

MAC

**SEXUAL
VIOLENCE
RESOURCES
AND SUPPORT**

Your Rights

**What To Do If You
Experience Sexual Violence
Definitions**

**Sexual Violence Prevention
Reporting Sexual Violence
Resources & Support**

macalester.edu/titleix

RESOURCES AND SUPPORT FOR SURVIVORS OF SEXUAL VIOLENCE

This booklet explains available options, support, and resources for you or someone you know who is a survivor of sexual harassment and/or sexual violence.

To view Macalester's full policy on sexual misconduct, please refer to the college's Title IX web page at macalester.edu/titleix and the Student Handbook at macalester.edu/studenthandbook.

The Macalester College Title IX Coordinator oversees the centralized review, investigation, and resolution of sexual misconduct reports and ensures compliance with federal guidelines and college policies. Sexual misconduct includes sex discrimination, sexual harassment, sexual assault, domestic violence, dating/intimate partner violence, and stalking. Contact the Title IX Coordinator with questions or concerns regarding the college's sexual misconduct policy, violence prevention strategies, and resources for support (see p. 7 for contact information).

Macalester College will not tolerate sexual misconduct in any form. The college will promptly and equitably respond to all reports of sexual misconduct in order to eliminate the misconduct, prevent its recurrence, and address its effects on any individual or the community. For a full review of the college's sexual misconduct policy, visit macalester.edu/titleix.

WHAT ARE YOUR RIGHTS?

You have the right to request confidentiality.

You have the right to request confidentiality, even if the college is mandated to report a disclosure. If you file a report and want to request confidentiality, you can talk with the Title IX Coordinator, who may consult the appropriate college officer and make a decision based on available information.

You have the right to contact the police.

You have the right to contact the local police at any time. You also have the right to decline to notify the local police or Campus Security. The college will not contact law enforcement unless requested or a threat of imminent danger exists. For contact information, please see the list of resources on p. 7.

You have the right to notice of, and access to, available services, including support services, information, referrals, medical assistance, and sexual assault advocates.

For more information on available support on and off campus, see p. 7.

You have the right to accommodations to protect yourself and the broader Macalester community.

For an individual who believes they have experienced sexual violence, the college will make accommodations and provide protective measures (also referred to as interim actions) if requested and reasonably available. The college may take such steps even when an individual asks that the college keep confidential a reported violation of this policy and that it not investigate the matter and regardless of whether an individual chooses to report to law enforcement.

Examples of accommodations/interim actions include:

- Establishing a mutual "no-contact" directive prohibiting the parties involved from communicating with each other during the response and resolution process.

- Changing an individual's on-campus residency or transportation arrangements.
- Changing an individual's student or employee status or job responsibilities, or changing an individual's work or class schedule.
- Changing academic requirements or providing assistance with academic issues.
- Making information about orders for protection and harassment restraining orders available to a complainant.
- Prohibiting an individual involved from being on Macalester property or from participating in Macalester-sponsored events.

You have the right to a prompt, equitable, and impartial complaint resolution process.

If you choose to file a complaint with the college and ask that the incident/s be investigated, or if the college undertakes an investigation based on other circumstances, you have the right to a prompt, equitable, and impartial investigation.

The Title IX Coordinator will ensure that both the complainant and the respondent receive a fair process in accordance with campus policies and federal guidelines. Both the complainant and respondent are entitled to have an advisor of their choice present during any part of the complaint resolution process.

The complaint resolution process will be conducted by people who receive annual training on the issues related to sexual harassment, sexual assault, domestic violence, dating/intimate partner violence, and stalking, and know how to conduct an investigation and oversee a decision-making process that protects the safety of all and promotes accountability.

For information and details of the complaint resolution process, please see the college's sexual misconduct policy at macalester.edu/titleix.

WHAT TO DO IF YOU EXPERIENCE SEXUAL VIOLENCE

1. Get Safe

If you feel in danger, call the police at 911, or call Campus Security at 651-696-6555.

