalking

Stalking is defined as a course of conduct involving more than one instance of unwanted attention, harassment, unwanted physical or verbal contact, use of threatening words and/or conduct, or any other course of conduct directed at an individual that could be reasonably regarded as alarming or likely to place that individual in fear of harm or injury, including physical, emotional, or psychological harm. Examples include, but are not limited to, more than one instance of the following behaviors that could reasonably be regarded as alarming or likely to place the recipient in fear of harm or injury: following a person; appearing at a person's home, class, or work; continuing to contact a person after receiving requests not to; leaving written messages, objects, or unwanted gifts; vandalizing a person's property; photographing a person; and other threatening, intimidating, or intrusive behavior.

Stalking may also involve the use of electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices (often referred to as cyber-stalking). Such behaviors may include, but are not limited to, non-consensual communication, telephone calls, voice messages, emails, texts, letters, notes, gifts, or any other communication that are repeated, undesired, and place another person in fear.

What is Sexual Violence?

Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A numbers of acts fall into the category of sexual violence, including dating violence, domestic violence, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Affirmative Consent - Yes means Yes

It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other person to engage in that activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be withdrawn at any time. The existence of a dating relationship between the people involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In addition:

- The use of intimidation, coercion, threats, force, or violence negates any consent obtained.
- Consent is not effective if obtained from an individual who is incapable of giving consent due to one or more of the following or other reasons:
 - Mental, intellectual, or physical disability
 - The individual is under the legal age to give consent
 - The individual is asleep, unconscious, or physically helpless
 - The individual is incapacitated by alcohol or other drugs
- Consent to one type of sexual activity does not imply consent to any other or all types of sexual activity.
- Consent to sexual activity at one time does not imply consent to the same or other sexual activity at any other time.



- Refusal, lack of consent, or non-consent may be expressed in many ways, verbally or physically. Physical resistance is not necessary to communicate a lack of consent. It is not necessary to resist physically or express verbally to indicate a lack of consent. It is the responsibility of the initiator of the sexual activity to obtain consent.
- Individuals who initiate sexual activity assume responsibility for their behavior and must understand that the use of alcohol or other drugs does not reduce accountability for their actions. The question is whether or not the person who initiated the sexual activity knew or whether a sober and reasonable person in the same position should have known whether the other person gave consent.

Engaged Bystanders

As members of the MTI College community, every student and employee plays a critical role in preventing crime - particularly crimes that are sexual in nature - through their words and actions. An engaged bystander is someone who intervenes when he/she observes or becomes aware of behaviors that are disrespectful, harmful, or promote sexual violence. Research has shown that engaged bystanders are crucial in preventing sexual violence, because they can minimize a situation early and stop behaviors from escalating. This being said, safety is critical when deciding how and when to respond as an engaged bystander. Further, given that every situation and every individual is different, it is a decision that each person must make for him or herself.

The National Sexual Violence Resource Center (www.nsvrc.org/) offers the following suggestions:

When considering how to respond, ask yourself:

1. Is there a problem?
2. Does someone need help?
3. What are my options?
4. Is it safe for me to intervene? If not, take action by getting help.

In addition, there are many ways an engaged bystander can make a difference. Some examples include the following:

- Speak up when you hear sexual innuendos or jokes about rape, because sexual violence is never funny.
- When out with friends or at a party, make sure your friends get home safely.
- Be a role model online (e.g. Facebook, Twitter and other social media) by calling out inappropriate behavior and showing support for survivors by challenging violent and abusive comments, alerting the authorities if you see potentially illegal behavior, or posting articles and information that talk about healthy relationships and healthy sexuality.
- Finally, while it is better to get involved before sexual violence actually happens, you can also be an engaged bystander by being supportive and believing victims when they disclose abuse.



How to Report a Violation

There are generally two parties in a complaint. The **complainant** is the student or employee who reports being subjected to sexual discrimination, harassment or retaliation. This also includes the alleged victim in cases where another person has made a report on his/her behalf. The **perpetrator or alleged perpetrator** is the student, employee, or a third party against whom an allegation of discrimination, harassment or retaliation has been made.

