



# POLICIES *and* PROCEDURES

**Board of Trustees Policy Number:**  
STAF 11.02

**Date of Adoption/Revision:**  
April 17, 2014

<b>SUBJECT</b>	<b>SEXUAL ASSAULT POLICY</b>
<b>AUTHORITY</b>	Division of Student Affairs
<b>APPLICABILITY</b>	This policy applies to all students, faculty, staff, contractors, and visitors.
<b>PURPOSE</b>	Bennett College is committed to providing a safe learning and working environment in compliance with federal and state laws. These policies and procedures were developed to prevent and to address incidents of sexual violence including sexual assault, domestic violence, dating violence, and stalking.
<b>POLICY</b>	<p>Sexual assault is an intolerable crime and an act of aggressive and/or exploitive behavior. It is the policy of Bennett College that no individual of the campus should be victimized sexually, harassed, or assaulted by another person. Bennett College will not tolerate sexual assault in any form. Where there is probable cause that the safety and /or security of the individual is jeopardized or breached, the College will pursue strong disciplinary action, which may include suspension or dismissal from the College. It may also include restricting the accused from College property and functions, and the appropriate legal action will also be applied.</p> <p>In dealing with the students on the Bennett College campus, individual integrity and respect are the primary focus of the College's concern. The College will provide information to the victim regarding medical treatment, counseling and the procedures for reporting and /or filing charges against an alleged assailant will as long as needed.</p>
<b>PROCEDURES</b>	<p><b>1. Definitions</b></p> <p>A. <b>Sexual Assault</b> - An assault that is sexual in nature including a sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will when the victim is incapable of giving consent, as well as incest or statutory rape. (<a href="http://www.ovw.usdoj.gov/sexassault.htm">http://www.ovw.usdoj.gov/sexassault.htm</a>)</p> <p>B. <b>Domestic Violence</b> – A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats or actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame,</p>

hurt, injure, or wound someone.

C. **Dating/Acquaintance Violence** - Violence committed by a person who is or has been in a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship.
- The type of relationship.
- The frequency of interaction between the persons involved in the relationship.

D. **Stalking**- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

## 2. Guidelines to Reporting an Incident

If a student, employee, or visitor has been the victim of an incident of sexual violence, they should immediately report it to the campus Public Safety office at (336) 370-8621. Local police may be contacted at 911. Employees may also report the incident to the Department of Human Resources at 336-370-8632. The Public Safety department will assist any victim in notifying law enforcement, including local police, if victims elect to do so. Victims are also entitled not to report to law enforcement. Any student or employee, who reports an incident of sexual violence, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options.

## 3. Victim Assistance Resources/Educational Programs

Bennett College and the City of Greensboro will offer important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize. At Bennett College, the Office of Student Affairs and the Counseling Center are available to assist students free of charge. The Office of Human Resources is available to help employees also free of charge. These offices will help victims consider their options and navigate through any resources of recourse they elect to pursue. A victim need not make a formal report to law enforcement or Bennett College to access the following resources:

Resource	Contact Number	Location
Counseling Center	336-517-2229	Catchings Complex
Student Health Center	336-517-2230 or 336-517-2241	Catchings Complex
Title IX	336-517-1502	Catchings

(Coordinator)		Complex
Family Services Of The Piedmont, Inc.	336-273-7273 1-800-656-4673	311 E. Washington Street Greensboro, NC 27401
Cone Health	336-832-7000	1200 N. Elm St. Greensboro
North Carolina Coalition Against Sexual Assault	919-871-1015	811 Spring Forest Road, Suite 900 Raleigh, NC 27609

**4. Victim Accommodations**

Bennett College is committed to providing students and employees a safe learning and working environment whether or not they report an incident of sexual violence to law enforcement or pursue any formal action. Upon request, Bennett College will make any reasonably available change to a victim’s academic, housing, transportation, and/or working situation. Students may contact the Office of Student Affairs at 336-517-2196, Catchings Complex, for assistance. Employees who are victims may contact the Department of Human Resources, Race Hall for assistance in ensuring they receive the proper accommodation.