2. Get Medical Attention

You are encouraged to get a medical exam and an evidence collection kit. It is important to preserve evidence for proof of sexual assault, dating/intimate partner or domestic violence, or stalking.

One method of preserving evidence is an evidence collection kit and medical exam at Regions Hospital, 640 Jackson St., St. Paul, MN, 651-254-1611.

A friend or support person of your choice can accompany you to the hospital or health center. You can also call an advocate through SOS Sexual Violence Services of Ramsey County's 24-hour crisis line, 651-266-1000, and they can meet you at the hospital and stay with you for the duration of the exam.

You can also seek medical assistance on campus at the Laurie Hamre Health & Wellness Center in the Leonard Center, 651-696-6275. The health and wellness center is not able to complete evidence collection, but they can assess and treat injuries and address other health concerns.

3. Seek Confidential Support

Consultations with medical and counseling staff in the health and wellness center, the college chaplain and SOS Sexual Violence Services of Ramsey County are confidential resources. You can disclose in full confidence, and no report will be filed without your permission.

If you have questions or concerns about your readiness to report what happened, you may want to discuss the incident with one of these confidential resources first. Contact information for confidential resources is on p. 7.

4. Report the Violence

Reporting the violence does not commit you to filing a complaint with the college or filing charges with the police, though you are encouraged to do so.

You can make a report to the Title IX Coordinator, Deputy Title IX Coordinators, Campus Security, or the Office of Student Affairs. College employees who are not confidential resources, when made aware of incidents of sexual violence, have a responsibility to report the incident to the Title IX Coordinator.

You can make an anonymous report by using the college's online reporting form at macalester.edu/titleix. Names are optional on this form. The form is sent to the Title IX Coordinator and Deputy Title IX Coordinators. If names are provided, the Title IX Coordinator will take action on the report. If no names are provided, the information given on this form will be used for statistical monitoring in compliance with the Clery Act. It is possible that a timely warning to the campus will be issued if deemed necessary by the Title IX Coordinator in consultation with appropriate college officials.

For information on whom to contact, see the list of resources on p. 7.

For more information on how to file a report or complaint, visit macalester.edu/titleix.

5. File a Complaint

The college encourages you to file a complaint with the Title IX Coordinator for complaint resolution proceedings. The Title IX Coordinator will help you understand the process and see that any appropriate interim accommodations (such as a mutual no-contact directive, change of residence, or transportation, employment, or classroom accommodation) are put in place.

For more specific information on the complaint resolution process in the college's sexual misconduct policy, visit macalester.edu/titleix.

DEFINITIONS OF SEXUAL MISCONDUCT AND CONSENT

Macalester College prohibits and will not tolerate sexual misconduct in any form.

Sex Discrimination

Encompasses all forms of sexual harassment, sexual violence, differential treatment, and gender-based harassment.

Sexual Harassment

Any sexual or gender-based verbal, written, or physical conduct that is unwanted and/or unreasonably interferes with or deprives someone of academic, social, or work-related access, benefits, or opportunities in the college community or creates an environment that interferes with the well-being and/or success of an individual.

Sexual Assault

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

Fondling: The touching of private body parts (e.g., breasts, buttocks, groin, genital area, or inner thigh) of another person for the purpose of sexual gratification, without consent.

Sexual Exploitation

This occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone else. This refers to behavior that does not constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to, prostituting another person, non-consensual video-or audio-taping, voyeurism, exposing one's genitals, or posting sexually explicit photos or videos in public or on social media sites without consent.

Dating/Intimate Partner Violence

Violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the

victim. Dating/intimate partner violence includes, but is not limited to, sexual or physical abuse or the threat of abuse.

Domestic Violence

Pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner, including physical, sexual, emotional, economic, or psychological abuse. This includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner, a current or former cohabitant, a person with whom a child is shared in common, or a person similarly situated under domestic or family violence law.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. Examples of stalking include: repeated and unwanted calls, texts, or emails; showing up unexpectedly where a person is; or tracking someone on social media.