If you are a victim of or witness to sexual harassment or sexual violence, the college urges you to report the incident immediately. If you are a victim of sexual violence, the first priority is your safety and well-being. All life-threatening emergencies and serious crimes (including sexual violence) should be reported immediately by first **dialing 911** and then notifying the campus director, director of operations or CFO during the daytime or the evening dean or campus security at night. The Title IX Coordinator will be contacted to provide information on resources and services that are available.

The college encourages victims of sexual violence to contact local law enforcement to file a report and to seek medical attention as needed. If desired, the victim will be provided with the initial medical and counseling services necessary until the victim is capable of making these arrangements on his or her own. These initial services will be paid through institutional funds.

Please note:

- Sexual harassment or sexual violence may be reported to any MTI instructor, staff, or administrator, or directly to the Title IX Coordinator.
- A report may be made by the complainant personally, by a representative, or a combination of the two. The report may be made formally or informally.
- If the college knows or reasonably should know about possible sexual harassment or sexual violence, it is obligated to investigate the matter to determine what occurred and to take appropriate steps to resolve the situation, prevent its recurrence, and address its effects within the campus community. This applies even if the victim does not wish to file a complaint or does not request that the college take action on his/her behalf.
- If the complainant wishes to file a criminal complaint, he/she is free to do so at any time before, during or after the school's internal investigation. The college will not wait for the conclusion of a criminal investigation or criminal proceedings to begin its own Title IX investigation.
- If the complainant opts for an informal method of resolution, he/she has the right to end the informal process at any time and begin the formal complaint process. Note: In cases involving allegations of sexual assault, mediation is not appropriate and may not be used to resolve sexual assault complaints.
- If an individual who is a victim of sexual harassment or sexual violence does not wish to file a complaint or does not request that the college take action on his/her behalf, the student must confirm so in writing.



Investigation of Complaints

The college takes complaints of sex discrimination and sexual misconduct very seriously and is committed to investigating all complaints in a thorough, impartial and timely manner. The Title IX Coordinator will begin an investigation immediately. The goal of the investigation is to determine whether or not the conduct occurred; and if the conduct occurred, what actions the school will take to address the conduct, eliminate the hostile environment, and prevent its recurrence. Typically, the investigation process takes approximately 60 days to complete, although timeframes may vary based on the severity of the allegation and complexity of the investigation.

- With the exception of allegations involving sexual assault, the complainant may voluntarily opt for an informal method of resolution (e.g. mediation) with assistance from a trained mediator, counselor or, if appropriate, the Title IX Coordinator or designee. If the complainant opts for an informal method of resolution, he/she has the right to end the informal process at any time and begin the formal complaint process.
- If the complainant wishes to file a criminal complaint, he/she is free to do so at any time before, during or after the school's internal Title IX investigation. The college will not wait for the conclusion of a criminal investigation or criminal proceedings to begin its own Title IX investigation.
- During the investigation, the complainant and alleged perpetrator have the right to an equal opportunity to:
 - Choose one person who has had no formal legal training to accompany each of them throughout the process.
 - Present his/her case and any relevant witnesses and other evidence.
 - Be notified, in writing, of the outcome of the complaint, including any sanctions imposed on the perpetrator that directly relate to the complainant. Examples include, but are not limited to:
 - Requiring the perpetrator stay away from the complainant until both parties graduate.
 - Prohibiting the perpetrator from attending school for a period of time.
 - Transferring the perpetrator to other classes.
 - Ability to Appeal, if applicable.
- The complainant will be notified of the following:
 - Whether or not the college found that the alleged conduct occurred.
 - Any remedies offered or provided to the complainant.
 - Any sanctions imposed on the perpetrator that directly relate to the complainant. (see above)
 - Steps the school has taken to eliminate the hostile environment, if the college finds that one exists.
 - Steps the school has taken to prevent recurrence.
- Consistent with Title IX standards, the college uses a preponderance of evidence standard (i.e., it is more likely than not that sexual harassment or violence occurred) when investigating allegations of sexual harassment or violence.
- The college does not allow the complainant or alleged perpetrator to involve lawyers in its Title IX investigation or grievance procedures.
- Students and/or employees found engaging in acts of sexual harassment or sexual violence, or who knowingly make false allegations regarding such behavior will be subject to appropriate disciplinary action up to and including expulsion or termination.