If a victim reports to Public Safety, or other local law enforcement, that office will assist the victim in obtaining a North Carolina no-contact/restraining order from criminal court. Bennett College is committed to ensuring that any such order is fully upheld on all institutional owned and controlled property. The College is also committed to protecting victims from any further harm, and Public Safety or the Dean of Students may issue a temporary no-contact order pending the outcome of any Code of Conduct proceeding.

**5. Victim Confidentiality**

Bennett College recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Some information in reports made to law enforcement may be made public consistent with the requirements under N.C. Gen. Stat. §132.

Reports made to Bennett College officials will be kept confidential, and identifying information about the victim shall not be made public. Reports made to medical professionals or licensed mental health counselors may be shared with third parties except in cases of imminent danger to the victim or a third party.

North Carolina requires mandatory reporting of child abuse (N.C. Gen. Stat. §7B-301), abuse of a disabled or elder adult (N.C. Gen. Stat. § 108 A-2), and certain offenses including sexual assault or rape (N.C. Gen. Stat. § 115C-288(g)).

## **6. Education Programs**

Bennett College is committed to increasing the awareness of and prevention of sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that the College prohibits such acts, their definitions, the definition of consent, options for bystander intervention, information about risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year. These programs will include the following:

- Student Orientation.
- New Employee Orientation.
- Bystander training.
- Housing and Residence Life Workshops.
- Safe Spring Break Pledge Drive.
- Alcohol, Drug and sexual Assault Prevention Annual Fair.

Title IX Workshops and Trainings  
*(Procedures for Students)*

### **Procedures Victims should Follow...“What Should I Do”**

- Go to a Safe Place
- DO NOT shower, bathe, wash (douche), or change your clothes.
- Report to RD or Public Safety IMMEDIATELY. DO NOT WAIT!
- During office hours (8 a.m. to 5 p.m.) contact the counseling /Health Center. Transportation will be arranged to transport you to the hospital to receive treatment or injuries and a physical examination for Sexually Transmitted Infections (STI) testing and/or evidence collection.
- We encourage you to follow up with the Counseling Center for continued support and counseling and /or to be referred for Rape & Victim Assistance.
- Campus Public Safety will be notified about the incident and your privacy will be ensured.

### **AFTER HOURS**

- Call your Resident Hall Director, RA, friend, or ambulance for

transportation to the local hospital to receive treatment for injuries and a physical examination for STI testing and/or evidence collection.

- Call the 24-hour Rape Crisis Line at (336) 273-7273 to speak with a crisis counselor.

*(Procedures for the College)*

**Conduct Proceedings**

The College strictly prohibits all acts of sexual assault, domestic violence, dating/acquaintance violence, and stalking. In addition to facing criminal action, students, employees and other affiliates may also face disciplinary action by the College. Individuals that are found responsible for having committed such a violation face permanent expulsion, termination of employment, suspension, or probation. An incident involving accused students will be handled by the Dean of Students, Office of Student Affairs, and incidents involving accused employees/affiliates will be handled by the Human Resources Office.

All conduct proceedings, whether the conduct is reported to have occurred on or off campus, shall provide a prompt, fair and impartial investigation and resolution by officials who have received annual training on the nature and the types of cases (Cleary, Bystanders, etc.) they are handling. Such training includes but is not limited to how to conduct an investigation, or to conduct a hearing in a manner that protects the safety of the victim and promotes the proper accountability. The Dean of Students or the Joint Council for Student Affairs may determine the responsibility for students. The Director of Human Resources, using the preponderance of the evidence standard, may determine the responsibility for employees.

In all proceedings, including any related meetings, both the accused and the accuser are entitled to the same opportunities to have others present including the right to be accompanied by an advisor of their choice. Both the student accused and the accuser shall simultaneously be informed in writing of the outcomes made by the Dean of Students of the Joint Council for Student Affairs. For employees, the accused and accuser shall be notified by the Director of Human Resources. The accused and the accuser shall be notified of procedures for appealing the results of the outcome, of any change to the results that occurs prior to the time that the decision becomes final, and when such results become final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not to share the details with any third party.

Bennett College reserves the right to retain the services of an external investigator if deemed necessary

For additional information regarding student conduct proceedings, please consult

	the Student Handbook concerning Student Rights and Steps in the Judicial Process.
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Replaces policy:  <i>Date</i>
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