



Sexual Assault Resource Guide for Students

**LSC/VSC policy,
campus and community resources,
bystander intervention,
and risk reduction**

2017-18

Vermont State Colleges Policy 311-A ***Sexual Misconduct, Domestic Violence,*** ***Dating Violence, Sexual Assault, and Stalking***

VSC Policy 311-A prohibits sexual misconduct, domestic violence, dating violence, sexual assault, and stalking. Sexual harassment is also prohibited by the Vermont State Colleges, as set forth in VSC Policy 311, *Nondiscrimination and Prevention of Harassment and Related Unprofessional Conduct*.

The VSC is committed to maintaining an educational and working environment free from all forms of sex discrimination, including sexual assault and sexual misconduct. The VSC is also committed to maintaining an educational and working environment free from domestic violence, dating violence, and stalking. Such misconduct will not be tolerated. These acts not only violate a person's feelings of trust and safety but can also substantially interfere with a person's education or employment.

Policy 311, Policy 311-A, and their implementing procedures are available under the "Students, Faculty & Staff" tab and on the Public Safety and Human Resources pages of the Lyndon State College website: www.lyndonstate.edu

Vermont's Sexual Assault Law

In the State of Vermont, it is unlawful to engage in a sexual act with another person and to compel the other person to participate in the sexual act:

- without the consent of the other person;
- by threatening or coercing the other person;
- by placing the person in fear of imminent bodily injury;
- by substantially impairing the ability of the other person through the use of drugs or alcohol (administered without the knowledge or against the will of the other person)
- by engaging in a sexual act with a person under the age of 16.

Vermont law defines a **sexual act** as contact between the penis and vulva, the penis and anus, the mouth and penis, the mouth and vulva, or any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.

Consent

Determining whether consent has been given is a critical factor in any sexual assault. What does it mean to give consent? Consent is the active giving of permission to take a particular action. Active consent is a process where each person repeatedly checks in throughout the progression of sexual acts. Verbal consent is recommended; nonverbal indicators are not always accurate. Consent can ONLY be given when there is equal power between the two parties. The use of force, threats of force, or coercion removes one's ability to give consent. Most importantly, consent cannot be given if the person is physically or mentally incapacitated, unconscious, under the age of sixteen or is asleep. Your ability to give consent is severely compromised if you are under the influence of alcohol or other drugs. Use of alcohol or drugs does NOT make a victim at fault for sexual misconduct. The use of alcohol or drugs does NOT minimize or excuse a person's responsibility for committing sexual misconduct.

There are several parts of consent, all of which must be present before people can participate mutually and equally in a sexual relationship:

- 1) They must understand what they have agreed to do.
- 2) They must be aware of the consequences of and alternatives to their actions.
- 3) They must know that their decision not to participate will be respected as much as their decision to participate.
- 4) They must voluntarily agree.

Signs to Stop!

- Verbal Refusal: When someone says "no" or "don't do that" or "stop" or "I don't want to do this"
- Implied Verbal Refusal: When someone says "I don't think I want to go this fast" or "I'm not sure I want to do this"
- Physical Resistance: Trying to get away, trying to leave, rolling over or away, pushing the person off, moving the person's hands, and putting clothes back on signal a lack of consent.

If you continue with sexual activity after any of these indicators, you are committing a crime.

Don't Guess: ASK!!

The Red Zone

The Red Zone is the first six weeks a student is on campus. Typically, there is a higher incidence of sexual assaults on college campuses during this time. First-year students are at a higher risk of victimization.

- 1:4 college women is a victim of sexual assault or attempted sexual assault at least once during her four years of college.
- 78% of all sexual assault victims know their attackers.
- 90% of all sexual assaults where the victim knows the perpetrator involve alcohol.
- Women ages 16-24 experience the highest per capita rates of intimate violence.

(source: Bureau of Justice Special Report: Intimate Partner Violence, May 2000)

Why?

First-year students may be targeted because they are adjusting to a new environment and getting oriented.

They are feeling insecure and alone.

They are meeting new people and trying to fit in.

They have less parental supervision and increased independence, which may lead to certain behaviors such as experimenting with alcohol or other drugs.

They are targets for peer pressure relating to sexual activity. College parties are likely to bring men and women together in an environment where testing these limits may have negative consequences. One such consequence may be acquaintance rape.

