

Sexual Assault, Dating Violence, Domestic Violence, & Stalking at Hendrix College

Prevention, Awareness, & How the
Violence Against Women Act
Protects Employees and Students



HENDRIX

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Yes, it is called the “Violence Against Women Act,” yet people who identify as non-binary and people of all genders are protected under this federal legislation!

People of all genders can be perpetrators, too.



Protection & Prevention

Definitions

The four main categories covered under VAWA are sexual assault, dating violence, domestic violence and stalking. To start, it's important to know what each one means.

Sexual Assault

Sexual assault is an offense that meets one of the following definitions...

Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by sex organ of another person, without the consent of the victim.

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of temporary or permanent mental incapacity.

Incest

Sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent.

Many campus sexual assaults occur between people who know one another, and alcohol is often a factor. Although people tend to blame alcohol and other drugs for their impaired judgement, it is important to emphasize that sexual assault is never the victim's fault. No matter what, you are never responsible for being sexually assaulted! The only one responsible for a sexual assault is the assaulter.

Sources: VAWA Final Regulations, Federal Register, 10/20/2014

Protecting you from sexual and interpersonal violence – and helping you better understand how to protect yourself and others – is a key priority at Hendrix College. You should never have to contend with sexual assault, dating violence, domestic violence or stalking – and we strictly prohibit these crimes. They have no place within our community.

The federal Violence Against Women Reauthorization Act (VAWA) put new obligations in place for colleges and universities under its Campus Sexual Violence Eliminations (SaVE) Act provision in 2014. These new regulations are designed, in part, to help prevent sexual assault, dating violence, domestic violence, and stalking, while also raising awareness and providing support at every turn. Our campus community is committed to creating a safe environment for all students and employees and this brochure offers tools to help make it happen.

VAWA offenses are also covered under Title IX. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. The U.S. Department of Education's Office for Civil Rights (OCR) enforces Title IX of the Education Amendments of 1972, which states: ***"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."***

In the event anyone in our Hendrix community is impacted by VAWA crimes, support is available. The Title IX Coordinator will provide you with resources, supportive measures, and applicable resolution options. Contact information for the Title IX Coordinator can be found on page 9.

Dating, Domestic Violence, & Stalking



It can include the types of abuse previously mentioned or the threat of such abuse. You never deserve to be treated this way and it's a crime.

Domestic Violence

The crime of domestic violence can be committed by:

- › A current or former spouse or intimate partner
- › A person with whom you share a child
- › A person against an adult or youth victim who is legally protected from the person's acts

In most abusive relationships, possessive and controlling behaviors are present. These include controlling money, put-downs, keeping you away from friends or family, destroying your property, threatening to hurt/kill your pets, controlling who you see/where you go/what you do, preventing you

from working or attending school, pressuring you sexually, intimidating you with weapons, threatening to harm your kids or take them away, scaring you with looks and actions, driving dangerously when you're in the car, preventing you from leaving, forcing drug or alcohol use, physically hurting you and/or your children, someone threatening to harm themselves if you leave, and more.

These actions are all about having power over an intimate partner. Domestic violence can happen to people of all identities, genders, races, abilities, ages, nationalities, sexual orientations, religions, socioeconomic status, and educational levels. It is always a crime.

Sources: The National Domestic Violence Hotline, "Teen Dating Violence" from the CDC, The National Coalition Against Domestic Violence, VAWA Final Register, 10/20/2014

Dating violence can take place in person or via technology, such as repeated texting or posting sexual photos of partner online without consent.

- › If someone you are in a romantic/intimate relationship with pinches, kicks, slaps, hits, or shoves you, those are physical instances of dating violence
- › If that person keeps you away from friends and family, shames you, calls you names, bullies you, or publicly embarrasses you on purpose, those are psychological and emotional examples of abuse.
- › If that person forces or coerces you to engage in sexual activity when you're unable to consent – or don't want to consent – that's sexual abuse.

