

Kingsborough Community College

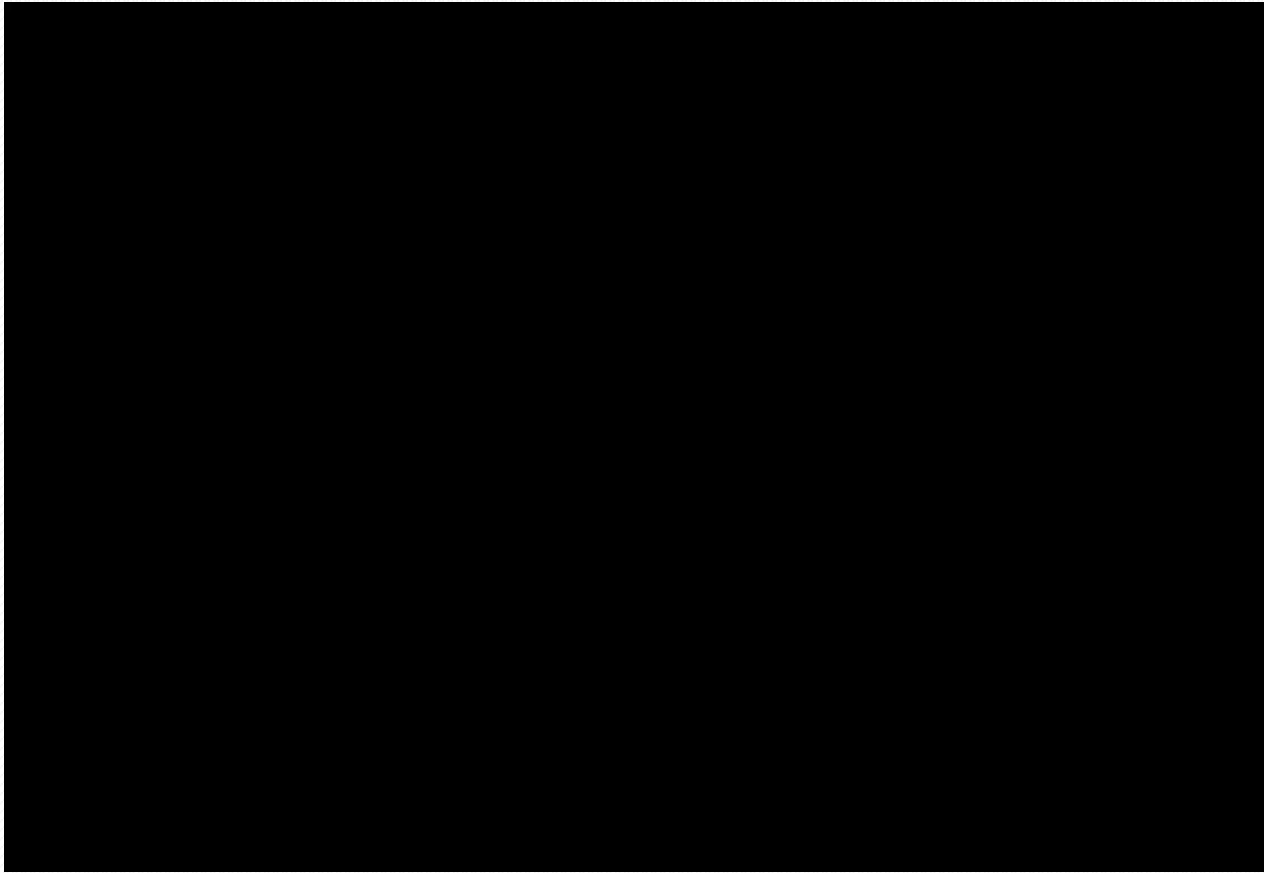
THE CITY UNIVERSITY OF NEW YORK

Title IX Sexual Harassment and Sexual Assault Curriculum

Sexual Harassment: Policies, Prevention And Resources

- What are sexual harassment, sexual assault, dating/intimate partner/domestic violence, and stalking?
- How can you help prevent sexual harassment, sexual assault and other sexual violence?
- What are the College's policies and procedures?
- How can you report an incident confidentially?
- What resources are available to you?

Video: 1is2 Many



CUNY's Commitment

- CUNY's policies prohibit sexual harassment and sexual assault of any kind.
- Sexual harassment, a form of sex discrimination, is illegal under federal, state and city laws and will not be tolerated within CUNY.
- We are committed to promoting a safe and secure academic environment for all members of our community.
- All students, faculty, staff and visitors are expected to maintain a working and learning environment free from harassment and discrimination.

