



# Sexual Violence Prevention

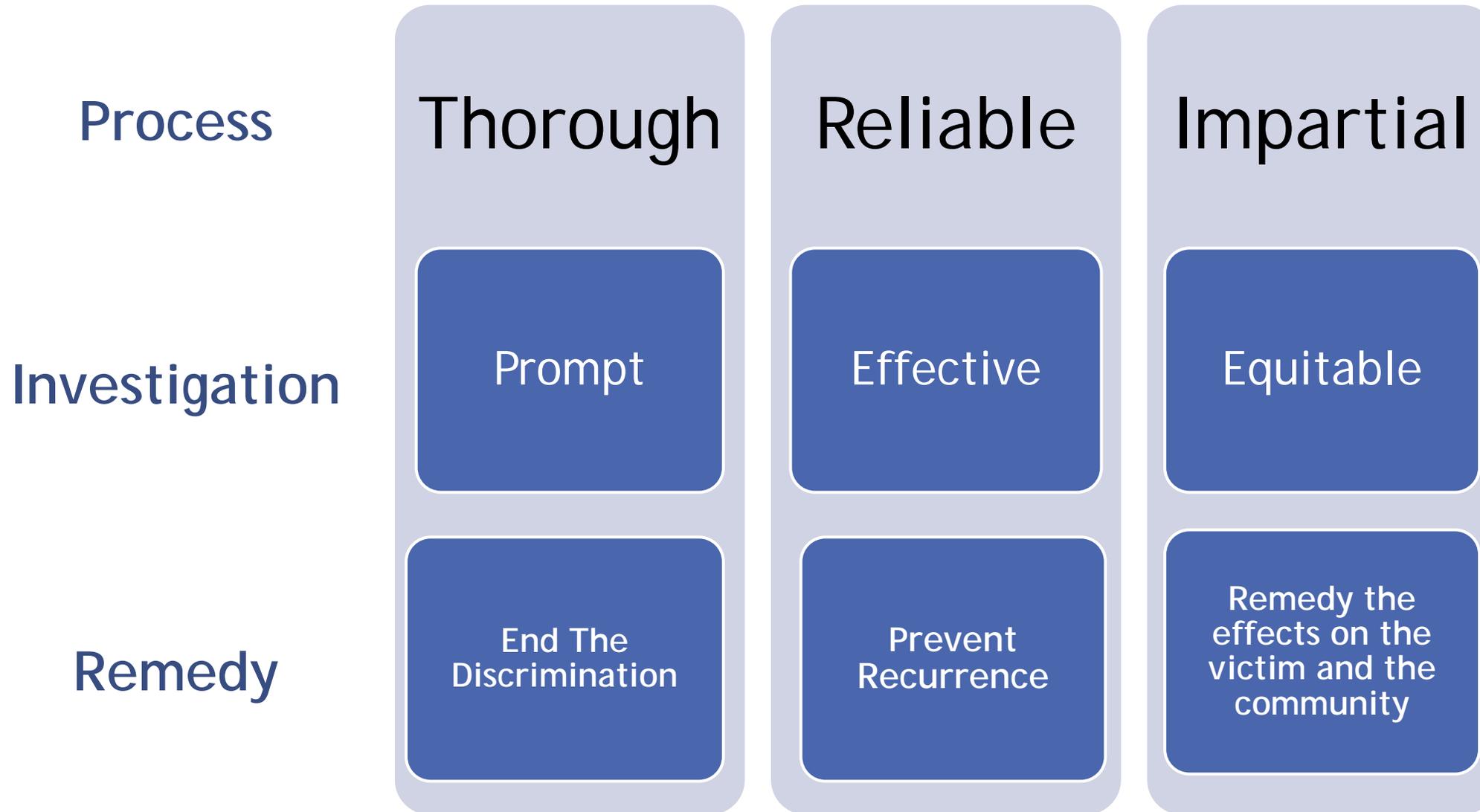
*An overview on how to prevent and report instances of sexual violence and sexual misconduct*

# Statement of Non-Discrimination

Dutchess Community College is committed to the principle of equal opportunity in education and employment and does not engage in unlawful discrimination based on an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence or dating violence victim status, or criminal conviction in the execution of its educational programs, activities, employment, daily operations or admission policies, in accordance with all applicable federal, state and local laws. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, NY State Law 129 B, and the New York State Human Rights Law.

Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic. The College will not tolerate any form of sexual harassment including sexual assault, sexual violence, and sexual misconduct. It is therefore the responsibility and obligation of all members of the College community to report and or to assist others in reporting incidents of sexual harassment. All members of the College community are expected to cooperate and assist in investigations related to such incidents.