All these actions and more constitute dating violence. It is violence committed by a person who is or has been in a romantic/intimate relationship with you.

Stalking

Stalking is when someone engages in a course of conduct directed at a specific person that causes that person to fear for their safety or the safety of others. It also causes the stalked person substantial emotional distress.

Over 85 percent of people are stalked by someone they know, according to the Stalking Resource Center, with behaviors that control, track, or frighten them, including...

- › Threatening to hurt you, family, friends, or pets
- › Showing up or driving by where you are
- › Following you
- › Monitoring your phone and computer uses
- › Using technology to track your movement
- › Damaging your home, car, or other property
- › Spreading rumors about you online, in public, or by word of mouth
- › Digging for information about you
- › Sending unwanted gifts, notes, texts, or emails

Being stalked can lead to anxiety, stress, irritability, an inability to sleep or concentrate, and depression. You do not have to feel this overwhelmed, vulnerable, and unsafe – let us help.

Consent

Crimes of sexual and relationship violence take place without someone's consent.

Consent is ongoing; it is the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity.

So, if you are initiating sexual activity, ask for consent before taking ANY action. If someone fails to say "no," that doesn't mean "yes." You must obtain clear consent in that moment that is completely voluntary, without coercion, intimidation, force, or threat. If you are unsure that consent has been given or if consent is withdrawn, do NOT act!

Consent given earlier for a certain act does not mean you can automatically proceed with other acts, and your partner certainly has the right to change their mind.

The National Domestic Violence Hotline is:

1-800-799-7233 or

1-800-787-3224 (TTY)

In Faulkner County, Rise House is also an option.

For help with domestic violence: 501-329-7405



Consent also cannot be given if someone is unconscious, asleep, incapacitated (due to alcohol/other drugs), a minor, or physically/mentally impaired. Furthermore, if you have a current relationship with someone or did in the past, that does not mean you can just proceed with sexual activity. You always need to obtain consent.

Sources: Wellness Resource Center's "Consent" page, Temple U.; VAWA Brochure, U. of Miami; U. of California's VAWA Training; "Defining and Understanding Consent," Whitman College

Reporting Options

If a College official is accused of sexual misconduct, that official will not be involved in the investigation or decision making of the alleged misconduct. All attempts will be made to avoid any conflicts of interest.

Non-confidential Reporting Options

You are encouraged to speak to College officials to make reports of incidents, including but not limited to the Title IX Coordinator, Deputy Title IX Coordinator, and Campus Security Authorities (CSAs). You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the College when reported, and to have those incidents investigated and properly resolved through administrative procedures. Reporting does not mean that your report will not be confidential, but it does mean that people who need to know will be told, and information will be shared as necessary with investigators, witnesses, and the accused.

To the greatest extent possible, Hendrix College will respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary to conduct a thorough investigation and comply with applicable laws. If the complainant continues to ask that their name not be revealed, Hendrix will take all reasonable steps to investigate and respond to the complainant consistent with the complainant's request, as long as doing so does not prevent Hendrix from responding effectively to the harassment and preventing harassment of other students or employees. At the same time, Hendrix College will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment.

It is a violation of Hendrix policy to retaliate against an individual who brings a complaint, serves as a witness, or provides information for an investigation.

Confidential Reporting Options

If you desire that details of the incident be kept confidential, you should speak with on-campus counselors or off-

campus rape crisis resources, who will maintain confidentiality. Campus counselors are available to help you free of charge.

In addition, you may speak to off-campus members of the clergy and chaplains, who will also keep reports made to them confidential. Counselors and health care providers are not designated by Hendrix College as Campus Security Authorities and therefore, they are not required to report crime statistics for Clery Act purposes. They are also not considered "responsible employees" for the purposes of Title IX and are not required to report incidents of sexual misconduct to the Title IX Coordinator.

If the complainant reports sexual harassment and requests confidentiality or asks that the complaint not be pursued, Hendrix College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. The College will obtain consent from the complainant before beginning an investigation unless the College determines it must investigate and resolve the complaint to protect the community.

