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HUMAN RESOURCES

TO: Students, Faculty, Staff, and Administration

FROM: Christina M. Fleeger
Interim Executive Director of Human Resources/
Equal Opportunity Compliance Officer

DATE: April 22, 2019

SUBJECT: Take the First Step and be in the Know:
Sexual Assault Awareness and Preventive Measures Resource Tool

BC3 is committed to working together to provide a safe, secure, and healthy teaching, learning and working environment free from discrimination and violence. Our goal is to make you more aware of sexual assault and steps for prevention. As the Title IX Coordinator, you will receive emails from me to keep you informed about sexual violence awareness and prevention.

TITLE IX

Title IX is a federal law that 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 educational program or activity receiving Federal financial assistance." This federal law protects students, faculty, staff, administration, and visitors from sexual harassment and sexual assault, which are forms of discrimination covered by the College's Nondiscrimination Policy.

NONDISCRIMINATION POLICY

Butler County Community College is committed to providing equal opportunity in admissions and treatment of students, in educational programs for students, in employment opportunities and in governance of the College, without regard to race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law.

The College shall take affirmative action to ensure (1) that it does not discriminate against an employee or applicant for employment or another person because of race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law; (2) that it does not subject students to unlawful discrimination in the admission process, take any action, direct or indirect, to segregate students in a classroom or course, or subject students to different or separate treatment in, nor restrict the enjoyment by a student of, a service, facility, activity or program at the College on the basis of race, color, religious

creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law; and (3) that it does not discriminate in the employment of administrators on the basis of race, color, religious creed, ancestry, national origin, handicap or disability, age, sex, sexual orientation, or gender identity or expression, genetic information, veteran status, marital status, family status, or other classification protected by applicable law and that its governance structure includes diverse membership broadly representative of the public interest as may be required by law or regulation.

There shall be no retaliation against any applicant, employee, or student for filing a harassment or discrimination complaint, or assisting, testifying, or participating in the investigation of such a complaint. Any applicant, employee, or student reporting sexual or other harassment or discrimination will also be protected from reprisals or retaliation by the College, any supervisors, and/or co-workers as a result of such complaint(s).

The College is committed to be in compliance with the Pennsylvania Human Relations Act (43 P. S. §§ 951-962.2) and the Pennsylvania Fair Educational Opportunities Act (24 P.S. § § 5001-5009). Employment and educational opportunities at Butler County Community College are available to all as required by Title VI, Title VII, Title IX, Section 504 of the Rehabilitation Act, the Pennsylvania Fair Educational Opportunities Act, the Pennsylvania Human Relations Act, and all applicable laws and regulations.

For information regarding equal education and employment opportunity including services, activities and facilities that are usable and accessible to disabled persons, contact the Executive Director of Human Resources/Equal Opportunity Compliance Officer, Butler County Community College by telephone at (724) 287-8711, Ext. 8353, or in writing at 107 College Drive, Butler, PA 16002. If an applicant, employee, or student is physically or mentally disabled, he/she may request accommodations, academic adjustments, or auxiliary aids or services. Information on the College's services for disabled students may be obtained from the Academic Counselor and Disabilities Coordinator at Ext. 8327. Employees or applicants should contact the Executive Director of Human Resources/Equal Opportunity Compliance Officer at Ext. 8353 for more information.

For information regarding the College's Grievance Procedure, visit our website at <https://bc3.edu/directory/human-resources/pdf/GRIEVANCE-PROCEDURE.pdf> or contact the Executive Director of Human Resources/Equal Opportunity Compliance Officer, Butler County Community College by telephone at Ext. 8353 or in writing at the above address.

VIOLENCE AGAINST WOMEN ACT (VAWA)

Violence Against Women Act is a federal law in response to the increasing violence against women in America. The Act has provisions ranging from funding of domestic-violence programs to civil rights remedies for women and also men who were victims of gender-based attacks as well as expanding protection to lesbian, gay, bisexual, and

transgender, including Native Americans and immigrants, which were added in 2013.

Sources: <http://definitions.uslegal.com/v/violence-against-women-act-vawa/>; <http://www.justice.gov/ovw/blog/celebrating-reauthorization-violence-against-women-act>

NOT ALONE

President Obama established the White House Task Force on January 22, 2014, to protect students from sexual assault. As a result, the Not Alone website was developed as a resource for preventing and responding to sexual assault.

Website: <https://www.justice.gov/archives/ovw/page/file/905942/download>

SEXUAL VIOLENCE TERMS AND EDUCATION

Below is a link to the PA Crimes Code Chapter 31 of sexual offenses.

