



LIVINGSTONE COLLEGE

POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT, STALKING AND DOMESTIC AND INTIMATE PARTNER VIOLENCE AGAINST STUDENTS

I. POLICY STATEMENT

Livingstone College seeks to create and maintain a safe environment in which all members of the College community—students, faculty and staff—can learn and work free from the fear of sexual assault and other forms of violence. The College’s policies on Workplace Violence and Domestic Violence and the Workplace apply to all acts of violence that occur in the workplace or that may spill over into the workplace. The College’s Sexual Harassment Policy prohibits many forms of unwelcome conduct, including but not limited to, physical conduct of a sexual nature. This policy is specifically directed towards sexual assault, domestic and intimate partner violence and stalking committed against students on and off-campus.

LIVINGSTONE COLLEGE wants all victims of sexual assault, stalking and domestic and intimate partner violence to know that the College has officers who are trained in the field to assist student victims in obtaining help, including immediate medical care, counseling and other essential services. If the alleged perpetrator is also a member of the LIVINGSTONE COLLEGE community, the college will take prompt action to investigate, and, where appropriate, to discipline and sanction the alleged perpetrator. LIVINGSTONE COLLEGE urges all victims to seek immediate help in accordance with the guidelines set forth in this policy with the assurance that all information received from a complaint will be handled as confidentially as possible.

In order to eliminate sexual assaults and other forms of violence perpetrated against students, and to create a safe college community, it is critical to provide an appropriate prevention education program and have trained professionals to provide vital supportive services.

Accordingly, LIVINGSTONE COLLEGE is committed to the following goals:

- Providing clear and concise guidelines for students to follow in the event that they or someone they know have been the victim of a sexual assault, domestic/intimate partner violence, or stalking.
- Assisting victims of sexual assault or abuse in obtaining necessary medical care and counseling, whether on or off-campus.
- Providing the most informed and up-to-date education and information to its students about how to identify situations that involve sexual assault, domestic and intimate partner violence, or stalking and ways to prevent these forms of violence.
- Educating and training all staff members, including counselors, public safety officers, student affairs staff and faculty, to assist victims of sexual assault, domestic/intimate partner violence, or stalking.
- Ensuring that disciplinary procedures are followed in the event that the alleged perpetrator is a LIVINGSTONE COLLEGE student or employee.

II. PROCEDURES FOR REPORTING INCIDENTS OF SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE

Obtaining assistance after a student is sexually assaulted, stalked or is in an abusive relationship is extremely important and can involve different points of on-campus contact for students, faculty and staff, including the Public Safety Department, Student affairs, Health Services and Counseling Services. Each provides different forms of assistance, which together addresses many of the needs of survivors.

- Contact Law Enforcement Personnel Immediately

LIVINGSTONE COLLEGE urges any student who has been the victim of a sexual assault or other act of violence or abuse, or any student or employee who has witnessed a sexual assault or other act of violence against a student, to immediately report the incident to the college Public Safety Department if the attack occurred on-campus, or to call 911 or go to the local police department (Salisbury Police Department) if the incident took place off-campus. You will be provided with a list of emergency contact numbers as part of its orientation and training programs. These numbers are listed on the school website www.livingstone.edu in or Crisis Management Plan.

- Seek Immediate Medical Attention

It is critical that victims of a physical assault receive comprehensive medical attention as soon as possible. For a sexual assault in particular, immediate treatment and the preservation of evidence of the attack (i.e. retain the clothing worn during the attack and do not shower) is crucial to a criminal investigation. If a student believes that she/he may be the victim of date rape by being drugged, she/he should go directly to a hospital to receive a toxicology examination since such drugs only remain in a person's system for a short period of time. In all other circumstances, public safety and police personnel can assist the victim in obtaining medical care. Medical attention is critical not only to treat internal and external injuries and to combat the possibilities of sexually transmitted infections and/or pregnancy, but also to collect evidence that can be used against the alleged perpetrator. It is also vital to ongoing safety and recovery that victims receive emotional support and professional counseling as soon as possible after the attack.

- Seek On-Campus Assistance

LIVINGSTONE COLLEGE encourages student victims to contact the Vice President of Student Affairs/Counseling Services or Health Services to obtain assistance in accessing medical and counseling services, or to make any necessary changes to the student's academic program or residential housing situation. Public Safety can assist victims getting to and from campus safely, filing a police report and obtaining an order of protection against the alleged perpetrator. Victims can also file a complaint with the College against an alleged perpetrator who is a student or employee of the College with the Vice President of Student Affairs/ and the Public Safety Office.

- Obtaining an On-Campus Advocate

Student victims of a sexual assault, stalking or domestic or intimate partner violence shall be provided with information to assist them in handling various aspects of their ordeal, such as:

- 1) explaining to victims their options of whether or not to report the incident to campus or law enforcement authorities;
- 2) providing guidance if they require medical attention;
- 3) providing guidance in obtaining crisis intervention and/or ongoing counseling services (or referral to obtain the necessary services if such services are not available on campus)

4) assisting victims throughout the College's disciplinary process if they choose to file a complaint against another student in connection with the incident.