You Are Not Alone

- If you experience or observe any form of sexual harassment and/or sexual assault you should contact:
 - Your Title IX Coordinator: Angel Rivera, Room A-228D, Angel.Rivera@kbcc.cuny.edu , ext. 5026; or
 - Director of Public Safety: Tyrone Forte, Room L-202, Tyrone.Forte@kbcc.cuny.edu, ext. 4800; or
 - Chief Student Affairs Officer, V.P. Peter Cohen, Room 216, Peter.Cohen@kbcc.cuny.edu, ext. 5563; or
 - Kingsborough's Counseling Center: Room D-102/A-108, ext. 5975
http://www.kbcc.cuny.edu/CounselingServices/Pages/counseling_resource_center.aspx
 - We also encourage you to report all cases involving any form of sexual violence and/or stalking to the NYPD. We will assist you if you wish.

What Is Sexual Harassment and Sexual Assault?

Sexual Harassment

Sexual Assault

Domestic/Intimate Partner/Dating Violence

Stalking

What Is Sexual Harassment?

Sexual harassment is **unwelcome** conduct of a sexual nature that limits your ability to participate in or benefit from an educational program. It includes **unwelcome** sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature on or off campus.

What Is Sexual Assault/Violence?

- Sexual assault is a crime.
- Sexual assault is any form of sexual contact that occurs without consent and/or through the use of force, threat of force, intimidation, or coercion.
- Sexual assault can be committed when someone has not given or is unable to give consent, for example, because of intoxication.
- Sexual assault can be a form of sexual harassment.

Who Are The Victims Of Sexual Harassment And/Or Sexual Assault?

- Anyone – of any gender, gender identity, sexual orientation, physical or mental ability, religious affiliation, citizenship status, race, class or educational level – can be a victim of sexual harassment and/or sexual assault.

Who Are The Victims Of Sexual Harassment And/Or Sexual Assault?

- Sexual harassment and/or sexual assault can occur between members of the same sex/gender.
- Harassment based on someone's sexual orientation or gender identity is sexual harassment. For example:
 - Intentionally using the wrong pronoun to identify a transgender individual can be a form of harassment.
 - Mocking a person's appearance or clothing as more suited to a person of the opposite sex is a form of harassment.

Forms Of Sexual Harassment

Verbal Harassment can include unwanted

- Sexual comments, teasing, or jokes
- Catcalls
- Sexual slurs, demeaning words, or other verbal abuse
- Graphic or sexually suggestive comments
- Inquiries or discussions about sexual activities
- Pressure to accept social invitations, to meet privately, to date, or to have sexual relations
- Sexually suggestive letters or other written communications, including emails, texts and other social media communications

Forms Of Sexual Assault/Violence

- Any unconsented or unwanted sexual touching or other physical contact may constitute sexual assault.
 - Any form of sexual activity
 - Touching
 - Grabbing/Groping
 - Kissing
 - Caressing
 - Brushing against another's body
 - Patting
 - Pinching

Forms Of Sexual Assault/Violence:

Stalking

Stalking is a crime.

- Stalking is a series of actions that causes fear or distress to the victim.
- Stalking usually includes repeated behaviors that harass or threaten the victim, such as following a person, appearing at a person's home or place of business, sending repeated and/or harassing calls or messages.
- Specific actions, such as sending a birthday card or standing across the street from someone's house may be legal, but if they are part of a series of actions that cause fear or distress, they may be illegal.

Forms of Sexual Assault/Violence:

Dating/Intimate Partner/Domestic Violence

- Dating/IP/Domestic violence can be actions or threats of actions that intimidate, humiliate, isolate, frighten, coerce, threaten, blame or hurt someone.
- It can also consist of a single incident of sexual assault.
- Rape or any sexual offense, whether on a date or not, or by someone you know or do not know, is the same criminal offense.
- Between 80 and 90 percent of all people who have been raped know their perpetrator(s).
- On college campuses, alcohol is often involved in date rape.



Preventing Sexual Harassment and Sexual Assault

What Is Consent?

Consent is a voluntary and unambiguous agreement that each person makes if he/she wants to engage in sexual activity.

What Is Consent?

Each person must clearly communicate his/her willingness and permission to engage in sexual activity.