- Allegations of criminal misconduct will be reported to the appropriate law enforcement agency.

Confidentiality

MTI College will make all reasonable attempts to maintain the confidentiality of the complainant and the individual(s) against whom the complaint is filed; however, it can only do so within the context of its overall obligation to maintain a safe, nondiscriminatory environment for all students and employees.

- The complainant may share information confidentially with counseling, advocacy, health, mental health, or sexual assault-related services.
- If a complainant requests that his/her name not be revealed to the alleged perpetrator or asks that the school not investigate or seek action against the alleged perpetrator, the complainant must understand that honoring his/her request may limit the college's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant insists on complete confidentiality, the school must assess whether it can honor the complainant's request in light of its Title IX obligation to maintain an environment that is free from sexual discrimination and sexual violence.
- In the event the complainant insists on maintaining complete confidentiality, the complainant must:
 - Document his/her request for confidentiality in writing;
 - Receive a copy of MTI's Sexual Harassment and Sexual Misconduct Complaint and Grievance policy;
 - Acknowledge that he/she has been counseled on the impact that maintaining confidentiality may have on the college's ability to investigate, punish the alleged harasser, and maintain an environment free from sexual discrimination and sexual violence.

Interim Measures

The college is committed to protecting the complainant and ensuring that the complainant has the ability to continue his/her educational or work activities in a safe and harassment-free environment. Interim measures are steps that can be taken while the investigation is pending. Examples of interim measures may include access to resources such as victim advocacy, academic support, counseling, disability services, health and mental health services, and legal services. A complainant may also be offered the option to change his/her course or work schedule, or other academic accommodations. Interim measures are determined on a case-by-case basis and in general, should minimize the burden on the complainant.

Retaliation

MTI College prohibits retaliation against an individual for raising an allegation of sexual or gender-based harassment, for cooperating in an investigation of such a complaint, or for opposing discriminatory practices. The college will take appropriate steps to protect the complainant and ensure that he/she has the ability to continue his/her educational activities in a safe and harassment-free environment. Retaliation can and should be reported to the Title IX Coordinator since it is every student and employee's right to be free from a hostile educational environment. Any individual found taking retaliatory action against an individual who files a complaint will be subject to disciplinary action up to and including expulsion or termination.



Definitions

The following definitions are provided for informational use by students and for guidance in the investigation and processing of alleged violations.

- **Complainant** is the student or employee who reports being subjected to sexual discrimination, harassment or retaliation. This also includes the alleged victim in cases where another person has made a report on his/her behalf.
- **Perpetrator or Alleged Perpetrator** is the student, employee, or a third party against whom an allegation of discrimination, harassment or retaliation has been made.
- **Sexual harassment** is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:
 - Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing; or
 - Submission to, or rejection of, such conduct is used as the basis for employment decisions (such as advancement, performance evaluation, or work schedule) or academic decisions affecting the student (such as grading or letters of recommendation); or
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's working conditions, academic experience, or of creating what a reasonable person would perceive as a hostile working or academic environment.

Sexual harassment does not include material or discussion that is appropriately related to course subject matter or curriculum, and this policy shall not abridge academic freedom or the institution's educational mission.

