

KNOW YOUR RIGHTS

NO

sexual assault
dating violence
domestic violence
harassment or discrimination
stalking

Chemeketa's policy statement

Chemeketa is committed to providing everyone with an environment focused on learning and growth, free of harassment or discrimination. Such behaviors will not be tolerated and are against College policies.

It is the policy of Chemeketa Community College and its Board that there will be no discrimination or harassment on the basis of race, religion, color, sex, age, national origin, ethnic origin, sexual orientation, gender identity, marital status, citizenship status, pregnancy and related conditions, family relationship, veteran's status, disabilities, tobacco usage during work hours, whistle blowing, victim of domestic violence and genetic information in any educational programs, activities or employment. Persons having questions about equal opportunity/affirmative action should contact the Affirmative Action Officer at 4000 Lancaster Dr. NE, Salem, Oregon 97309-7070, or call 503.399.4784. To request this publication in an alternative format, please call 503.399.5192.

Message from the President



Harassment, discrimination and sexual violence are uncomfortable topics for many of us for different reasons. If you have experienced any form of harassment, discrimination or violence, it might be even more difficult for you to read or talk about it. It is important to me that our community have access to resources to be able to heal and help prevent these incidents from happening in the first place.

Our students' academic success is of utmost importance. Our hope is that education will serve as a tool to better your personal and professional outcomes. The trauma that results from these issues shouldn't get in the way of an individual's access to a safe learning environment.

We are committed to maintaining a safe work and learning environment free of harassment. Our policies prohibits all forms of harassment, discrimination and sexual violence. The information contained in this guide should be helpful in informing you of your rights and options under various state and federal laws and regulations.

Julie Huckestein, President

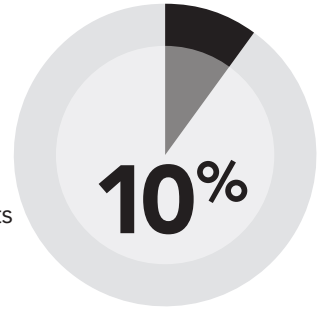
Understanding sexual violence

Sexual violence dynamics



1 in 5 women are sexually assaulted while in college

Most victims know their perpetrator. Only 10% of rapes and sexual assaults are perpetrated by strangers.



1 in 16 men are sexually assaulted while in college

Why are colleges talking about harassment, discrimination and sexual misconduct?

Harassment, discrimination and sexual misconduct can have a negative impact on an individual's life, including their work and education. Victims are protected by federal and state laws including Title IX, Campus SAVE Act, Oregon SB 759 and the Clery Act. This guide addresses Chemeketa's systems to support victims and address sexual misconduct.

Sexual violence dynamics

What is sexual misconduct?

Chemeketa's policy defines what behaviors are considered misconduct of a sexual nature. These behaviors violate the rights of others and are not tolerated. They include—

Sexual assault is any form of sexual contact made without consent. Consent is a clear and sober "yes" - not the absence of a "no".

Dating/domestic violence refers to an ongoing pattern of controlling and abusive behaviors that individuals use against their intimate partners.

Sexual harassment is unwelcome conduct of a sexual nature that includes sexual advances, requests for sexual favors and other verbal and nonverbal or physical conduct of a sexual nature.

Sexual exploitation occurs when a person takes sexual advantage of another without that person's consent.

Stalking is a pattern of unwanted attention that causes fear. Examples of stalking behavior may include repeatedly contacting someone through e-mail or text or sending unwanted gifts.

Sex/gender-based discrimination is the adverse treatment of an individual due to their sex or gender.

Are transgender and gender nonconforming students also covered by Chemeketa's policies?

Yes. The College is committed to providing a harassment-free and supportive environment to every student. Transgender and gender nonconforming individuals are encouraged to use the facilities they are most comfortable with, consistent with their gender identity. We encourage individuals to seek assistance from the Title IX Coordinator to make requests for additional privacy. The list of resources in this guide includes gender-neutral restrooms available at our campuses and centers.