- A person who is drunk or high may not be able to consent.
- Having sex with a person who is passed out, or slides in and out of consciousness, is rape.
- Failure to resist or say “no,” does not equal consent.
- Silence does not constitute consent.
- Past consent to sexual relations does not constitute consent to subsequent relations.
- A person may consent to certain sexual acts and not others.
- A person’s appearance or dress does not communicate consent.
- A person may consent at one time, and then change his/her mind later.
- A person under 17 years old cannot consent to sexual intercourse under New York law.

You Must Obtain Consent

- If you do not obtain consent from a sexual partner, you may be committing sexual assault.
- Remember, the decision to engage in sex or sexual activity must be mutual.

You Must Obtain Consent

- Before you engage in sexual activity, consider...
 - Have you expressed what you want?
 - Do you know what your partner wants?
 - Has your partner given consent?
 - Is your potential partner sober enough to decide whether or not to have sex?
 - Are you sober enough to know that you've correctly gauged consent?

Stop!

You do not have consent if:

- You are using physical force or size to have sex.
- You have coerced your partner in any way (asking repeatedly, putting pressure on your partner, physically intimidating him/her, etc.).
- You intend to have sex by any means necessary.

Stop!

You do not have consent if:

- Your partner is too intoxicated or high to give consent.
- You are too intoxicated or high to gauge consent.
- Your partner is asleep.
- Your partner is unconscious or for any other reason is physically or mentally unable to communicate consent.
- You don't think your partner would agree to have sex if he/she were sober.

Slow Down

Signs you may not have consent:

- You are not sure what the other person wants.
- You have had sex before but your partner has said he/she is not interested tonight.
- You feel like you are getting mixed signals.
- You hope your partner will say nothing and go with the flow.
- Your partner stops or is not responsive.
- Your partner may be intoxicated or high:
 - Slurred speech
 - Problems with balance
 - Impaired motor skills

CUNY's Policies And Procedures Against Sexual Harassment And Sexual Assault

**Report all incidents of sexual harassment to your
Title IX Coordinator, Director of Public Safety, or
Chief Student Affairs Officer**

Sexual Harassment Is Prohibited On Our Campus

- Title IX of the Education Amendments of 1972 is a federal law that prohibits sex discrimination on college campuses. It 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 education program or activity receiving Federal Financial Assistance.”
- Sexual harassment, in all the forms just discussed, is a kind of sex discrimination.

CUNY's Policies

- Non-discrimination and Sexual Harassment Policy
- Policy on Sexual Assault, Stalking and Domestic and Intimate Partner Violence Against Students

POLICY AGAINST NON-DISCRIMINATION AND AGAINST SEXUAL HARASSMENT

It is the policy of CUNY to recruit, employ, retain, promote and provide benefits to employees and to admit and provide services for students without regard to race, color, creed, national origin, ethnicity, ancestry, religion, age, sex, sexual orientation, gender, gender identity, marital status, partnership status, disability, genetic information, alienage, citizenship, military or veteran status, pregnancy or status as a victim of domestic violence/stalking/sex offenses, or any other legally prohibited basis in accordance with federal, state and city laws.

Sexual Assault, Stalking and Domestic and Intimate Partner Violence Against Students

The University has professionals and law enforcement officers who are trained in the field to assist student victims in obtaining help, including immediate medical care, counseling and other essential services.

Student-Employee Relationships

Faculty members and other employees are prohibited from engaging in consensual intimate relationships with students for whom they have a professional responsibility. For example:

- an athletic coach cannot engage in an intimate relationship with a student on his/her team.
- A professor cannot engage in an intimate relationship with a student in his/her course.

What Happens After A Complaint of Sexual Harassment/Sexual Assault Is Made?

- All student complaints of sexual harassment are promptly investigated by the Title IX Coordinator, with assistance from Public Safety and Student Affairs where appropriate.
- The Public Safety Director is notified of all complaints of sexual harassment.
- All students are encouraged, though not required, to report all incidents of sexual assault to the NYPD. Public Safety will help you make the report.

What Happens After A Complaint of Sexual Harassment/Sexual Assault Is Made?

- Where appropriate, the College will implement security measures, to keep you and the campus community safe.
- Assistance is often provided pending the investigation. For example, the College may offer:
 - Security escort
 - Class rescheduling/reassignment
 - Counseling
 - Academic assistance
 - No Contact Order

How Are Penalties Imposed?

- CUNY has disciplinary processes that must be followed before penalties can be imposed.
- There are different processes for students, staff and faculty members.

What Is Retaliation?