Website:

<http://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=18&div=0&chpt=31>

DATING VIOLENCE

Dating violence is an abusive behavior committed by a person, who exerts power and/or control over another individual, in a social, romantic, or intimate relationship with a partner. The frequency of interaction, length, and type of relationship between partners will determine if such relationship exists.

Source: <http://family.findlaw.com/domestic-violence/what-is-domestic-violence.html>

SEXUAL ASSAULT

Sexual assault occurs when an individual engages in unwanted sexual intercourse or deviate sexual intercourse without the other person's consent. This includes, but is not limited to, rape, incest, unwelcome physical or sexual touching, and/or threats.

Source: <http://statelaws.findlaw.com/pennsylvania-law/pennsylvania-sexual-assault-laws.html>

SEXUAL HARASSMENT

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic success.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or academic environment.

Source: BC3 Sexual Harassment Policy – <http://bc3.edu/directory/human-resources/pdf/SEXUAL-HARASSMENT-POLICY.pdf>

DOMESTIC VIOLENCE

Below is a link to the PA Crimes Code Section 2711/Domestic Violence Act.

Website:

<http://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=18&div=0&chpt=27&sctn=11&subsctn=0>

Domestic violence is the occurrence of one or more of the following acts between family or household members, sexual or intimate partners, or persons who share biological parenthood.

1. Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault, or incest with or without a deadly weapon.
2. Placing another in reasonable fear of imminent serious bodily injury.
3. False imprisonment.
4. Physically or sexually abusing minor children.
5. Knowingly or repeatedly committing acts toward another person, which reasonably cause fear of bodily injury.

Source: <http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/23/00.061.002.000..HTM>;

STALKING

Below is a link to the PA Crimes Code Section 2709.1/Stalking.

Website:

<http://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=18&div=0&chpt=27&sctn=9&subscn=1>

Stalking occurs when an individual continually engages in actions and/or conduct that cause another individual to reasonably fear bodily injury and/or suffer substantial emotional distress.

Source: <http://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/18/00.027.009.001..HTM>

Stalking Resource Center

The Stalking Resource Center is a Program of the National Center for Victims of Crime, which provides assistance and resources related to stalking.

Source: <http://www.victimsofcrime.org/our-programs/stalking-resource-center>

DRUG AND ALCOHOL- FACILITATED SEXUAL VIOLENCE

Some attackers use drugs to incapacitate and/or have control over an individual to commit sexually-based acts known as "drug-facilitated sexual assaults." These colorless, odorless, and sometimes tasteless drugs can easily be slipped into a person's drink without that person's knowledge or consent.

Source: <https://www.rainn.org/articles/drug-facilitated-sexual-assault>

Examples of common "date-rape drugs" and their effects are listed below.

ROHYPNOL

A small white tablet that looks a lot like aspirin, acts as a sedative, and is effective within 30 minutes of ingestion.

Side Effects:

- Confusion

- Increased blood pressure
- Dizziness
- Drowsiness
- Memory impairment
- Muscle relaxation
- Nausea, aspiration on own vomit
- Unconsciousness
- Visual disturbances

Source: <https://www.rainn.org/get-information/types-of-sexual-assault/drug-facilitated-assault>

ECSTASY

Ecstasy is commonly available in small pills, capsules, powder, and liquid forms. Individuals consuming ecstasy are extremely relaxed, less cognizant of their surroundings, and are less likely to be able to protect themselves from a sexual assault.

Side Effects:

- Blurred vision
- Chills and hypothermia
- Hallucinations
- Heat stroke
- Heart failure
- Increased blood pressure, pulse, and body temperature
- Loss of consciousness
- Nausea, aspiration on own vomit
- Sweating
- Strokes
- Seizures and/or tremors

Source: <https://www.rainn.org/get-information/types-of-sexual-assault/drug-facilitated-assault>

Below is a link to information on these and other drugs.

Website: www.drugs.com

CONSENT

Consent is defined as knowingly and willingly giving permission by action or word to mutually participate in a sexual activity. Silence does not imply consent to a sexual activity nor does agreeing to one type of sexual activity imply consent to other types of sexual activity. Consent can be withdrawn at any time during any sexual activity. Previous consent does not imply consent to future sexual activity.

A person, due to his/her age, may be incapable of giving legal consent. A statutory sexual assault occurs when an individual is under age 16 and the accused is four or more years older than the individual and they are unmarried. Regardless, it is considered rape of a child when the individual is under age 13.

