

What Is Consent?

Do you know if your behavior is welcome?
Consent is required before engaging in any sexual activity.

Consent includes:

A freely given verbal statement of desire to participate in the sexual activity.

Saying “yes”

Consent is not:

“I don’t want to”

“Stop”

“I’m not sure”

“Maybe we shouldn’t”

“Not right now”

“No”

Being unresponsive/unconscious

Using physical force or verbal coercion

Being under the influence of drugs or alcohol inhibits a person’s ability to give consent. An assault can occur even if both parties have been drinking. If you are unsure about the situation, the best option is to avoid sexual contact.

Most sexual assaults occur between people who know each other.

Violence Can Happen to Anyone Reduce Your Risk

- Always get consent for any sexual activity.
- Become familiar with your surroundings.
- Use the buddy system. Go out, exercise and walk in groups.
- Do not tolerate jokes about rape, violence, and sexual or derogatory comments. If something bothers you, say something.
- Come up with a plan to get yourself and your friends home safely.
- Trust your gut. If you feel uncomfortable, get out of the situation.
- Never leave a beverage unattended and always watch your drinks being opened or made.
- Alcohol is the number-one date rape drug. Drinking increases your risk of experiencing violence and does not protect you from legal responsibility. If you have been drinking and experience violence, do not be afraid to report because you think you will get in trouble for using alcohol.

If you see a situation where someone may be at risk for harm — step in. Take responsibility for making the USI community a safe place for everyone.

Resources

**Many resources are available on and off campus.
They can only be helpful if you use them.**

On Campus

- Public Safety: 812-464-1845 (non-emergencies) or 812-492-7777 (emergencies)
- Counseling Center: 812-464-1867
- Dean of Students: 812-464-1862
- University Health Center: 812-465-1250
- Provost: 812-465-1617
- Human Resources: 812-464-1815
- Title IX Coordinator, Andrew Lenhardt: 812-464-1770

In the Community

- Albion Fellows Bacon Center
Provides shelter, 24-hour crisis lines, legal advocacy and crisis counseling
Domestic violence: 812-422-5622
Sexual assault: 812-424-7273
Toll-free: 800-339-7752
(all answered 24 hours a day)
- YWCA
Provides domestic violence crisis line and shelter
812-422-1191
- Holly’s House
Provides an advocacy center and a safe place for reporting
812-437-7233
- Local law enforcement: 911

For more information, visit USI.edu/rfw/sap.

To access the USI Code of Student Behavior and learn more about the conduct process, visit USI.edu/deanofstudents.

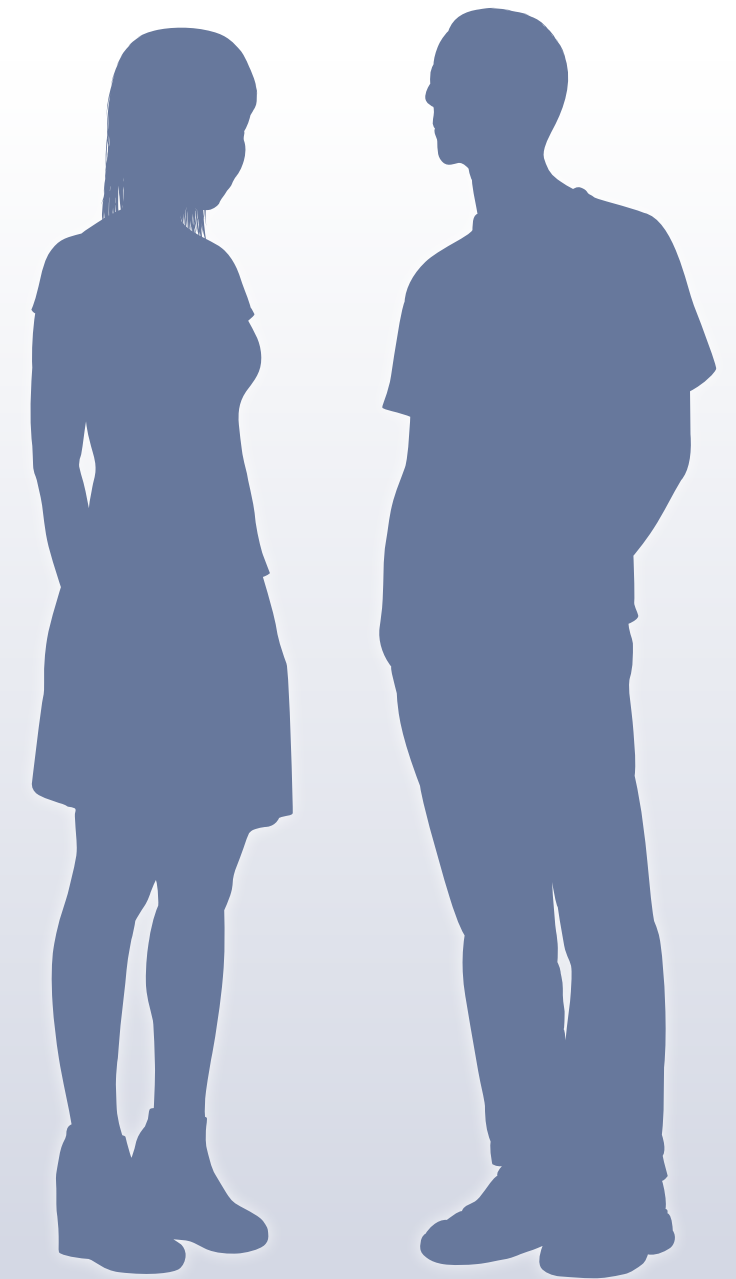
USI strives to create a community free of sexual assault, domestic violence and gender violence.