If you are hurt

- Find a safe location away from the perpetrator
- Ask a trusted friend to be with you for support
- Call 911
- Seek medical assistance
- Although this may be the last thing you want to think about, preserve all evidence of the incident –
 - Avoid bathing or washing
 - Avoid cleaning up the area where the crime occurred
 - Keep torn or soiled clothing
 - Photograph your injuries

You are not alone

Sexual abuse survivors often feel alone and powerless. Guilt, shame and fear are common feelings. It is important to remember-

- While women are the majority of victims, men are also assaulted, bullied and stalked
- What happened to you is not your fault
- Healing is possible
- It's common to feel alone and powerless
- Guilt, shame and fear are common feelings
- Recovery takes time, but there are a number of things that can help
- Seek professional and personal support

How to support a friend

- Listen and be there
- Don't judge or blame the victim
- Validate your friend's experiences and reactions
- Encourage your friend to seek medical attention and/or counseling
- Be patient, it might take your friend some time to deal with what happened
- Respect your friend's decisions

Reporting options

What should I do if I think I've been a victim of sexual misconduct or know someone who might be?

Sometimes you don't know if a certain behavior is a policy violation but you know things just don't feel right. Well, you don't need to be certain to make a report. Although reporting is emotionally difficult, Chemeketa takes every report of alleged sexual misconduct very seriously and encourages you to file a complaint with the Title IX Coordinator and/or law enforcement if you feel harassed.

What happens when I report?

The College's intent is always to protect the complainant and the community while taking steps to prevent sexual misconduct from happening again.

There are a number of reporting options. It's important to know that most Chemeketa employees are mandatory reporters and must alert Chemeketa's Title IX coordinator of any misconduct that may violate the Sexual Harassment, Discrimination, and Misconduct policy.