If a complainant insists that his/her/their name or other identifiable information not be disclosed to the accused individual, Hendrix College's ability to respond may be limited and response by the College may be hindered.

Furthermore, all Mandated Reporters are required to disclose all information to the Title IX Coordinator, including who was involved.

Anonymous Reporting

Hendrix College's Title IX anonymous reporting form enables students and employees to report anonymously and privately any policy violations known or observed. Any person may file a report directly online using Hendrix College's Title IX anonymous reporting form, linked at: www.hendrix.edu/titleix/

The Title IX Office will promptly and thoroughly investigate all reports of harassment as privately as possible, but it cannot guarantee confidentiality. If sexual harassment is reported via the anonymous

reporting form, Hendrix will investigate as thoroughly as possible given the information provided.

Persons should be aware that Hendrix will take all reasonable steps to investigate and respond to the complaint consistent with the information provided, including the request not to pursue an investigation. If a reporter fails to provide their name or other identifiable information and the name of the accused individual, the ability to respond may be limited.

What to Expect from Us



Support

The Title IX Office is here to help you through this. You can expect a prompt, fair and impartial investigation of your complaint. That includes assisting you with receiving counseling and medical assistance, while also offering protective measures to help you feel safer at Hendrix College. These accommodations may be related to your academic and workplace situation if you request them and they are reasonably available. At times, we may need to act quickly to protect your safety, so we may not be able to obtain your written consent ahead of time.

Please know that we will be in communication with you throughout the process, to keep you well informed and feeling as safe as possible.

Campus Security Authorities (CSAs)

Under the federal Clery Act law, Campus Security Authorities (CSAs) must report to the Title IX Coordinator where and when a crime occurred, but not necessarily who was involved. When it comes to confidentiality, our institution will balance the need to keep the college community safe with protecting your request for confidentiality to the maximum extent possible.

Support for Respondents

Those accused of sexual assault, dating violence, domestic violence, and stalking can also find support through counseling, EAP, and other services. Please ask if you're unsure where to find support you need.

If you or someone you know experiences sexual assault, dating violence, domestic violence, or stalking, the Title IX Office is here to fully support you.

Campus Administrative Disciplinary Proceedings

The Title IX office is responsible for resolving cases of sexual assault, dating violence, domestic violence and stalking. These proceedings will be held within a reasonably prompt timeframe. As part of this process, both the complainant and the respondent will have equal opportunities to have an advisor of their choice present. Both parties will also be given timely notice of meetings and equal access to information that will be used during meetings and administrative hearings.

Once a disciplinary proceeding is over, the complainant and respondent will be notified simultaneously regarding the outcome and any appeal options.

NEVER blame yourself if an act of sexual or interpersonal violence occurs! The only person responsible in that situation is the perpetrator.



The Title IX process operates separate and apart from the Student Conduct process. Please see the Hendrix College Title IX Policy for more information about the Title IX process.

Risk Reduction

To protect yourself and your friends from incidents of sexual assault, dating violence, domestic violence and stalking, there are preventive measures you can take to reduce risk...

- ▶ Trust your instincts
- ▶ Don't worry about offending someone — just get out of there
- ▶ Make your boundaries known as early as possible
- ▶ Remember you are allowed to say “NO” firmly
- ▶ Notice when your boundaries aren't being respected
- ▶ Assert your right to have those boundaries respected
- ▶ Be “situationally aware” by taking note of your surroundings and who is present
- ▶ Don't be afraid to ask for help in situations where you don't feel safe
- ▶ Be mindful of your alcohol/drug intake and acknowledge these substances can lower your inhibitions, making you vulnerable to someone who would take advantage of your incapacity.
- ▶ Walk with others
- ▶ Lock doors and windows in your car and living spaces
- ▶ Look out for your friends and ask that they look out for you, too
- ▶ Respect a friend who challenges you if you're about to make a poor decision

