



Sexual Assault & Awareness from Education

Sexual Assault Awareness From Education Program

Introduction

Regional Center for Border Health, Inc. is committed to creating and maintain a community in which students, faculty, and staff can work and study in an atmosphere free of all forms of harassment, exploitation, or intimidation.

Sexual Violence Awareness literature is distributed and discussed with all new students during New Student Orientation and with all new employees at the beginning of their employment to ensure a safe and well-educated environment at each school. This literature is also made available to all students, faculty, and staff in their Student Services Department.

What is Sexual Violence?

Sexual Violence is the use of sexual actions and words that are unwanted by and/or harmful to another person. Some common terms used interchangeably are sexual abuse and sexual assault.

Many people believe that sexual assault occurs only in dangerous neighborhoods and is perpetrated by strangers. Research shows, however, that most sexual assaults and rapes are committed by someone the victim knows. Among victims aged 18 to 29, two thirds had a prior relationship with the offender. During 2000, about six in ten rape or sexual assault victims stated the offender was an intimate, other relative, a friend or an acquaintance. A study of sexual victimization of college women showed that most victims knew the person who sexually victimized them. For both completed and attempted rapes, the victim knew about 9 in 10 offenders. Most often a boyfriend, ex-boyfriend, classmate, friend, acquaintance, or co-worker sexually victimized the women. Anyone can be a victim of sexual assault. Avoiding "dangerous" places will not necessarily protect someone from being sexually assaulted because sexual assaults can happen anywhere, even in the home or workplace.

Who are Victims of Sexual Violence?

Anyone can be a victim:

- Males and Females
- People of every age, race, and culture
- People of every sexual orientation, occupation, and social status
- People of every faith, income and ability

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Sexual Consent: Free and active agreement, given equally by both partners, to engage in a specific sexual activity. Consent is not present when either partner:

- Feels the consequences of not consenting (including the use of force)
- Feels threatened or intimidated
- Is coerced (see below)
- Says no, either verbally or physically (e.g. crying, kicking, or pushing away)
- Has disabilities that prevent the person from making an informed choice
- Is incapacitated by alcohol or drugs

- Lacks full knowledge of what is happening
- Is not an active participant in the activity
- Is below the legal age of consent

Sexual Coercion: Compelling someone to submit to an unwanted sexual act by intimidating, threatening, misusing authority, manipulating, tricking, or bribing with actions and words. When a person is coerced, she or he has not given consent.

How do we refer to people who have been sexually victimized?

Victim: any person who has experienced, or is experiencing, sexual violence.

Survivor: anyone who has experienced sexual victimization and is healing or recovering.

Here are some myths about victims of sexual violence:

- A person cannot be raped by his or her partner or spouse.
- If she is wearing a short skirt, or flirting, she's asking for sex.
- Only young, attractive girls and women get sexually violated.
- People who are drunk or high have no one to blame but themselves when they get raped.
- People with disabilities do not experience sexual violence. Infants and young children do not get sexually abused.
- Men only get raped if they are gay.
- People who are bought and sold for money or drugs are asking to be sexually violated. Lots of people claim they were sexually abused when they never were.
- I could get out of a dangerous situation if I really wanted to.
- No one will believe that I was sexually abused, even if I tell.

Here are some things we know:

- People are most often victimized by someone they know, love, live with, or trust.
- No one is ever responsible for being a victim. The person who acts in sexually violent ways is always responsible.
- Everyone has the right to say "No" to sexual contact.
- People may want attention, affection, even sexual intimacy; but no one wants to be sexually violated.
- Older people, people with disabilities
- Children may be especially vulnerable to being sexually victimized.
- Men and women of any sexual orientation can be victims of sexual violence.
- According to the FBI, only 2 or 3 of every 1000 cases of sexual assault are "false reports."
- People often cannot, or don't know how to get out of dangerous situations.
- There are no guarantees that victims will be believed when they disclose abuse, but it is important for them to find someone who will listen and help.

Sexual violence is never the fault of the victim even if he or she:

Did not say NO

Did not fight

Initiated the contact

Did not tell

Felt sexual sensations

Accepted gifts or money

None of these behaviors or reactions constitutes consent.

How can I support someone who has been sexually assaulted?

- Do not blame the victim!
- Listen
- Be non-judgmental
- Respect the victim's decision
- Offer support
- Assure the victim that it was not their fault

Who are Perpetrators of Sexual Violence?