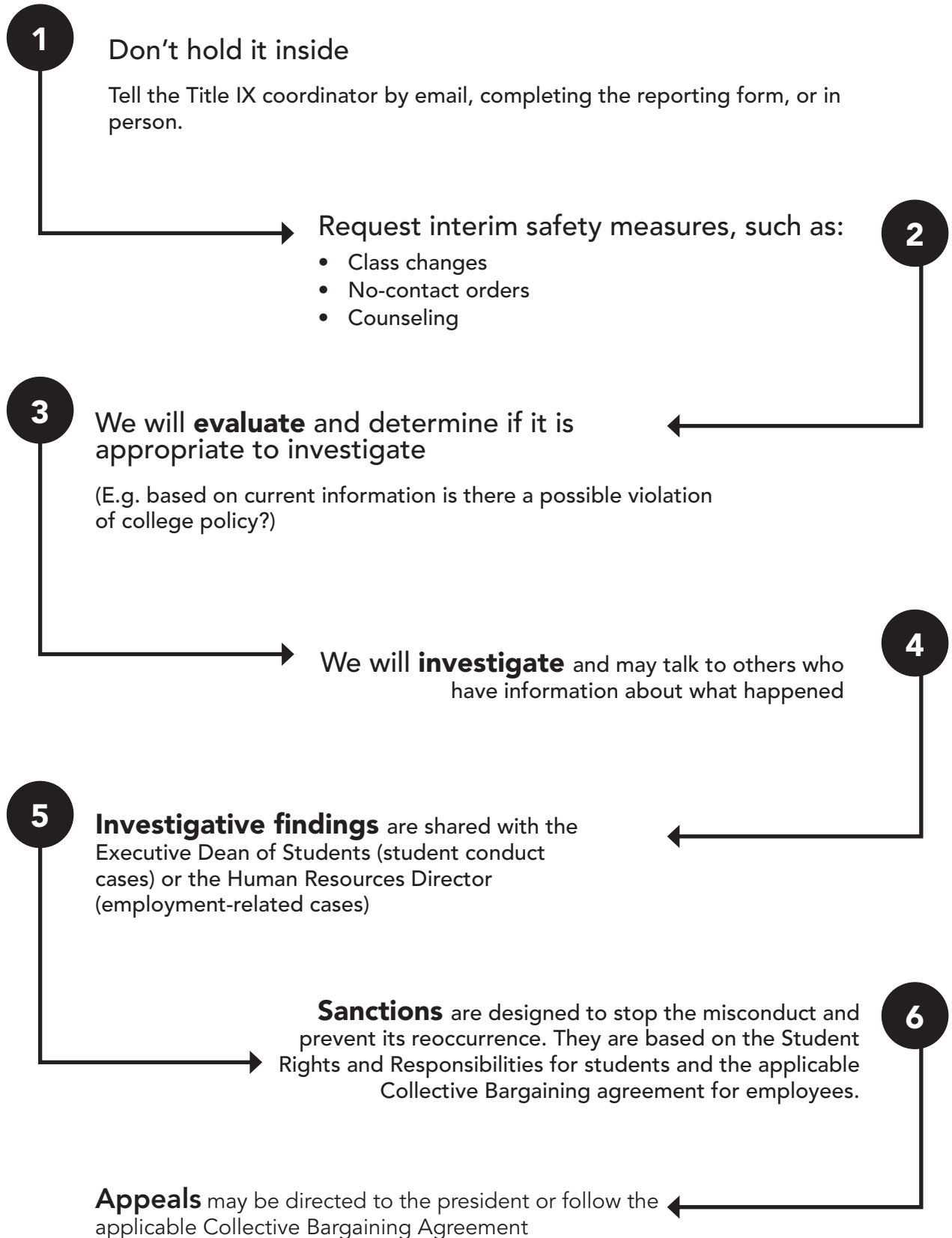
About mandatory reporting

Chemeketa employees, except licensed counselors, are mandatory reporters and must share all details they are aware of regarding misconduct with the Title IX coordinator. This starts the Title IX process. You may request safety measures and resources without initiating a formal resolution process. The Title IX coordinator will balance requests for confidentiality and the College's responsibility to protect the community and prevent future incidents.

Reporting options

Contact	Confidentiality	What to expect
<p>Title IX Coordinator</p> <p>Online go.chemeketa.edu/titleix</p> <p>In-person Building 2, Room 215 (Salem campus)</p> <p>Phone 503.365.4723</p>	<p>The Title IX coordinator will consider how to proceed if you request confidentiality, taking into account your wishes, the College's commitment to providing a safe environment and the respondent's right to have notice of the allegations. In such circumstances, the Title IX Coordinator may arrange for limited fact-finding by an investigator to better understand the context of the complaint.</p> <p>All reports are private and information is only shared with those who have a need to know.</p>	<p>Upon receiving a report, the Title IX coordinator will assess the complaint then may-</p> <ul style="list-style-type: none"> Refer the complaint to another office if the complaint is outside the scope of the Sexual Harassment, Discrimination, and Misconduct policy Dismiss the complaint if it isn't a policy violation Determine appropriate interim measures, which may include: change in class schedule, no contact order, safety planning, interim suspension, or other Initiate an investigation depending on the complainant's wishes, the College's obligation to protect the community, and a number of other factors. <p>After an investigation, if the respondent is found to have violated College policy, the disciplinary process is invoked. Disciplinary actions are based on-</p> <ul style="list-style-type: none"> Students – Student Rights and Responsibilities Employees – Collective Bargaining Agreement or contract <p>An outcome letter is sent simultaneously to both parties and can be appealed by either party.</p>
<p>Public Safety</p> <p>In-person Building 2, Room 173 (Salem campus)</p> <p>Phone 503.399.5023</p>	<p>Public Safety staff are mandatory reporters and are obligated to report allegations of sexual misconduct to the Title IX coordinator.</p>	<p>The Public Safety Office may conduct an investigation to determine the nature of the allegations.</p> <p>Complaints of sexual harassment, discrimination and misconduct are referred to the Title IX Coordinator.</p> <p>The Title IX coordinator will follow the Title IX procedures for investigation and disciplinary action, if any.</p>
<p>Counseling Services</p> <p>In-person Building 2, Room 110 (Salem campus)</p>	<p>Not all counselors are confidential employees. To discuss your reporting options while maintaining confidentiality, ask to speak to one of our licensed counselors or a community service provider.</p>	<p>Counselors will not file a report to law enforcement and/or the Title IX Coordinator on behalf of the complainant but can assist them in doing so.</p>
<p>Law Enforcement</p> <p>See insert for contacts</p>	<p>Law enforcement agencies will not always be able to maintain confidentiality and do a thorough investigation of the complaint.</p>	<p>Each law enforcement agency will have its own protocol. District attorney's offices have victim assistance offices to help guide the victim through the process.</p>
<p>Anonymous</p> <p>Online go.chemeketa.edu/titleix</p>	<p>Reports are kept confidential to the extent possible. Anonymous reports often lead to limited fact finding by an investigator.</p>	<p>The Title IX coordinator may be able to arrange for limited fact-finding based on the information provided.</p> <p>A possible pattern of misconduct may be identified based on the information provided and safety measures may be implemented.</p>
<p>Retaliation can take many forms, including abuse or violence, threats and intimidation. Chemeketa prohibits any attempt to seek retribution against an individual or group of individuals involved in filing a report or complaint, participating in the disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of College policy.</p>		