Examples of Sexual Harassment

- **Verbal** - unwelcome conduct such as unwelcome sexual flirtation, advances or propositions or requests for sexual activity or dates; asking about someone else's sexual activities, fantasies, preferences, or history; discussing one's own sexual activities, fantasies, preferences, or history; verbal abuse of a sexual nature; suggestive comments; sexually explicit jokes; turning discussions at work or in the academic environment to sexual topics; and making offensive sounds such as smacking or licking lips, kissing sounds, or "wolf whistles."
- **Nonverbal** - unwelcome conduct such as displaying sexual objects, pictures or other images; invading a person's personal body space, such as standing closer than appropriate or necessary or hovering; displaying or wearing objects or items of clothing which express sexually offensive comments; making sexual gestures with hands or body movements; looking at a person in a sexually suggestive or intimidating manner; or delivering unwanted letters, gifts, or other items of a sexual nature. In addition, nonconsensual sexual contact, sexual exploitation, and nonconsensual sexual penetration may constitute nonverbal instances of sexual harassment.
- **Sexual violence** refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give



consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

- **Gender-based harassment** refers to unwelcome conduct based on an individual's actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and not necessarily involving conduct of a sexual nature.
- **Harassing conduct** may take many forms including verbal acts and name-calling; nonverbal behavior such as graphic and written statements; or conduct that is physically threatening, harmful, or humiliating. 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 or isolated incident of sexual violence may create a hostile environment.
- **Hostile environment** is evaluated from the perspective of a reasonable person in the alleged victim's position, considering all the circumstances. Harassment creates a hostile environment when it is sufficiently severe, pervasive, or persistent that it interferes with or limits a student's ability to participate in or benefit from school, including all activities and services. 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 or isolated incident of sexual violence may create a hostile environment.
- **Sexual misconduct** is a broad term used to encompass a range of behaviors including sexual harassment, nonconsensual sexual contact (sexual assault), nonconsensual sexual penetration (rape), and sexual exploitation. Some behaviors covered by these definitions might be referred to as rape, sexual assault, or sexual battery in criminal statutes. Terms that are also used culturally include date rape, acquaintance rape, or intimate partner violence. Sexual misconduct can occur between individuals who know each other, have an established relationship, have previously engaged in consensual sexual activity, and between individuals who do not know each other. Sexual misconduct can be committed by persons of any gender identity, and it can occur between people of the same or different sex.
- **Nonconsensual sexual contact (sexual assault)** is defined as any physical contact with another person of a sexual nature without that person's effective consent.
- **Nonconsensual sexual penetration (rape)** is defined as the sexual penetration of any bodily opening with any object or body part without effective consent. This could be committed by force, threat, intimidation, coercion, 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 respondent was actually aware or which a reasonable person in the respondent's position should have been aware.
- **Sexual exploitation** means taking sexual advantage of another person including but not limited to indecent exposure; causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over him or her; recording, photographing, or transmitting images of private sexual activity and/or the intimate parts of another person without effective consent; allowing third parties to observe private sexual acts without effective consent; engaging in voyeurism without effective consent; and knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.



- **Consent** is 1) informed, 2) freely and actively given, 3) expressed in mutually understandable words or actions, and 4) 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 effective if obtained from an individual who is incapable of giving consent due to one or more of the following or other reasons:
 - Mental, intellectual, or physical disability.
 - The individual is under the legal age to give consent.
 - The individual is asleep, unconscious, or physically helpless.
 - The individual is incapacitated by alcohol or other drugs.
 - Consent to one type of sexual activity does not imply consent to any other or all types of sexual activity.
 - A person can withdraw consent at any time.
 - Consent to sexual activity at one time does not imply consent to the same or other sexual activity at any other time.
 - Refusal, lack of consent, or non-consent may be expressed in many ways, verbally or physically. Physical resistance is not necessary to communicate a lack of consent. It is not necessary to resist physically or express verbally to indicate a lack of consent. It is the responsibility of the initiator of the sexual activity to obtain effective consent.
 - Individuals who initiate sexual activity assume responsibility for their behavior and must understand that the use of alcohol or other drugs does not reduce accountability for their actions. The question is whether or not the person who initiated the sexual activity knew or whether a sober and reasonable person in the same position should have known whether the other person gave effective *consent*.
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- **Incapacitation** is the physical and/or mental inability to make informed, rational judgments and decisions. States of incapacitation include sleep and blackouts. Where alcohol or other substances are involved, incapacitation is determined by how the substance impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.
 - **Coercion** is to force one to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, emotional intimidation, or the use of physical force.
 - **Force** may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Coercion, intimidation, and non-physical threats can all be forms of force.
 - **Intimate Partner Violence (including Domestic/Dating Violence, Relationship Violence)** is defined as the use of physical violence, coercion, manipulation, threats, intimidation, isolation, or other forms of physical, emotional, or sexual abuse toward a partner in a current or former intimate relationship. For this policy, "intimate relationship" means marriage, domestic partnership, engagement, casual or serious romantic involvement, and dating. Intimate partner violence can occur between persons of any gender identity, any sexual orientation, and it can occur in any type of intimate relationship including monogamous, non-committed, and relationships involving more than two partners.



