

# SEXUAL VIOLENCE PREVENTION

*Motlow State Community College strives to maintain a safe campus environment, free of sexual violence. As such, the College will not tolerate sexual misconduct, which includes, but is not limited to stalking, sexual assault, domestic violence, dating violence, and rape.*

## **Definitions**

**Consent**—An informed decision, freely given, made through mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

**Dating Violence**—Violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. “Dating” and “dated” do not include fraternization between two (2) individuals solely in a business or non-romantic social context. Violence includes, but is not necessarily limited to,

- (1) inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means,
- (2) placing the accuser in fear of physical harm,
- (3) physical restraint,
- (4) malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
- (5) placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser. **TCA 36-3-601(5)(c).**

**Domestic Violence**—Violence against a person when the accuser and accused:

- (1) are current or former spouses;
- (2) live together or have lived together;
- (3) are related by blood or adoption;
- (4) are related or were formally related by marriage; or,
- (5) are adult or minor children of a person in a relationship described above.

Domestic violence includes, but is not necessarily limited to,

- (1) inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
- (2) placing the accuser in fear of physical harm;
- (3) physical restraint;

- (4) malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
- (5) placing the accuser in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser. **TCA 36-3-601.**

**Rape**—Unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances: force or coercion is used to accomplish the act; the sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent; the defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or the sexual penetration is accompanied by fraud. Rape is a Class B felony.

**Sexual Assault**—The nonconsensual sexual contact with the accuser by the accused, or the accused by the accuser when force or coercion is used to accomplish the act, the sexual contact is accomplished without consent of the accuser, and the accused knows or has reason to know at the time of the contact that the accuser did not or could not consent. Sexual contact includes, but is not limited to, the intentional touching of the accuser's, the accused's, or any other person's intimate parts, or the intentional touching of the clothing covering the immediate area of the accuser's, the accused's, or any other person's intimate parts, if that intentional touching can be reasonably construed as being for the purpose of sexual arousal or gratification.

**Sexual Harassment** —Bullying or coercion of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favors.

**Sexual Discrimination** —Discrimination (usually in employment) that excludes one sex (usually women) to the benefit of the other sex.

**Stalking**—Stalking is a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested, and that actually causes the accuser to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Harassment means conduct directed toward the accuser that includes, but is not limited to, repeated or continuing unconsented contact that would cause a reasonable person to suffer emotional distress, and that actually causes the accuser to suffer emotional distress. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose. **TCA 39-17-315**

# REPORTING PROCESSES

## **Confidential Reporting**

If you are a victim or know of a victim of sexual violence, you are encouraged to report the incident. If you desire that details of the incident be kept confidential, you may speak with a representative of an off-campus sexual violence crisis resource at the Haven of Hope (800-435-7739) who can maintain confidentiality.

## **Formal Reporting Options**

You are encouraged to speak to officials of the institution to make formal reports of incidents (deans, vice presidents, campus security, or human resources). You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual.

If the sexual misconduct involves an allegation against an employee contact Laura Jent, Executive Director of Human Resources and Affirmative Action, Title IX Coordinator. Ingram Administration, Room 120.

If the incident involves an allegation by a student to another student, contact Regina Burden, Assistant Vice President for Student Affairs. Crouch Center, Room 2004.

Individuals with complaints of sexual misconduct also always have the right to file a formal complaint with the United States Department Education.

*Office for Civil Rights (OCR)*  
*400 Maryland Avenue, SW*  
*Washington, DC 20202-1100*  
*Customer Service Hotline #: (800) 421-3481*  
*TDD#: (877) 521-2172*  
*Email: [OCR@ed.gov](mailto:OCR@ed.gov) Web: <http://www.ed.gov/ocr>*

## **Area Resources**

Center of Hope, Columbia, TN	(931) 381-8580
DVP, Murfreesboro, TN	(615) 494-9262
Genesis House, Cookeville, TN	(800) 707-5197
Haven of Hope, Manchester, TN	(800) 435-7739
Sexual Assault Center, Nashville, TN	(800) 879-1999

## REDUCE YOUR RISK ON CAMPUS

(<https://www.rainn.org/public-policy/campus-safety>)

In 80-90% of cases, victim and assailant know each other.

- Be aware of the frequency of acquaintance rape.
- If you find yourself in a situation where you cannot make it home for the night, be sure you are in a safe and secure environment.
- Take self-defense classes.

If someone is pressuring you:

1. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
2. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
3. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
4. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
5. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
6. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

In a Social Situation:

1. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
2. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

3. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
4. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
5. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
6. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Stranger rape, though less common, can still occur on or around college campuses. Here are some ways to reduce your risk:

- Know the location of emergency telephones around campus.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.