Source: U. of California VAWA Training; Cal State, Long Beach, Office of Equity & Diversity

Reducing the Risk of being an Aggressor



The Five Ds of Intervention

Any one of the actions below gives you power as a bystander to change the situation — think of these strategies as the five "Ds" of intervention:

- 1. Direct:** Step forward and directly intervene
- 2. Delegate:** Evaluate the situation and organize others to respond
- 3. Distract:** find a way to pull attention away from the situation, or the person being attacked.
- 4. Delay:** After the incident, check in with anyone who was affected to show them that their experience and well-being matters, and that you see and value them.
- 5. Document:** If a situation is unfolding and others are intervening already, you can record the event on your phone. Just be careful not to share the recording publicly without the consent of those who have been harmed — it is best to give them the recording so they can be empowered to use it if they prefer, then delete it from your phone.

Do not just hope that someone else will step in. You may have the ability to stop a terrible, life-altering situation. **Be part of the solution!**

Some positive ways to intervene include:

- › Call their phone
- › Make a loud noise
- › Ask for directions
- › Ask them to leave with you
- › Contact authorities, 911, or public safety
- › Text someone else to get help

Do not put yourself in harms way. Get help if it is unsafe to intervene.

To make sure you do not perpetrate a crime of sexual or interpersonal violence:

- › Listen to your partner — note verbal and non-verbal cues
- › Clearly communicate your intentions
- › Only proceed with sexual activity if there is clear consent
- › Respect your partner and their personal boundaries
- › Watch your alcohol/other drug intake so decision making isn't compromised
- › Don't make assumptions about consent, sexual availability, attraction or limits — communicate!
- › Do not take advantage of some who is incapacitated by being drunk or drugged — they cannot give consent
- › Don't abuse any power advantage (gender, size, etc.) to intimidate or scare your partner

Bystander Intervention

When an incident of sexual or interpersonal violence is about to take place, bystanders can intervene simply and safely, often flipping the switch to change the outcome.

Source: RightToBe.org

Being a Proactive Bystander

There are multiple actions you can take to help prevent sexual and interpersonal violence proactively, too, such as...

- › Believe that sexual and interpersonal violence is unacceptable and say it out loud
- › Treat people with respect
- › Speak up when you hear victim-blaming statements
- › Talk with friends about confronting sexual and interpersonal violence
- › Encourage friends to trust their instincts in order to stay safe
- › Be a knowledgeable resource for survivors
- › Don't laugh at sexist jokes or comments
- › Look out for friends at parties and bars
- › Use College resources
- › Attend awareness events
- › Empower survivors to tell their stories

VAWA at Hendrix College

Here at Hendrix, we foster a college community climate free from sexual misconduct: sexual harassment, sexual assault, sexual exploitation, and the acts of stalking, dating violence, and domestic violence.

Reporting and Support

Anyone who believes that they have experienced sexual assault, dating violence, domestic violence, and stalking should immediately report the alleged act to the Title IX Coordinator by using the online Incident Report Form.

If you have experienced or witnessed any form of sexual misconduct you can report to any Official With Authority. They will help provide support and resources, while also guiding you in how to receive protective measures and/or file a criminal complaint (that is YOUR choice).

A formal Title IX report is not required to receive access to resources, supportive measures, and other remedies. In the event that you would like additional support and resources, they will be made available upon request.

To submit an online Incident Report Form, go to:
hendrix.edu/titleix/

Emergency Support:

DIAL 911 for emergencies

Hendrix College Public Safety: 501-450-7711

Conway Police Department: 501-450-6120

Conway Fire Department: 501-450-6147

Faulkner County Sheriff's Office: 501-450-4914

For non-emergency EMS: 501-450-2460

Counseling:

Confidential reporting is available in the counseling office. Go to hendrix.edu/counseling for more information.

Health Services:

Hendrix College maintains a nurse-directed health center that provides confidential services free of charge, including treatment for minor illness and injuries, referrals to health care specialists, health counseling, and more. Go to conwayregional.org/hendrix to schedule an appointment.