Intimate partner violence can be a single act or a pattern of behavior. Intimate partner violence is sometimes referred to as dating violence, relationship abuse, or domestic violence. Examples include, but are not limited to, situations in which the following behaviors are directed toward a partner in a current or former intimate relationship: hitting, kicking, punching, strangling, or other violence; property damage; threat of violence to one's self, one's partner, or the family members, friends, pets, or personal property of the partner; threat to disclose personal or sensitive information; and depriving the partner access to his/her residence.

- **Stalking** is defined as a course of conduct involving more than one instance of unwanted attention, harassment, unwanted physical or verbal contact, use of threatening words and/or conduct, or any other course of conduct directed at an individual that could be reasonably regarded as alarming or likely to place that individual in fear of harm or injury, including physical, emotional, or psychological harm. Examples include, but are not limited to, more than one instance of the following behaviors that could reasonably be regarded as alarming or likely to place the recipient in fear of harm of injury: following a person; appearing at a person's home, class, or work; continuing to contact a person after receiving requests not to; leaving written messages, objects, or unwanted gifts; vandalizing a person's property; photographing a person; and other threatening, intimidating, or intrusive behavior.

Stalking may also involve the use of electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices (often referred to as cyber-stalking). Such behaviors may include, but are not limited to, non-consensual communication, telephone calls, voice messages, emails, texts, letters, notes, gifts, or any other communication that are repeated, undesired, and place another person in fear.

(Adapted from the U.S. Department of Education Title IX Resource Guide and the Massachusetts Institute of Technology Title IX Student Sexual Harassment and Misconduct Policy (https://titleix.mit.edu/policies/sexual_misconduct)).



Informational Resources

- RAINN (Rape, Abuse & Incest National Network) - <https://www.rainn.org/>
RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE and online.rainn.org) in partnership with more than 1,100 local sexual assault service providers across the country and operates the DoD Safe Helpline for the Department of Defense. RAINN also carries out programs to prevent sexual violence, help victims and ensure that rapists are brought to justice.
- Safety Planning
<https://www.rainn.org/get-information/sexual-assault-prevention/safety-plan>
- What Consent Looks Like
<https://www.rainn.org/get-information/sexual-assault-prevention/what-is-consent>
- If Someone is Pressuring You
<https://www.rainn.org/get-information/sexual-assault-prevention/avoiding-pressure>
- Steps You Can Take to Prevent Sexual Assault
<https://www.rainn.org/get-information/sexual-assault-recovery/protecting-your-friends>
- What Can Bystanders Do?
<https://www.rainn.org/get-information/sexual-assault-prevention/bystanders-can-help>
- Clery Center - <http://clerycenter.org/>
Focused on advocacy, education and collaboration, the Clery Center for Security on Campus is a nonprofit organization dedicated to safe campus communities nationwide. Their mission is to work with college and university communities to create safer campuses.
- The National Sexual Violence Resource Center (www.nsvrc.org/)
The NSVRC's Mission is to provide leadership in preventing and responding to sexual violence through collaboration, sharing and creating resources, and promoting research. The center believes that it is imperative to improve responses to those who have been victimized by sexual violence in order to ensure that they are believed, helped, and supported throughout their recovery process.