Bystander Intervention

- Have a PACT with trusted friends and be sure to return with the same group of friends. Leave NO ONE behind – no excuses. This buddy system also allows for opportunities to check in. Create a code word or a signal that indicates to the others in your group that you are not comfortable in a situation to alert other members of the group to your concerns.
- Be an active bystander. Get involved. Stand up. Say or do something that can make a difference and prevent an assault from happening.
 - *Intervene when you see someone has had too much to drink, e.g., help them get home safely.
 - *If you see someone add something to a drink, call them on it, spill it, dump it or tell the person not to drink it.
 - *Trust your “gut.” If the situation seems unsafe or just doesn’t seem right, check in and see how you can help.
 - *Break the Bro Code...being a “wing man” is being an accomplice to sexual assault.
- Call Public Safety at 802-626-6452 or ext. 6-6452 for an escort within campus.
- BE AWARE of where you are. Know the address.
- HEED ADVICE from an RHD or RA. They have your well-being and health in mind.
- Make safe choices for yourself.
- Don’t mix sexual decisions with drugs and alcohol. Regardless of how smart you are, you can’t make sound decisions while under the influence.
- Be mindful of pick-up lines that have hidden meanings.
- Communicate and be assertive. Think about what you really want before you get into a sexual situation, and clearly communicate your boundaries with your partner. If you think you are getting mixed messages, ask for clarification!

Risk Reduction Strategies

- Trust your instincts. If you feel unsafe in any situation, go with your gut and leave. If you see something suspicious, contact your RHD, RA, or Public Safety immediately.
- Get to know your surroundings. If you are new to the campus, familiarize yourself with the campus map and know the location of the blue emergency phones. Avoid shrubbery and dark areas.
- Avoid putting your dorm room, campus address, or phone number on your personal profile where everyone can see it.
- Never loan your room key to anyone and always lock your door. Determine rules about who is allowed in your room. Be cautious inviting someone into your room or going to someone else's room.
- Practice safe drinking. Don't accept drinks from people you don't know or trust and never leave your drink unattended. If you've left your drink alone, just get a new one. Always watch your drink being prepared. At parties, don't drink from punch bowls or other large, open containers.
- Watch out for your friends. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get her or him to safety. This may mean calling 911, especially if you believe they may have been drugged.
- Don't let your guard down. The college campus environment can foster a false sense of security. Don't assume people you've just met will look out for your best interests; remember that they are essentially strangers.
- Walk with roommates or someone you trust. If you are out alone at night, don't put music headphones in both ears as this interferes with your awareness of your surroundings. You can call Public Safety at 802-626-6452 or ext. 6-6452 for an escort.

(Source: RAINN - Rape, Abuse, & Incest National Network)

Sexual assault is NEVER your fault.

It does not matter if you were drinking (even underage), were flirting, were wearing revealing clothes, initiated the sexual contact, and/or have had sex with that person before.

It is a common misconception that strangers commit most sexual assaults. You are most likely to be sexually assaulted by someone you know – a partner, friend, classmate, neighbor, co-worker – than by a stranger in a dark alley. Physical strength, emotional bargaining, intimidation, blackmail, authority, mind games or using alcohol and/or drugs are some tactics a rapist uses to force a person to have sexual intercourse. Sexual assaults that do not involve a stranger usually do not involve the use of weapons. They also often involve a “freeze” response. If you do not consent to sex and someone has intercourse with you anyway, it is a crime.

Ultimately, there is no surefire way to prevent an assault from happening.

Sexual assault is about power and control, not about sex. Most perpetrators of sexual assault would not consider themselves rapists. They do not view their actions as offensive or believe that they broke the law. The perpetrator may view it as wild sex or acknowledge that he/she “took advantage” of someone. In contrast, it is very painful and terrifying for the person who was coerced, encouraged to drink too much, given drugs or had their boundaries disregarded or disrespected.

Sexual assault can happen to ANYONE. A victim can be of any age, race, national or ethnic origin, disability, sex, gender identity/expression, marital status or sexual orientation.