- Retaliation is illegal.
- Retaliation is adverse treatment of an individual because he/she made a sexual harassment/sexual assault complaint, opposed sexual harassment/sexual assault, or cooperated with an investigation.
- The accused is not permitted, directly, or through a third-party, to intimidate, threaten or coerce the complainant or any other participant in the investigation/disciplinary process including witnesses, panel members, and investigators.
- The College will seek to discipline anyone found to have engaged in retaliation.

Confidentiality

- What if I am not ready for an investigation that might disclose my identity?
 - The College encourages you to report the incident to one of the mental health counselors at Kingsborough's Counseling Center: Room D-102
http://www.kbcc.cuny.edu/CounselingServices/Pages/counseling_resource_center.aspx
 - These counselors can talk to you confidentially, with rare exceptions, and can help you make the best decision for you.

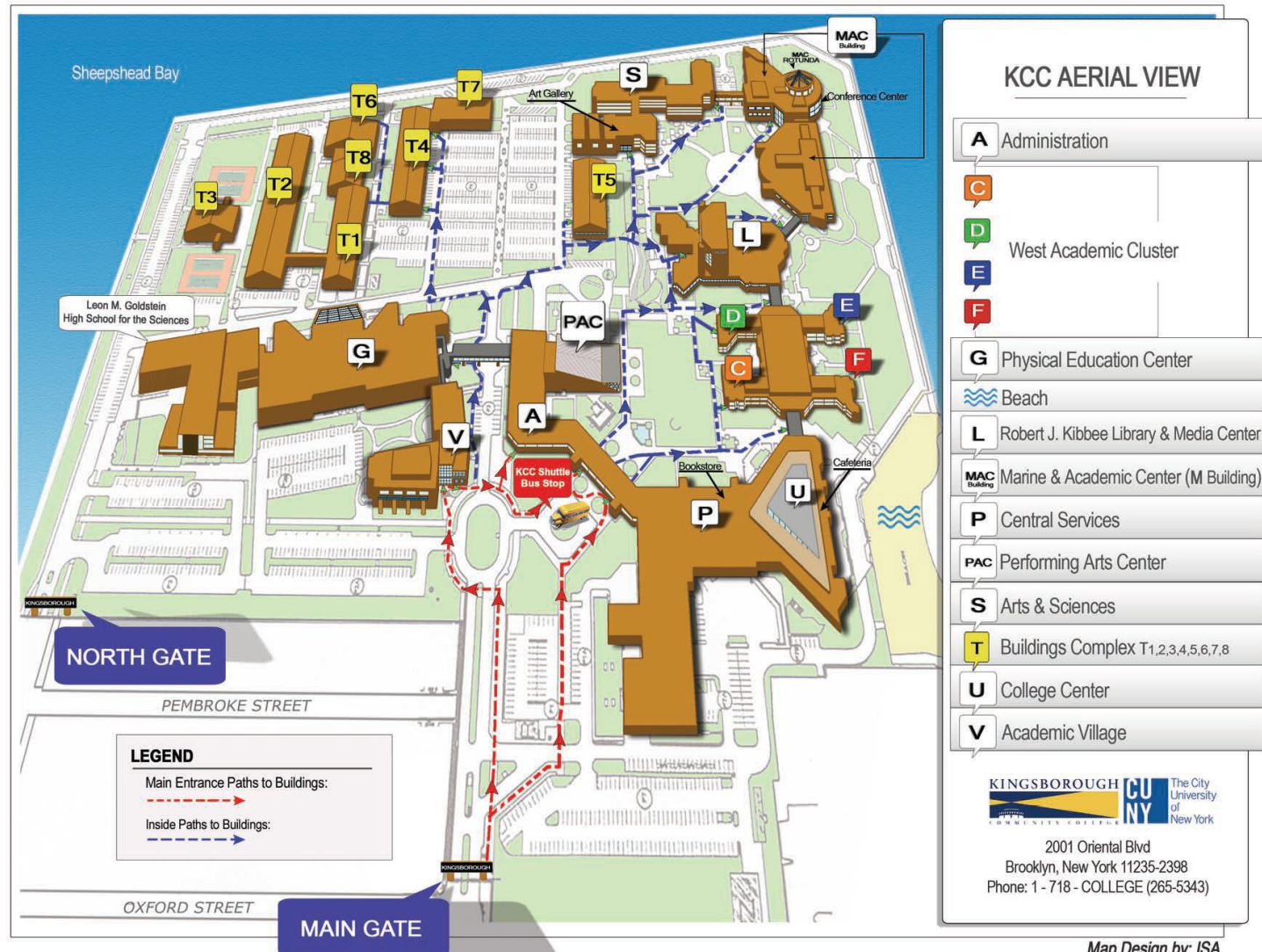
Confidentiality

- Many staff and faculty members, including professors, athletic coaches, residence hall assistants, extracurricular advisors and others have a duty to report any incident of sexual harassment to the Title IX Coordinator and/or Director of Public Safety and/or Chief Student Affairs Officer.
- However, they will limit their report to only those individuals with a need to know.
- If you request that your identity remain confidential, the Title IX Coordinator will try to honor that request if possible. Remember that this will limit the effectiveness of the investigation.