Title IX process



Your rights and legal options¹

Criminal legal options

Acts of sexual misconduct prohibited by College policy may also be a crime. While the College uses different standards and definitions than law enforcement, sexual misconduct often overlaps with the crimes of rape, stalking, sexual harassment and assault and domestic or dating violence.

Legal options for victims who report a crime to law enforcement include-

- Victims have the right to file a criminal complaint, go to court and ask for a restraining order for protection against stalking and domestic, dating and repeat violence.
- The restraining order may include requirements that-
 - Restrain the abuser from any contact or further acts of abuse
 - Direct the abuser to leave the household
 - Prevent the abuser from being within 500 feet of the victim's residence, school or place of employment
 - Award temporary custody of minor children
 - Direct the abuser to pay support to the victim and the minor child or children if the abuser has obligation to do so

Civil legal options

Individuals do not need to report a crime to request a restraining order, sexual abuse protective order or stalking protection order. See list of resources for contact information. Those who believe their education institution has discriminated against them or someone else, or failed to follow Title IX laws, can file a complaint with the Department of Education, Office of Civil Rights (OCR).

A victim may also seek monetary damages through a civil lawsuit. A civil suit may be against the offender or others considered in some way responsible for the crime. Victims should seek the advice of a lawyer regarding their claims.

In addition, employees who are victims of domestic violence may be eligible for protected leave under the Family Medical Leave Act (FMLA) or Oregon Family Leave Act (OFLA).

Individuals may also seek housing assistance, name and identity protection, as well as address confidentiality.

Know your rights

When complaints are investigated by the College, both the complainant and respondent have equal rights to-

- A prompt and impartial investigation
- Have an advisor of choice during the process
- Present evidence or have witnesses speak on their behalf
- Receive the final decision in writing at the same time
- Have the right to appeal a final decision
- Learn and work in a safe environment
- Access campus counseling

In addition, the complainant has a right to-

- Notify law enforcement of incidents and receive assistance from the College in doing so
- Decline to report the incident to law enforcement
- Have their allegations investigated by the College
- Seek help from the College in enforcing orders of protection, no-contact orders, restraining orders or similar lawful orders issued by criminal, civil, or tribal courts
- Request interim safety measures
- File a complaint with the College, law enforcement, or OCR without fear of retaliation

¹This information is not intended as legal advice. If you have questions or concerns regarding your legal rights, contact the OR State Bar for an attorney referral at 1.800.452.7636.

Risk reduction

While Chemeketa recognizes that only those who commit sexual misconduct are responsible for their actions, preventative measures can increase your safety and help reduce your risk of victimization.