***If you are the victim of a sexual assault –
Safety and support are the first consideration. Go to a safe
place. If you feel unsafe, contact campus Public Safety at
802-626-6452 or ext. 6-6452; off campus, dial 911.***

OPTIONS

Lyndon State College follows the lead of the victim. You have many options. Choosing one of the following options doesn't prevent you from pursuing any of the others listed.

- You may pursue action through the criminal legal system, typically starting with an interview with a law enforcement investigator who would determine if there is enough evidence to pursue charges.
- You may submit a request for a sexual assault/stalking order of protection through the court system. A temporary order may be granted prior to a hearing. Approximately ten days later, both parties appear in court and may be asked to give testimony before the judge who determines if an order of protection is warranted.
- You may choose to work with the campus system by reporting the assault to one of the following College officials:
 - Kate Roy, Associate Director of Athletics and Deputy Title IX/Policy 311 Coordinator, SHAPE Center G103, kate.roy@lyndonstate.edu, x. 6-6439 or 802-626-6439
 - Kate Gold, Director of Advising Resources/Policy 311 Coordinator LAC 325, x. 6-4860 or 802-626-4860
 - George Hacking, Director of Public Safety ASAC 115, x. 6-6432 or 802-626-6432
 - Sandy Franz, Director of Human Resources Vail 357, x. 6-4865 or 802-626-4865
- You may wish to request protective measures, e.g., changing an academic or work schedule, dropping or retaking a class without a penalty, facilitating access to academic support services, changing residence hall assignments. These requests typically would go through Kate Roy, Associate Director of Athletics and Deputy Title IX/Policy 311 Coordinator, SHAPE Center G103, kate.roy@lyndonstate.edu, x. 6-6439 or 802-626-6439.
- You may choose to make a formal complaint. This starts an investigation through the College. If action is pursued, the complainant may withdraw from the process at any time. The College may start or continue an investigation on its own initiative, especially if there is a risk to the community. All formal complaints are filed with Kate Roy, Associate Director of Athletics and Deputy Title IX/Policy 311 Coordinator, SHAPE Center G103, kate.roy@lyndonstate.edu, x. 6-6439 or 802-626-6439.

- If you choose to get medical attention, you are encouraged to do so as soon as possible to preserve potential evidence. It is recommended that victims of sexual assault be examined within 72 hours of the assault. This will ensure that you are medically stable and provide the best evidence against the perpetrator if you decide to pursue official action. You are advised to avoid taking a shower or bath, going to the bathroom, or changing clothing. This will help preserve physical evidence. If you must change clothing, all clothing worn at the time of the incident should be placed in a *paper bag*, not plastic. If medical attention is sought, then you will be offered an advocate from the Advocacy Program at Umbrella, located in St. Johnsbury and Newport. The advocate's role is to support your emotional well-being and assist you in working with the police and legal system.

During a medical examination, victims have the right to:

-Ask questions.

-Stop the exam and/or collection of evidence at any point.

-Have a friend, family member, counselor, trained advocate or other accompany you during the exam.

-Exclude everyone from the exam except medical staff.

Completing a SANE (Sexual Assault Nurse Examiner) exam is important even if you do not want to pursue criminal charges or file a complaint with the College initially because you may change your mind at a later date.

If you choose to go to the emergency room for treatment, Vermont law V.S.A. § 1407 provides compensation for the payment of the cost of the medical examination in cases of sexual assault. The victim is not expected to pay for the collection of evidence under these circumstances. Your health insurance will not be billed or contacted, further protecting your confidentiality. Currently, Vermont doesn't cover the cost of tests for date rape drugs. If you suspect you have been drugged, please ask the nurse about your options.

An exam MUST be conducted in the state where the assault occurred.

What a Sexual Assault Victim May Experience:

- All survivors react in their own way and in their own time, even long after the crime. Take your time and find support.
- Sometimes survivors feel overwhelmed by their emotions. Whatever feelings occur are a natural reaction to a crisis situation and are okay.
- You may experience a variety of strong emotions and responses – fear, anxiety, shame, depression, guilt, disorientation, powerlessness, shame, helplessness, flashbacks, mood swings, numbness, social withdrawal, loneliness, self-blame, shock, disbelief, embarrassment, denial, anger, lack of trust in yourself and others.
- Physical responses may include sleep disturbances, nausea, stomach problems, change in eating habits, nightmares.
- You may feel confused and alone, wondering if family and friends should be told and, if so, how. People can and do recover from sexual assault. What happened is not your fault. There are campus and community resources available. You are free to choose to use as many or as few resources as desired.