- Handling Sexual Assault, Stalking and Domestic and Intimate Partner Violence Complaints On-Campus

The College shall act promptly in response to information that a student has been sexually assaulted, or has been the victim of domestic or intimate partner violence or stalking by another member of the LIVINGSTONE COLLEGE community. Upon receipt of a complaint, the College shall undertake an appropriate investigation. If it appears that there is sufficient evidence to warrant disciplinary charges against a student or staff member, such charges shall be brought pursuant to the appropriate College procedures or collective bargaining agreement. If the alleged perpetrator is a student and the matter is brought before a hearing, the victim and alleged perpetrator are entitled to the same opportunities to have others present and to be informed of the outcome of the proceedings. The victim is entitled to a report of the results of the proceeding at her/his request. If a student is found guilty of committing a sexual assault or other act of violence against another LIVINGSTONE COLLEGE student or employee after a disciplinary hearing, the penalties may include suspension, expulsion from residence halls, or permanent dismissal from LIVINGSTONE COLLEGE.

In addition, if during the course of the investigation and/or disciplinary process the alleged perpetrator, or anyone on his/her behalf, seeks to contact the victim so as to harass, intimidate, threaten or coerce the victim in any way, the College reserves the right to bring additional disciplinary action against the actor. Such conduct by any member of the LIVINGSTONE COLLEGE community will not be tolerated.

In addition to the above campus policies and procedures you are subject to North Carolina criminal charges regarding stalking General Statue 14-277.3, Sexual Assault General Statue 14-27.2--14-208.44(b) and any General Statue involving Domestic Violence, all of which are considered serious misdemeanors and/or felonies

- Confidentiality

The College recognizes that confidentiality is particularly important to victims of sex crimes, domestic and intimate partner violence and stalking. If the victim seeks counseling with a licensed professional and/or works with an advocate from the campus, those communications will be confidential. LIVINGSTONE COLLEGE

encourages victims in all circumstances to seek counseling in order to speak about her/his options and to begin the recovery period.

While complete confidentiality cannot be guaranteed, every effort will be made to maintain confidentiality on a “need to know” basis. Generally, the wishes of a victim not to report a sexual assault or incident of domestic/intimate partner violence or stalking to the police will prevail, though the College reserves the right to notify the police when it believes that such reporting is necessary for the protection of the College community. Such notification, however, will generally be done without divulging the victim’s identity and for the purpose of providing a campus-wide safety alert. In addition, the College must adhere to legal mandates such as Title IX, medical reporting laws, and the Campus Security Act. For example, LIVINGSTONE COLLEGE is required to make an annual report documenting the occurrences of violent crimes on campus, including sexual assault. However, this report does not include any information identifying the individuals (including the victims) linked to these crimes.

III. IMPLEMENTATION OF THE POLICIES AND PROCEDURES CONCERNING SEXUAL ASSAULT AND OTHER FORMS OF VIOLENCE AGAINST STUDENTS

The Vice President for Student Affairs shall be responsible for implementing this policy in accordance with the most up-to-date information and resources pertaining to sexual assault, stalking and domestic/intimate partner violence education and prevention, and victim assistance. The following steps must be taken to implement this policy:

1. **Publication:** A copy of this policy shall be easily accessible on the LIVINGSTONE COLLEGE website and on the website administered by each College. A summary shall also be incorporated into every College student handbook. In addition, copies of the policy and procedures shall be made available in student centers, residence halls, student affairs/student success center, counseling centers, health clinics and public safety departments, and shall be distributed to all new students during orientations.
2. **Prevention/Risk Reduction Education:** The College shall develop materials and programs to educate its students, faculty and staff on the nature, dynamics, common circumstances and effects of sexual assault, domestic/intimate partner violence and stalking, and the means to reduce their occurrence and prevent them. Prevention education should provide up-to-date and relevant information, such as

education pertaining to bystander intervention, the importance of peer networks and the significance of fostering a community of responsibility.

Prevention education materials and programs shall be incorporated into campus orientation activities for all incoming undergraduate and graduate students (including transfers), and shall be made available to all student activity groups, clubs and athletic teams. In addition, all residence halls shall have a mandatory orientation on sexual assault, stalking and domestic/intimate partner violence prevention. Colleges are encouraged to assist in the organization of peer education groups and to provide resources to such groups so that the groups can provide training and outreach to other students throughout the academic year. Since the abuse of alcohol is frequently involved in occurrences of sexual assault and other forms of violence, it is important that the education program include education about the deleterious effects of alcohol abuse.

3. Professional Training: The College shall provide periodic training relating to the prevention and handling of sexual assaults, stalking and domestic/intimate partner violence for all relevant personnel, including public safety officers, counselors, student affairs staff and residence hall assistants by experts trained in the field. Education and training shall also be made available to any interested faculty and staff member.

4. The Vice President for Student Affairs shall monitor compliance with this policy and review the policies and procedures on an annual basis, and shall make recommendations in the event that updates to prevention and education information are necessitated. In addition, the Vice President for Student Affairs shall provide educational materials that may be needed to ensure full implementation of this policy on every campus. The policies, procedures and outreach materials and programs will be subject to a periodic process of assessment in order to maintain efficiency.