Furthermore, some individuals may not be able to provide consent due to mental or physical incapacitation such as unconsciousness, intellectual disability, or being under the influence of drugs and/or intoxicants. Consent cannot be acquired by use of force, threats, intimidating behavior, or coercion. Use of drugs or alcohol will never excuse behavior that violates College policies.

Source: <https://www.ageofconsent.net/states/pennsylvania>

To illustrate what consent means, please take a few minutes and watch the following video clip:

Tea Consent (Clean)

Website: <https://www.youtube.com/watch?v=fGoWLWS4-kU>

RISK EDUCATION AND PERSONAL PROTECTION

To reduce the risk of sexual violence and to better protect yourself, below are some steps that you can take:

- Familiarize yourself with your surroundings.
- Be aware of exits or possible escape routes.
- Arrange a safe place that you can go.
- Keep your keys in your hand when walking.
- Keep the car doors locked while driving and even when you are pumping gas.
- Avoid dimly lit and isolated areas.
- Walk with confidence.
- If a situation appears unsafe, leave immediately.
- Be cognizant of your surroundings at all times and only use one headphone.
- Make sure you have your cell phone.
- Avoid looking vulnerable by carrying too many things.
- Avoid being isolated with someone you do not trust or know.
- Never leave your drink unattended.
- Use a buddy system and do not go out alone.
- Set specific check in times with friends or family.
- Let someone know where you are going and when you will be home.
- Take an awareness class.
- Carry an intermediate defense tool such as pepper spray.
- Create distance between you and the threat.
- Let others around you know what is going on.
- Contact emergency services as soon as possible. If an act should occur on campus notify College administration.

Source: <https://www.rainn.org/get-information/sexual-assault-prevention/avoiding-dangerous-situations>

BELOW ARE TIPS THAT CAN ASSIST YOU WHEN YOU ARE BEING PRESSURED:

- Do not feel you must do something that you do not want to do.
- Have a signal that you can communicate with a family member or friend if you feel you are in an uncomfortable situation.

- Create distance from the situation and immediately report the situation to College administration.
- Make up an excuse to remove yourself from an uncomfortable situation.
- Remember that being coerced and made to feel uncomfortable is not your fault.

Source: <https://www.rainn.org/get-information/sexual-assault-prevention/avoiding-pressure>

WHAT TO DO IF YOU ARE A VICTIM OF SEXUAL VIOLENCE

- Find a safe environment away from the attacker, have a friend stay with you, and understand you are a victim with rights and have done nothing wrong.
- Individuals are encouraged to report the assault to police by calling 911 and/or notify campus administration.
- Save any evidence of the assault – do not change your clothes, use the restroom, comb your hair, bathe, brush your teeth, eat, smoke, clean up the crime scene, or move anything the attacker may have touched. Also, it is beneficial to retain any text messages, emails, or voicemails pertaining to the assault.
- Seek immediate medical attention and ask the hospital to conduct a sexual assault kit exam to preserve forensic evidence. Identify any risks of sexually transmitted infections or diseases (STIs or STDs) and pregnancy. Request a urine sample be taken, if you suspect you were drugged.
 - Examples of STDs include, but are not limited to, Chlamydia, Gonorrhea, Hepatitis, Herpes, HIV/AIDS, HPV, PID, and Syphilis.
- Write down what you recall about the assault and the attacker.
- Remember, what happened is not your fault.
- Allow yourself time to recover from sexual violence.
- Seek professional counseling for assistance.

Source: <https://www.rainn.org/get-information/sexual-assault-recovery/tips-for-after-an-attack>

COUNSELING RESOURCES INCLUDE:

Center for Community Resources (CCR)

212-214 South Main Street
Suite 625
Butler, PA 16001
Toll Free Crisis Line: 1-800-292-3866

National Sexual Assault Hotline

1220 L. Street NW, Suite 505
Washington, DC 20005
1-800-656-HOPE

Victim Outreach Intervention Center (VOICe)

111 S. Cliff Street
Suite 1-A
Butler, PA 16001
Hotline number: 1-800-400-8551

COLLEGE RESOURCES

Contact one or more of the following:

Police – 911

BC3 Campus Police Department

724-287-8711, Ext. 8394

Press the emergency button on any College phone or press the button on an Emergency Stanchion located in one of the following areas:

- In front of the Field House;
- Pathway to campus at the South Parking Lot; and
- Pathway to Science & Technology Building.

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