Consent

Consent is conduct or words that indicate a person freely agrees to engage in a sexual act at the time of the act, subject to the following:

- Consent can only be given if one is of legal age (16 years old in Minnesota).
- Consent is a mutually understood and freely given “yes,” not the absence of “no.”
- Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
- Consent can be withdrawn at any time.
- Silence or failing to resist does not imply consent.
- Previous relationships or previous consent cannot imply consent to future sexual acts.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion*.
- There can be no consent to sexual activity with someone known to be—or who should be known to be—mentally or physically incapacitated** (due to alcohol or other

drug use, unconsciousness or blackout, or any disability that prevents a person from having the capacity to give consent).

- Use of alcohol or other drugs will never excuse behavior that violates this policy.
- Macalester has a Consensual Relationship Policy that prohibits romantic, intimate, or sexual relationships involving persons of unequal power (i.e., college staff or faculty with students; supervisors with employees), even when it may appear that consent is present.

Coercion* refers to intimidation that would compel an individual to do something against their will by the use of psychological pressure, physical force, or threats of severely damaging consequences. Coercion is more than an effort to persuade or attract another person to engage in sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.

Incapacitation** means the physical and/or mental inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. With respect to incapacitation due to the ingestion of alcohol or other drugs, incapacitation requires more than being under the influence of alcohol or other drugs; a person is not incapacitated just because they have been drinking or using other drugs. Where alcohol and other drugs are involved, incapacitation is determined based on the facts and circumstances of the particular situation, looking at whether the individual was able to understand the fact, nature, or extent of the sexual situation; whether the individual was able to communicate decisions regarding consent, non-consent or the withdrawal of consent; and whether such condition was known or reasonably should have been known to the accused.

Use of drugs or alcohol by the accused is not a defense against allegations of sexual misconduct and does not diminish personal responsibility. It is the responsibility of the person initiating the specific sexual activity to obtain consent for that activity.

SEXUAL VIOLENCE PREVENTION: BYSTANDER INTERVENTION

Everyone at Macalester has a role to play in preventing sexual violence. Bystander intervention is one of the most effective means of preventing sexual violence.

Bystander intervention involves developing the awareness, skills, and courage needed to intervene in a situation when another individual needs help. Bystander intervention allows individuals to send powerful messages about what is acceptable and expected behavior in our community.

When are you more likely to intervene as a bystander?

- You are alone in witnessing the situation or with only a few others: the more people present, the less the likelihood that a bystander will intervene (i.e., they assume someone else will do it).
- You know how to intervene or what to do.
- You are aware there is a problem and recognize the potential negative impact.
- You have something in common with the victim: gender, race, or a similar situation happened to you.
- You can intervene safely, without harm to yourself or others.
- You have witnessed active bystander behavior in the past or were helped by an active bystander.

Questions to consider during the situation:

- What are my available options?
- How can I intervene safely?
- Are there others I can call upon for help?
- What are the benefits/costs of taking action?

Tips for intervening:

- Intervene at the earliest point possible.
- Look for early warning signs of potential violence.
- Ask for help.

How to intervene safely: Use the “3 Ds”

- **Direct: Tell someone directly to stop an action.**
 - *“Don’t leave (the party) with her. She can’t stand up. My friends and I will walk her back to her dorm.”*
 - *“Stop hitting him. Now.”*
 - *“Stop disrespecting my friend. That’s harassment.”*
- **Distract: Take someone out of the situation. Engage the person in another situation.**
 - *“Don’t I know you from psych class? Can we talk about that exam?”*
 - *“Isn’t that Ke\$ha playing? Let’s go dance!”*
 - *“My car is out back. Can I give you a ride home?”*
- **Delegate: Find others to intervene with you or for you.**
 - *Talk to the host or bartender and enlist their help.*
 - *Find friends of those involved in the situation and ask them for their help.*
 - *Call Campus Security for help, or notify the on-duty Residential Life staff.*
 - *Call the local police (911) if the situation merits it.*