University of Southern Indiana is an affirmative action/equal employment opportunity institution.

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What You Need to Know About Sexual Assault, Sexual Harassment and Gender Violence



Sexual Assault Resources • USI.edu/rfw/sap

What to do if this happens to you or a friend

You have choices:

You can report to Public Safety.

- Reporting to campus officials does not require you to file criminal charges.
- You may report anonymously.

You can report to local law enforcement.

- Reporting helps alert Public Safety and other officials of this danger and may save someone else from experiencing sexual violence and lessen the risk to the campus community.

You can report to the Dean of Students Office.

You can report to the Title IX Officer in Human Resources.

You can seek medical care at a local hospital emergency room.

- They will collect evidence, perform a physical exam, treat for possible STDs and offer counseling referrals.
- You are not required to file criminal charges if you seek medical care.
- Specialized Sexual Assault Nurse Examiners (SANE Nurses) are available to treat you.
- These services are free in Indiana.

You can seek out counseling, support and advocacy.

- USI Counseling Center
- Dean of Students Office
- Albion Fellows Bacon Center in Evansville
- YWCA in Evansville

It is up to you who you tell about what happened to you. Reporting acts of sexual violence to a USI-affiliated employee may result in an investigation of the circumstances by the University.

What is Title IX?

Title IX is federal legislation that prohibits sex discrimination in education.

University Policies and Definitions

The University of Southern Indiana embraces and celebrates the many differences that exist among the members of a dynamic, intellectual, and inclusive community. It strives to maintain an environment that respects differences and provides a sense of belonging and inclusion for everyone. Any form of discrimination or harassment, including sexual harassment and sexual misconduct, will not be tolerated. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others, and should be aware that the University is prepared to take prompt action to prevent and correct such inappropriate behavior and to remedy its effects.

Harassment (General)

Harassment is any conduct based on the victim’s actual or perceived identification with a particular protected class or classes that creates an intimidating, offensive or hostile working or learning environment that interferes with the victim’s work or education or that adversely affects their living conditions. Such harassment can be physical, verbal or visual and can be committed by employers, coworkers, faculty and students. Statements and/or conduct legitimately and reasonably related to the University’s mission of education will generally not constitute harassment under this policy.

Stalking and Assault

For the purposes of this policy, stalking and assault are considered to be distinct forms of harassment.

Stalking is generally defined as a course of conduct directed at a specific person or persons that would cause a reasonable person to feel fear for their safety, fear for the safety of others or suffer substantial emotional distress. Such behaviors and activities may include, but are not limited to:

- a) initiating non-consensual communication such as face-to-face communication, telephone calls, voice messages, emails, texts, letters, notes, gifts or any other communications that are undesired and place another person in fear
- b) using online, electronic or digital technologies to make unauthorized postings of pictures, messages and/or information about the victim on social networking sites or other internet sites such as bulletin boards, chat rooms, etc.
- c) pursuing, following, waiting or showing up uninvited at or near a residence, workplace, classroom or other places frequented by the victim
- d) conducting surveillance or other types of observation, including staring or “peeping” or using Global Positioning Systems (GPS) to monitor a victim
- e) making verbal or physical threats

Assault is generally defined as any intentional act involving physical contact or the threat of such contact that places another person in fear of imminent bodily harm or actually causes physical injury to another person and/or harm to their property. Examples may include but are not limited to:

- a) engaging in choking, pushing, hitting, slapping, punching, kicking, etc.
- b) initiating any non-consensual physical contact, regardless of whether it causes an injury
- c) engaging in the vandalism, destruction or theft of property

Sexual Misconduct

Sexual Harassment

Sexual harassment is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with or denies/limits someone’s ability to participate in or benefit from the University’s programs and/or services, and is based on power differentials (quid pro quo), the creation of a hostile environment or retaliation. Examples include but are not limited to:

- a) attempting to coerce an unwilling person into a sexual or romantic relationship
- b) subjecting a person to unwelcome sexual attention
- c) punishing a refusal to comply with a sexual based request
- d) conditioning a benefit on submitting to sexual advances
- e) making “jokes” of a sexual nature against a specific individual, or making “jokes” that reference the victim’s physical appearance or style of clothing
 - a. Such comments that are legitimately and reasonably related to the University’s mission of education (e.g., a class discussion or exercise about examples of discriminatory slurs or jokes, reviews of “sexist” literature or videos, reviews of the history of gender discrimination or sexual abuse, etc.) will generally not be considered to be harassment under this policy.
- f) stalking (as defined above in this policy)
- g) bullying based on the victim’s gender

Sexual Violence/Assault

Sexual violence/assault is defined as any intentional touching or physical contact of a sexual nature, or attempt or threat of such touching, that either places another person in fear of imminent bodily harm, or causes or could have caused physical injury to another person, including instances when the victim is incapable of giving consent or is incapacitated. Offenses that meet the definitions found immediately below for rape, sodomy, sexual assault with an object, fondling, incest or statutory rape are considered to be sexual assault. The absence of a physical injury does not negate or reduce the seriousness of sexual violence/assault. For the purpose of this policy, dating violence and domestic violence (also defined below) are considered forms of sexual violence/assault when the parties are members of the University community. Examples of sexual violence/assault include the following:

Sexual Exploitation

Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses described in this policy. Examples of sexual exploitation include, but are not limited to:

- a) invading another’s sexual privacy
- b) prostituting another individual
- c) making non-consensual videos or audio-tapes of sexual activity
- d) going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex)
- e) engaging in voyeurism
- f) knowingly transmitting an STI or HIV to another individual
- g) exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals

Consent and other Definitions related to Sexual Misconduct

• Consent – Consent is clear, knowing and voluntary agreement to participate in a given activity. Consent is active, not passive; silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts with the same or other individuals. Consent can be revoked at any time. In order to give effective consent, one must be of legal age.

• Incapacitation – Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (i.e., to understand the “who, what, when, where, why or how”) of their sexual interaction). Sexual activity with someone who one should know to be, or based on the circumstances should reasonably have known to be mentally or physically incapacitated (by alcohol or other drug use, by a state of unconsciousness or “blackout”, or by an apparent or known mental or cognitive disability), constitutes a violation of policy.

• Force – Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats or implied threats, or other forms that overcome or produce consent.

• Coercion – Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another, when one makes it clear to another that one does not want sex, when one makes it clear to another that one wishes to stop sexual activity that has already begun, or when one makes it clear to another that one does not want to go past a certain point of sexual interaction.

The abuse of alcoholic beverages or other substances does not relieve individuals of their responsibilities to themselves or others.

It’s Not Just a Woman’s Issue

Anyone, regardless of age, gender, race, socioeconomic status or sexual orientation can be a victim of sexual assault or gender violence. According to RAINN (The Rape, Abuse, & Incest National Network), one in 10 victims of sexual assault is male. Domestic violence occurs in more than one-quarter of same-sex relationships.

Family and friends are affected when someone experiences violence

If someone you care about is victimized, there are things you can do:

- Believe them.
- Listen to what they have to say.
- Reinforce that the assault was not their fault.
- Help them organize their thoughts.
- Let them make their own decisions about how to proceed.
- Get help for yourself. Families and friends need to cope with the situation too.

Your Rights

You have the right to...

- ...love and be loved.
- ...be safe.
- ...be treated with respect.
- ...privacy.
- ...your own opinions, to express them and to have them taken seriously.
- ...ask questions regarding anything that affects your life.
- ...grow and change (that includes changing your mind).
- ...say NO (even if you’ve said yes before).
- ...make mistakes.
- ...have control over your actions and choices.
- ...have feelings and be able to express them.
- ...have your limits and values respected.

USI is committed to educating students, faculty and staff on issues of sexual violence, sexual assault and gender violence. Currently, all new students are asked to complete online training. Many offices and student groups sponsor programs aimed at prevention and education surrounding these issues, including bystander training.