Confidentiality

- Federal law requires college campuses to track and report certain crime statistics.
- Therefore, all reported incidents of sexual assault/violence, including unwanted touching, domestic/dating/intimate partner violence and stalking are reported to the Public Safety Dept. pursuant to this law.
- Although the incident must be reported, your identity will not be reported.
- Only licensed or certified mental health professionals are exempt from this reporting requirement.

Campus Map



Off Campus Resources

HANDOUT

NYPD Sex Crimes Hotline 212-267-RAPE (24 hours)

Rape Crisis and Domestic/Intimate Partner Violence Services

RAINN: Rape, Abuse & Incest Network, <http://www.rainn.org/>

Online Hotline provides live, secure, anonymous crisis support for victims of sexual assault, their friends, and families.

The Online Hotline is free of charge and is available (24 hours)

NYC Rape Crisis Hotline 212-673-3000*

Safe Horizon: Rape and Sexual Assault Hotline 800-621-4673*
www.safehorizon.org

Safe Horizon: Domestic Violence Hotline 212-577-7777*

NYC Gay and Lesbian Anti-Violence Project 212-714-1141*

New York Women Against Rape 212-777-4000

New York Asian Women's Center 888-888-7702*

NYC Alliance Against Sexual Assault 212-229-0345

NYS Victim Information and Notification Everyday
888-VINE-4NY

NYS Crime Victim's Board 718-923-4325

Urban Justice Center: legal services & advocacy for survivors of Domestic Violence 646-602-5600, www.urbanjustice.org

Women's Survival Space (Brooklyn) 718-439-4612

Programs For Abusers

Safe Horizon Alternatives to Violence Program:

Provides educational groups in English and Spanish for perpetrators of domestic violence. 718-834-7471

STEPS: Alternatives to Incarceration provides programs for adolescent male batterers 212-662-7914

Sexual Abuser Treatment Referral Line: 1-802-247-3132, Mon.-Fri.
9am-4:30pm.

Rape Crisis Centers (affiliated with hospitals)

Bronx

North Central Bronx Hospital: Sexual Assault Treatment Program 718-519-5722

Brooklyn

Coney Island Hospital: Rape Crisis Program

Long Island College Hospital: Rape Crisis Intervention/Victims of Violence Program 718-616-4209, or 800.tel.rape* 718-780-1459

Manhattan

Beth Israel Medical Center: Rape Crisis & DV Intervention Program

Bellevue Hospital Center: Rape Crisis Program

Columbia Presbyterian Hospital: Domestic and Other Violence Emergencies

Harlem Hospital: Center for Victim Support

Mt. Sinai Medical Center: Sexual Assault Violence Intervention (SAVI)

St. Luke's Roosevelt Hospital: Crime Victims Treatment Center

St. Vincent's Hospital: Rape Crisis Program 212-420-4516

Queens

Elmhurst Hospital: Borough Crisis Center

Queens Hospital Center 718-736-1288, 718-883-3090

Staten Island

St. Vincent's Medical Center 718-876-3044

District Attorney's Offices

Bronx: Crime Victims Assistant Unit: 718-590-2115

Brooklyn: Victim Services Unit 718-250-3820

Manhattan: Victim Assistance Center 212-335-8900

Queens: Crime Victims Advocate Program 718-286-6818

Staten Island 718-876-6300

On Campus Resources

- Title IX Coordinator (Angel Rivera, 718-368-5175, A228D)
- Office of the Vice President of Student Affairs (718-369-5563, A-216)
- Office of Student Conduct (718-369-5563, A-216)
- Public Safety (718-368-5609 or 718-368-4800, L-202)
- Personal Counseling (718-368-5975, D-102)
- Health Center (718-368-5498, A-108)
- Women's Center (718-368-4700, M-382)
- Safe Zone (look for logo on individual's doors)
- Sexual Harassment Awareness and Intake Committee (look for campus posters for committee members' information)



Questions & Answers