Take individual responsibility:

- Take care of yourself as well as others.
- Keep an eye out for your friends.
- Get consent for every step of a sexual interaction.
- Drink responsibly. Know your limits. Drinking increases aggression, decreases comprehension, and decreases inhibition. It decreases enjoyable sex. It increases the likelihood of nonconsensual sexual intercourse and/or nonconsensual sexual contact.
- Speak up and step in safely if the actions or words of a friend or peer are harmful.

To learn how to get involved in taking part in and/or organizing educational events related to sexual violence prevention, please contact the Sexual Violence Prevention Program Coordinator, Laura Linder-Scholer, at llinders@macalester.edu.

REPORTING SEXUAL VIOLENCE

On Campus

Title IX & Bias Harassment Coordinator

Timothy Dunn

Campus Center, Rm. 243

651-696-6258, tdunn@macalester.edu

Sexual Violence Prevention Program Coordinator & Deputy Title IX Coordinator

Laura Linder-Scholer

Library, Rm. 408

651-696-6807, llinders@macalester.edu

Dean of Students & Deputy Title IX Coordinator

DeMethra LaSha Bradley

Weyerhaeuser Hall, Rm. 119

651-696-6220, dbradley@macalester.edu

Associate Dean of Students & Deputy Title IX Coordinator

Andrew Wells

Weyerhaeuser Hall, Rm. 119

651-696-6220, awells1@macalester.edu

Campus Security

651-696-6555 (24-Hour Emergency)

Off Campus

Police: 911 (24-Hour Emergency)

Regions Hospital Emergency Center

Sexual Assault Nurse Examiners (SANE)

640 Jackson St., St. Paul, MN 55101

651-254-3456

Hennepin County Medical Center Emergency Room

701 Park Ave, Minneapolis, MN 55415: 612-873-3000

Sexual Assault Resources Service: 612-873-5832

RESOURCES & SUPPORT

Confidential Campus Resources

Center for Religious and Spiritual Life:

Kelly Stone, Associate Dean and Chaplain

651-696-6298, kstone1@macalester.edu

Health and Wellness Center: Counselors, physician,

registered nurse, or nurse practitioner: 651-696-6275

Confidential Off-Campus Resources

SOS Sexual Violence Services of Ramsey County

24-hour hotline: 651-266-1000

RAINN (Rape, Assault, and Incest National Network)

24-hour hotline: 1-800-656-HOPE

Sexual Violence Center Minneapolis

24-hour hotline: 612-871-5111

Campus Support Services

Sexual Assault & Harassment Support Team (SAST)

macalester.edu/violenceprevention/support/sast/

SAST members are volunteer non-confidential members of the staff and faculty who are committed to sexual violence prevention and ending power-based personal violence. They can offer support, guidance, and referrals.

Residential Life Staff

macalester.edu/reslife

Residential Life staff members have been trained in crisis intervention and in counseling and support skills. They can direct you to appropriate campus services: 651-696-6215.

Sexual Violence Prevention, Resources & Support
**macalester.edu/titleix and
macalester.edu/violenceprevention**

ADDITIONAL OFF-CAMPUS AND ONLINE SUPPORT RESOURCES

SOS Sexual Violence Services of Ramsey County: **sosramsey.org**

Minnesota Coalition Against Sexual Assault: **mncasa.org**

Women's Advocates, Inc.: **wadvocates.org**

Feminist Majority Foundation/Sexual Assault Resources: **feminist.org**

National Sexual Violence Resource Center: **nsvrc.org**

National Coalition Against Domestic Violence: **ncadv.org**

Centers for Disease Control and Prevention: **cdc.gov/violenceprevention**

Not Alone: Together Against Sexual Assault: **notalone.gov**

It's On Us: **itsonus.org**