Sexual respect

- Have healthy conversations with partners around limits/boundaries as early as possible
- Respect personal boundaries. If you are not sure what's OK in any interaction, ask
- If your potential partner says "no," accept it
- Don't make assumptions about whether someone is attracted to you, welcomes your advances, or if someone is physically and mentally able to consent. If you have questions or are unclear, you don't have consent and your behavior is likely not welcome
- Be on the lookout for mixed messages. That should be a clear signal to stop and talk
- People are entitled to change their minds
- Recognize that even when you don't think you are intimidating in any way, others may be intimidated by you; perhaps because of your sex, physical size, or position of authority or power you may hold
- Never assume that someone's silence or passivity is an indication of consent

That's not love: Warning signs of an unhealthy relationship

In some situations, contacting law enforcement, a domestic violence advocacy agency or school administrators can be the difference between life and death. If any of the following is happening to you or a friend, you are encouraged to talk to someone who can help.

- Threatens to kill you or themselves
- Has a gun or another weapon
- Has ever used a weapon to threaten, scare or hurt you
- Brags that they killed or would kill someone else
- Puts his or her hands around your throat to scare or hurt you
- Forces you to have sex or is otherwise sexually abusive
- Will not let you get medical attention for an injury
- Threatens to hurt someone you care about
- Destroys your property
- Harms a pet
- Follows you, shows up unexpectedly, demands to know your whereabouts (stalking)
- Steals or withholds money from you
- Interferes with your communication with your family or friends
- Becomes more and more physically abusive (escalating violence)
- Controls most or all of your daily activities (what you do, what you see, what you wear)
- Is extremely jealous and possessive ("If I can't have you, nobody will")
- Is capable of killing you (you have an instinct that they could do this)
- Drinks excessively or uses drugs and becomes abusive
- Has ever or would elude law enforcement

If the thought of reporting makes you worried the abuser could become even more dangerous if they find out, speak with a trained advocate first. See the resource guide for a list of services available in your county.

Bystander intervention

Taking action when something doesn't feel right is proven to help protect those who are vulnerable and prevent sexual misconduct. Safety is your first priority, only take action when it is safe to do so. Here are some strategies-

- Be aware and speak-up
- Watch out for your friends
- If you see something suspicious, call 911 or Public Safety 503.399.5023
- If you see someone in trouble, ask if they are okay
- If you see a friend doing something wrong, speak up
- Do not laugh at offensive or disrespectful jokes

If you suspect your friends or loved one is experiencing domestic violence

- Warn the victim and law enforcement if you believe that they are in danger
- If it is safe to do so, take your concerns to the victim directly before contacting law enforcement so that they can come up with the safest plan for reporting

Those who help others commit a crime can be considered an accomplice. For example, if someone drives a person to their partner's home and suspects he or she may become abusive while there, it is possible they could be charged with aiding the perpetrator. Do not support your friends who may be abusive; call the authorities.

Safety tips

- Call Chemeketa Public Safety at 503.399.5023
 - To report all suspicious people, vehicles and activities
 - To ask for an escort to your vehicle or class if you do not feel safe
- Find and remember the location of assistance phones on campus
- If you are on an elevator with someone who makes you feel uneasy, get off
- Trust your instincts. If you think something is not quite right, go to where there are other people
- Always watch your drink and do not accept beverages from someone you don't know or trust
- Have keys in hand and put a whistle in your key chain
- Look inside your car before you get in
- Be aware of your surroundings. Don't walk and text
- Reach out for help, either from someone who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help

Definitions

As an administrative process, investigations into allegations of violation of the Sexual Harassment, Discrimination, and Misconduct policy uses specific language that is different from the criminal system.

Complainant – Person who reported the alleged misconduct

Alleged victim – May or may not be the person who reported the alleged misconduct. This is also a well known term used in the justice system to identify those who have been victims of a crime.

Respondent – Person who allegedly violated College policy