- Anyone can be a perpetrator
- Males and Females
- People of every age, race, and culture
- People of every sexual orientation, occupation, and social status
- People of every faith, income and ability

How do we refer to people who have acted in sexually violent ways?

A sexual perpetrator, or offender, is any person who uses sexual actions and words that are unwanted by and/or harmful to another person.

Here are some myths about perpetrators of sexual violence:

- I would know a sexual perpetrator if I saw one – they look “different.”
- No one I know would ever use sexual actions or words that hurt someone.
- All sexual perpetrators must have been abused themselves as children.
- Young people do not sexually abuse children. Sexual assault only happens because people get so sexually turned on they can't stop.
- Only men are perpetrators of sexual violence.
- Men only sexually abuse other males if they are gay or bisexual. Perpetrators are usually strangers.
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Here are some things we know:

- Not all perpetrators are alike.
- Many perpetrators have good social skills, and are known and trusted in their communities.
- Perpetrators are usually loved or trusted by their victims
- Some perpetrators – but not all – were abused as children.
- Over time, perpetrators tend to violate more than one person.
- Most repeat perpetrators began hurting others sexually during adolescence.
- People are responsible for controlling their sexual desires and sexual choices – they can always choose to stop.
- Some women and girls sexually abuse other people.
- Perpetrators who sexually abuse or assault people of their own gender may be heterosexual, gay, lesbian, bisexual, or transgendered.
- People can sexually violate others in many different ways. Perpetrators have different behaviors, personal histories and number of abusive acts. For example, some perpetrators:
 - Abuse only children of certain ages (such as boys, age 7-12)
 - Abuse both boys and girls, of varying ages
 - Abuse only children
 - Abuse both children and adults
 - Commit only one act of sexual violence
 - Commit sexually violent acts many times
 - Stalk and violently attack more than one victim, most often victims they do not know
 - Force sex or sexual contact on victims whom they know or date

People Who May Act in Sexually Violent Ways

- Partners
- Spouses
- Strangers
- Authority Figures
- Siblings
- Groups

National Statistics on Sexual Victimization

- Every 5 minutes, one rape is reported in the United States (compared with one murder every 27 minutes).
- An estimated 1.1 million people over age 12 were victims of rape and sexual assault in 1992. This compares with approximately 500,000 people who were physically injured by drunk drivers.
- Nearly 18% of American women, and 3% of American men, report having been victims of completed or attempted rape during their lifetimes.
- In one national survey, 84% of women who disclosed that they had been raped never reported their rapes to the police.
- Only 3 out of 10 rapes/sexual assaults reported to law enforcement are committed by strangers (compared to 7 out of 10 robberies).
- Every year approximately 1 million women and 371,000 men are victims of stalking.
- No one can predict who will become a victim of sexual violence. However, people who have been victims are somewhat more likely to be sexually victimized again.
- People who have been victims of sexual violence can, and do, recover. They can live healthy, fulfilling lives without any further experiences with violence.

The following organization may be able to help:

National:

Rape Abuse & Incest National Network (RAINN)

1-800-656-4673 (800-656-HOPE)

RAINN is the nation’s only toll free sexual assault hotline. It operates 24-hours per day and will route each call to a rape crisis center closest to the caller. All calls are confidential.

You may also access other information and locations of state specific programs and/or coalitions against sexual violence and assault by going to the RAINN website at the following URL:

<http://www.rainn.org/>

Campus Sex Crimes Prevention Act

In accordance with the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act and the Jeanne Clery Disclosure Act; Regional Center for Border Health, Inc. is required, as an institution of higher learning, to issue a statement advising the school community where law enforcement information provided by a State concerning registered sex offenders may be obtained.

Regional Center for Border Health, Inc.

Regional Center for Border Health, Inc./College of Health Careers campus is located:

3850 W 16th Street, Suite B
Yuma, AZ 85364

The Arizona Department of Public Safety (DPS) has established a web site according to the requirements of A.R.S. 13-3827. DPS is responsible for maintaining the site and annually verifying the addresses of all registered sex offenders.

A list of registered sex offenders in Arizona may be accessed at:
<http://az.gov/webapp/offender/main.do>

Warning: It is illegal to use information obtained through this web sites to commit a crime against a registered sex offender or to engage in discrimination or harassment against a registered sex offender. Anyone who uses the information to commit a criminal act against another person may be subject to criminal prosecution and/or civil action as determined by your individual state laws.