How to Help a Friend Who Has Been a Victim of Sexual Assault

Know that no one asks to be sexually assaulted. No matter what your friend was wearing, how they were acting, how much they had to drink, they are not responsible for being sexually assaulted.

Encourage your friend to seek medical attention, if the sexual assault occurred recently. A medical examination can detect and prevent injuries, sexually transmitted infections, and pregnancy, and may be able to detect memory-altering drugs.

Help them find services. No matter where the survivor lives, there are always services listed in the phone book under Social/Human Services. See also the resources listed in this booklet. If your friend chooses to utilize one or more of the resources, offer to accompany your friend to the initial resource meeting. These resources can assist your friend in exploring courses of action, which may include counseling, medical assistance, disciplinary action, and legal issues, as well as accommodations related to academic concerns and housing.

Be interested and empathetic, without prying for details or being judgmental. Although you may not mean to, some questions may imply blame for the victim. For example: *"Why didn't you just leave?" "Did you scream?" "Why did you go alone?"*

Instead try asking: *"What happened?" "How are you feeling?" "What do you want to do now?"*

Be aware that after a sexual assault many survivors do not feel comfortable with physical contact, even though your natural response may be to give your friend a hug or sit closely with them. If you are male, be aware that female victims may have complicated reactions that are not indicative of your friendship.

Help your friend identify what options they have, and be supportive of whatever decisions they make: who to tell, whether or not to report to the police, etc. The most important part of a survivor's recovery is regaining the control that the perpetrator took away.

You may want to talk to a trusted friend or counselor about your own feelings. Hearing about a sexual assault is an upsetting experience. Supporting a friend is important, and making sure that you are supported is equally important.

Resource Options

- **Emergency** – Dial 911
- **Lyndon State College Public Safety** – Academic & Student Activity Center, rooms 115 and 118, (802) 626-6452 or 626-6336 (x. 6-6452 or x. 6-6336 on-campus phones)
- **Vermont State Police non-emergencies** – (802) 748-3111
- **Lyndon Police Department** – (802) 626-1271
- **Lyndon Rescue non-emergency** – (802) 626-1101
- **Caledonia Special Investigations Unit** – (802) 424-1227
- **Vermont Legal Aid** – 1111 Main St., St. Johnsbury, (800) 769-6728
- **Sexual Assault Nurse Examiner Program at Northeastern Vermont Regional Hospital**, 1315 Hospital Drive, St. Johnsbury
Phone - 748-8141
Website- www.nvrh.org
Free comprehensive sexual assault examinations by specially trained, registered nurses for victims and survivors of sexual assault; provides information, resources, professional referrals and follow-up care while maintaining confidentiality and respect for the victim and family members.
- **LSC Counseling Services** – Brown House, ext. 6-6440 or (802) 626-6440
- **Residence Hall Director On-Call:** 802-274-3152
- **Northeast Kingdom Mental Health** – 2225 Portland St., St. Johnsbury, (802) 748-3181
- **Advocacy Program at Umbrella**, 1222 Main St, #301, St. Johnsbury, (802) 748-8645
24 hour hotline – (802) 748-8141 (ask for Umbrella advocate)
E-mail - advocate@umbrellanek.org
Website - www.umbrellanek.org
24-hour crisis support services for victims of intimate partner domestic violence, sexual violence and stalking and their children. Focus is on safety, intervention, support and prevention.
- [For employees] **Employee Assistance Program:** www.cignabehavioral.com (employer id: vsc) or (800) 554-6931

It is important to note that **EVERY EMPLOYEE** of Lyndon State College (unless acting within the scope of his/her role as a specifically designated confidential resource) is required to report to the College any incident or conduct that violates Policy 311 or Policy 311-A of which they have been made aware (see the list of College officials listed above under “Options”). The report should include: (1) a description of the incident/conduct, (2) the names of those involved and any potential witnesses, and (3) date, time, and location. Confidential resources (counselors and healthcare workers) are expected to report the incident, without any identifying information, to the Department of Public Safety to ensure that there isn't double counting (or incomplete counting) for Clery Act purposes.