Additional health services are below.

Conway Regional Medical Center: 501-932-3500

Conway Regional Women's Center: 501-329-3831

Baptist Health Medical Center: 501-585-2000

MedExpress Urgent Care: 501-504-2329

PrimeCARE: 501-327-7100

Pafford Medical Services: 870-777-7480



Local and National Support:

1 in 6 (Live 24/7 helpline chat):

877-628-1466 | www.1in6.org

Arkansas Coalition Against Domestic Violence:

800-799-7233 | www.domesticpeace.com

Arkansas Coalition Against Sexual Assault:

800-656-4673 | www.arkcasa.org

Arkansas Crisis Center:

888-274-7472 | www.arcrisis.org

Center for Arkansas Legal Services:

501-376-3423 | www.arkansaslegal.org

Centre SAFE:

877-234-5050 | www.centresafe.org/services/services-for-male-survivors

Conway Police Department Victim Assistance:

501-450-6120 | www.conwaypd.org/images/docs/cpd-lauras-card.pdf

Faulkner County Prosecuting Attorney Victim Assistance:

501-450-3051 | www.faulknercounty.org/government/departments-2/prosecuting-attorney/victim-services

Hendrix College Chaplain:

501-450-1263 | www.hendrix.edu/religiouslife

Hendrix College Employee Assistance Program:

888-327-9573 | www.guidanceresources.com

Male Survivor:

www.malesurvivor.org

National Center for Victims of Crime:

202-467-8700 | www.victimsofcrime.org

National Coalition of Anti-Violence Programs:

212-714-1141 | www.apv.org

National Domestic Violence Hotline:

800-799-7233 | www.thehotline.org

National Human Trafficking Hotline:

888-373-7888

National Network to End Domestic Violence:

202-543-5566 | www.nnedv.org

National Sexual Violence Resource Center:

877-739-3895 | www.nsvrc.org

National Suicide Prevention Lifeline:

988 — Call or Text

Partners Against Trafficking Humans (PATH):

501-301-4357 | www.pathsaves.org

Rape, Abuse & Incest National Network:

800-656-4673 | www.rainn.org

Safe Horizon:

800-621-4673 | www.safehorizon.org

Womankind:

888-888-7702 | www.iamwomankind.org/our-work

Survivors Network of those Abused by Priests (SNAP):

877-762-7432 | www.snapnetwork.org

The Pregnant Scholar at the Center for WorkLife Law:

415-565-4640 | https://thepregnantscholar.org/

Victim Connect Resource Center:

855-484-2846 | www.victimconnect.org

Rise House:

501-329-7405 | www.risehouseconway.org

NYC Anti-Violence Project Crisis Intervention Hotline:

212-714-1141 | https://avp.org/get-help/report-violence/

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If you have questions, concerns, want to know how to access resources, or need to submit an incident report, please contact the Title IX Coordinator:

Dr. Jennifer Fulbright

Office | 501-505-2901

Cell | 501-444-2702

Email | fulbright@hendrix.edu

SLTC 150 | 1600 Washington Avenue, Conway, AR 72032



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Policies and Procedures

All reports of sexual misconduct will be referred to the Title IX Coordinator or designee. Upon receipt, the Title IX Coordinator or designee shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by Hendrix Title IX policy. If so, the Title IX Coordinator will immediately authorize or undertake an investigation. If appropriate, the interim measures may be implemented to address prohibited conduct during an investigation. The investigation may be conducted by the Title IX Coordinator or a designee, or by a third party designated by Hendrix, such as an attorney. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

To file an incident report, or access resources and support for incidents of sexual assault, dating violence, domestic violence, or stalking, contact the Title IX Coordinator:

Dr. Jennifer Fulbright

Office | 501-505-2901

Cell | 501-444-2702

Email | fulbright@hendrix.edu

SLTC 150 | 1600 Washington Avenue, Conway, AR 72032