# The IX Commandments



# What is Sexual Violence?

*Sexual Violence is a severe form of sexual harassment that includes non-consensual sexual contact, sexual assault, stalking, intimate partner violence, dating and/or domestic violence. Sexual harassment and sexual violence are prohibited under Federal and State law as well as SUNY and [College policy](#).*

# DUTCHESS COMMUNITY COLLEGE

## Who is the Title IX Coordinator?

**Esther Couret - 845-431-8673**

Bowne Hall Room 220, Main Campus

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# Title IX Coordinator Responsibilities:

To oversee the processes that address reported concerns or instances of sex or gender based discrimination, harassment, sexual assault, intimate partner violence, and stalking. This includes working closely with Student Services, Academic Affairs, Human Resources and other offices to provide educational programming for the campus community that raises awareness and encourages reporting.

The Title IX Coordinator will help to identify the appropriate responses or resolutions that may be available through both policy and law, coordinate timely investigation and communication, and assist in obtaining any appropriate intermediate measures and/or internal and external support services.

# Affirmative Consent

- ▶ “Affirmative Consent” is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
- ▶ Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- ▶ Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- ▶ Consent may be initially given but withdrawn at any time.
- ▶ Consent cannot be given when a person is incapacitated, and a reasonable person knows or should have known that such person is incapacitated. Incapacitation occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- ▶ Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- ▶ When consent is withdrawn or can no longer be given, sexual activity must stop.

## The DCC Student Code of Conduct prohibits sexual violence and defines the various acts constituting sexual violence as follows:

### ▪ Sexual Assault

- ▶ Sexual intercourse or any sexual penetration, however slight, of another person's oral, anal, or genital opening with any object (an object includes but is not limited to parts of a person's body) without the active consent of the victim.
- ▶ Touching a person's intimate parts (defined as genitalia, groin, breast, or buttocks), whether directly or through clothing, without the active consent of the victim. Sexual assault also includes forcing an unwilling person to touch another's intimate parts.

### Sexual Exploitation

- ▶ Non-consensual, abusive sexual behavior that does not otherwise constitute Sexual Assault or Sexual Harassment. Examples include but are not limited to: intentional, non-consensual tampering with or removal of condoms or other methods of birth control and STI prevention prior to or during sexual contact in a manner that significantly increases the likelihood of STI contraction and/or pregnancy by the non-consenting party;
- ▶ Non-consensual video or audio taping of sexual activity; allowing others to watch consensual or non-consensual sexual activity without the consent of a sexual partner; observing others engaged in dressing/undressing or in sexual acts without their knowledge or consent; trafficking people to be sold for sex; and inducing incapacitation with the intent to sexually assault another person

# Bystander Intervention

*An important part of preventing sexual violence is learning to recognize the warning signs of potentially dangerous situations involving sexual assault, intimate partner violence and stalking in order to intervene safely.*

## Bystander Intervention Steps

- ▶ Notice the situation: Be aware of what is going on around you
- ▶ Interpret it as a problem: Listen to your inner alarm
- ▶ Feel responsible to act: You are part of the solution
- ▶ Know how to intervene: Educate yourself on what you would do
- ▶ Intervene safely: Take action in ways that feel safe for you

## Methods of Intervention

### Direct

- ▶ Ask person if she/he is okay
- ▶ Tell a person that what she/he is doing isn't cool

### Delegate

- ▶ Tell someone else (student, faculty, staff, police)
- ▶ Recruit the help of friends

### Distract

- ▶ Ask the person if she/he wants to leave
- ▶ Diffuse and redirect the situation

# How to Report

*The term sexual violence includes sexual assault, intimate partner violence, dating violence, domestic violence, and stalking. DCC policies and the Penal Law of the State of New York define these terms differently. As a member of the DCC community, you have the right to report incidents of sexual violence to the College, to the police, or to both.*

- Title IX Coordinator 845-431-8673
- DCC Security Office, 845-431-8070 or 4911.
- Town of Poughkeepsie Police Department
- Village of Wappingers Falls Police Department
- NY State Police 24 Hour Hotline: 844-845-7269
- Anonymously: [www.sunydutchess.edu/share-at-dcc](http://www.sunydutchess.edu/share-at-dcc)

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- Anonymous disclosure
- Used for statistics and pattern identification
- Inform the Community

# The Student Conduct Process

The reporting individual may request that student conduct charges be filed against the responding party. Conduct proceedings are governed by the procedures set forth in the College as well as Federal and New York State law, including the due process provisions of the United States and New York State Constitutions.

*Click here for the [DCC Student Code of Conduct](#)*

*Click here for the [Student Bill of Rights](#)*

# Assistance and Resources

- Health Office
- Counseling Office
- SUNY SAVR Website - [www.suny.edu/violence-response](http://www.suny.edu/violence-response)
- DCC Cares
- External Resources and Victim Advocates
- Accommodations and Protections
- Sexual Violence Victim/Survivor Support Groups
- Student Bill of Rights