PROHIBITED CONDUCT UNDER THIS POLICY

1. DISCRIMINATION

It is a violation of this Policy to discriminate in the provision of employment opportunities, benefits or privileges, to create discriminatory work conditions, or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. This Policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this Policy will be subject to severe sanctions up to and including termination.

2. HARASSMENT

Harassment, including sexual harassment, is prohibited by federal and state laws. This Policy prohibits harassment of any kind, and the office will take appropriate action swiftly to address any violations of this policy. The definition of harassment is: verbal or physical conduct designed to threaten, intimidate or coerce. Also, verbal taunting (including racial and ethnic slurs) which, in the employee's opinion, impairs his or her ability to perform his or her job.

3. EXAMPLES OF HARASSMENT

- Verbal: Comments which are not flattering regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body disability, or appearance. Epithets, slurs, negative stereotyping.
- Non-verbal: Distribution, display or discussion of any written or graphic material that ridicules, denigrates insults, belittles, or shows hostility or aversion toward an individual, or group because of national origin, race color, religion, age, gender, sexual orientation, pregnancy, appearance disability, marital or other protected status.

4. SEXUAL HARASSMENT

Sexual harassment in any form is prohibited under this policy. Sexual harassment is a form of discrimination and is unlawful under Title VII of the Civil Rights Act of 1964. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature... when... submission to or rejection of such conduct is used as the basis for employment decisions... or such conduct has the purpose or effect of... creating an intimidating, hostile, or offensive working environment."

Sexual harassment includes unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when such conduct:

- Is made explicitly or implicitly a term or condition of employment, or
- Is used as a basis for an employment decision, or
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or otherwise offensive environment.
- Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, and that lowers morale and therefore interferes with work effectiveness. Sexual harassment may take different forms.

5. EXAMPLES OF SEXUAL HARASSMENT

- Verbal: Sexual innuendoes, suggestive comments, joke of a sexual nature, sexual propositions, lewd remarks, threats. Requests for any type of sexual favor (this includes repeated, unwelcome requests for dates). Verbal abuse or "kidding" which is oriented towards a prohibitive form of harassment, including that which is sex oriented and considered unwelcome.
- Non-verbal: The distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive, or shows hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, that is sexual in nature.
- Physical: Unwelcome, unwanted physical contact, including but not limited to, inappropriate or indecent touching, tickling, pinching, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, those are acceptable to and welcomed by both parties, are not considered to be harassment, including sexual harassment.

6. TYPES OF SEXUAL HARASSMENT

"Quid pro quo" harassment, where submission to harassment is used as the basis for employment decisions.

Employee and student benefits such as raises, promotions, better working hours or grades, excluding exams etc., are directly linked to compliance with sexual advances. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Example: A supervisor/instructor promising an employee a raise or student a passing grade if she goes on a date with him; a manager telling an employee she will fire him if he does not have sex with her.

"Hostile work environment," where the harassment creates an offensive and unpleasant working environment.

Hostile work environment can be created by anyone in the work or learning environment, whether it is supervisors, other employees, students or customers. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials, or even unwelcomed physical contact as a regular part of the work environment. Cartoons or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

7. WHAT YOU SHOULD DO IF YOU ARE A VICTIM OF ANY TYPE OF HARASSMENT

IF YOU ARE THE RECIPIENT OF ANY UNWELCOME GESTURE OR REMARK OF A SEXUAL NATURE, DO NOT REMAIN SILENT:

- Make it clear to the harasser that you find such conduct offensive and unwelcome.
- State clearly that you want the offensive conduct to stop at once.) If the conduct does not stop after you speak with the harasser you should then notify your supervisor or manager.
- Review the complaint procedure set forth in this document. If you decide to file a complaint, please contact the Director of Human Resources and fill out the complaint form attached to this policy.

8. CONSENSUAL SEXUAL RELATIONSHIPS:

The office strongly discourages romantic or sexual relationships between a management or instructor, student, or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person), because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting

the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others or, at a later date, by the staff member themselves as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, or coercion or exploitation undermines the spirit of trust and mutual respect which is essential to a healthy work or learning environment. If there is such a relationship, the parties need to be aware that disciplinary action will be taken.

As in all cases, the burden of proving sexual harassment rests with the accuser. But, when charges of harassment are brought by the subordinate employee or student during or subsequent to such a relationship and the supervisor claims that the relationship was consented to by the employee or student, the burden will be on the supervisor to prove that the relationship was consensual and voluntary.