Safety and Security Tips

- Personal
 - Stay alert and tuned in to your surroundings.
 - Communicate that you are calm, confident and know where you are going.
 - Stay away from isolated areas.
 - Stay on the part of sidewalks furthest away from shrubs, dark doorways and alleys.
 - Walk with a companion whenever possible.
 - Check the back seat before getting into a car. Keep doors locked while driving.
 - Don't overload yourself with packages or wear shoes or clothing that restricts movement.
 - Avoid displaying large amounts of cash or jewelry.
 - Carry a purse close to your body. Carry a wallet in an inside coat or front trouser pocket.
 - If you think someone is following you, abruptly switch directions and walk toward an open store, restaurant or lighted home.
 - Don't hitchhike or pick up hitchhikers.
 - Park in well-lighted areas.
 - Avoid isolated bus stops at times when few other people are around.
 - Do not reveal your name, phone number or address to strangers.
 - Never admit that you are alone or that you will be away from home.
 - Keep an eye on neighbors' homes or apartments while they are away and have them do the same for you.
 - Keep your local police department's phone number next to your phone.
- Residence
 - Keep doors locked at all times
 - Draw shades and curtains whether or not you are at home
 - Keep money and jewelry locked in a safe place
 - Leave a light on while you are away or use a timer
 - Secure sliding glass doors with commercially available locks or a rigid wooden dowel in the track
 - Don't hide spare keys in mailboxes, planters or under doormats
 - Make a record of your valuables and keep it in a safe spot
 - Don't leave a note that says you are not in
 - Never prop doors open
 - Keep ladders and tools in a locked area
 - Have someone cut your lawn while you're on vacation
- Vehicle
 - Always lock your car and remove the keys. Make sure the windows are closed
 - Lock all valuables, bags and cases in the trunk when you leave your car
 - Never leave an ID tag on your key ring
 - Leave only the ignition key with parking attendants
 - Park in well-lit areas
- Office
 - Keep your purse, wallet and other valuable items with you at all times or locked in a drawer or closet
 - Never leave keys lying out
 - Never leave change or cash on the desk or in a top drawer
 - Notify security personnel of any suspicious persons or vehicles



- Lock doors when working after normal hours
- Report any broken or flickering lights, and doors that don't lock properly

[Source: www.chamberlain.edu]



Local Resources and Support Services

SACRAMENTO

WEAVE, Inc.

Crisis Line: (916) 920-2952 or (866) 920-2952

Website: weaveinc.org

Languages: English, Spanish

Midtown Office

Business Phone: (916) 448-2321

Address: 1900 K Street, Sacramento, CA 95811

South Office

Address: 7600 Hospital Drive, Sacramento, CA 95823

Thrift Office

Business Phone: (916) 643-4606

Address: 2401 Arden Way, Sacramento, CA 95825

PLACERVILLE

Center for Violence-Free Relationships

Crisis Line: (530) 626-1131 or (916) 939-6616

Business Phone: (530) 626-1450 or (916) 939-4464

Website: thecenternow.org

Languages: English, Spanish

Address: 344 Placerville Drive, Suite 11, Placerville, CA 95667

GRASS VALLEY

Domestic Violence and Sexual Assault Coalition

Crisis Line: (530) 272-3467

Business Phone: (530) 272-2046

Website: dvsac.org

Languages: English, Spanish

Address: 960 McCourtney Road, Suite E, Grass Valley, CA 95949

WOODLAND

Empower Yolo

Crisis Line: (530) 662-1133 or (916) 371-1907

Business Phone: (530) 661-6336

Website: empoweryolo.org

Languages: English, Spanish

Address: 175 Walnut Street, Woodland, CA 95695

Note: Formerly named Sexual Assault and Domestic Violence Center



AUBURN

Stand Up Placer

Crisis Line: (800) 575-5352

Business: (530) 823-6224

Website: standupplacer.org

Languages: American Sign Language, English, Spanish

Address: PO Box 5462, Auburn, CA 95604

Note: Formerly named Peace for Families Administrative Office

Auburn Direct Services Office

Business Phone: (530) 885-0443

Address: 11985 Heritage Oaks Place, Suite 200, Auburn, CA 95603

Roseville Direct Services Office

Business Phone: (916) 773-7273

Address: 700 Sunrise Ave., Suite N, Roseville, CA 95661

