



Sexual Assault, Dating Violence, Domestic Violence & Stalking on Campus

Prevention, Awareness & How the Violence Against Women Act Protects You



PALMER
College of Chiropractic

The Trusted Leader in Chiropractic Education®

VAWA Awareness

Palmer takes the safety of our college community very seriously and seeks to foster awareness that may help you understand how to take preventive measures to guard against sexual and relationship violence. The Violence Against Women Act (VAWA) was originally enacted in 1994 to address concerns with violent crimes and violence against women. The 2013 reauthorization of the federal Violence Against Women Reauthorization Act placed new requirements on colleges and universities under its Campus Sexual Violence Elimination (SaVE) Act provision, with regulatory requirements that went into effect in 2015. These regulations are designed, in part, to help prevent sexual assault, dating violence, domestic violence and stalking, while also raising awareness and providing support at every turn. Palmer College is committed to creating a safe environment for all students and this brochure offers tools to help make it happen.

Sexual Assault

Definitions

The four main categories of gender-based violence addressed by VAWA are sexual assault, dating violence, domestic violence, and stalking. To start, it's important to know what each one means:

Sexual Assault

Sexual assault is an offense that meets one of these FBI definitions below:

“Forcible Rape. The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Forcible Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest. Sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent of applicable state law.”

Note: Although the term “victim” is used within the FBI’s definitions above, using the terms “complainant” and “reporting party” are typically best practice instead.

Most campus sexual assaults occur between people who know one another. Alcohol and other substances can be a factor too, impairing a person's capacity to give effective consent.

Even though it is called The "Violence Against Women Act," all genders are protected under this federal legislation!

Plus, these offenses can be committed by someone of any gender.

Sources: VAWA Final Regulations, Federal Register, 10/20/14; The Handbook for Campus Safety and Security Reporting, 2016

Dating & Domestic Violence

Dating Violence

If someone you are in a romantic/intimate relationship with physically interacts with you in a harmful way, those activities constitute dating violence.

If that person keeps you away from friends and family, shames you, calls you names, bullies, or publicly embarrasses you on purpose, those are psychological and emotional examples of abuse.

If you are ever forced or coerced to engage in sexual activity when you are unable to consent — or don't want to consent — that's sexual abuse.

All these actions and more constitute dating violence. This is violence by someone you are or have been in a romantic/intimate relationship with. It may contain the types of abuse mentioned above or the threat of such abuse. You never deserve to be abused and it's reportable.

Domestic Violence

The crime of domestic violence can be committed by:

- A current or former spouse or intimate partner
- A person with whom you share a child

Dating violence can also take place with technology, including repeated texting or posting sexual photos online without consent.

In most abusive relationships, possessive and controlling behaviors are present. These may include controlling money, put-downs, keeping you away from friends or family, destroying your property, threatening to hurt/kill your pets, controlling who you see/where you go/what you do, preventing you from working or attending school, pressuring you sexually, intimidating you with weapons, threatening to harm your kids or take them away, driving dangerously when you're in the car, preventing you from leaving, forcing drug or alcohol use, physically hurting you and/or your children, someone threatening to harm himself/herself if you leave and more.

These actions are all about having power and control over an intimate partner. Domestic violence can happen to people of all genders, races, abilities, ages, nationalities, sexual orientations, religions, socioeconomic and educational levels. It is always an offense.

**The National Domestic Violence Hotline is
1-800-799-7233 or 1-800-787-3224 (TTY).
Text START to 88788**

Sources: The National Domestic Violence Hotline; “Teen Dating Violence” from the CDC; The National Coalition Against Domestic Violence; VAWA Final Regulations; Federal Register, 10/20/14

Stalking

Stalking is behavior directed at a specific person that causes that person to fear for his/her/their safety or the safety of others. Stalking, very often, causes the stalked person to experience substantial emotional distress.

Over 85 percent of people who experience stalking are stalked by someone they know, according to the Stalking Resource Center, with behaviors that control, track or frighten them, including:

- Threatening to hurt you, family, friends, or pets
- Showing up or driving by where you are
- Following you
- Monitoring your phone and computer use
- Using technology to track you
- Damaging your home, car, or other property
- Spreading rumors about you online, in public or by word of mouth
- Digging for information about you
- Sending unwanted gifts, notes, texts, or emails

Being stalked can lead to anxiety, stress, irritability, an inability to sleep or concentrate, and depression. If you feel overwhelmed, vulnerable, and/or unsafe — seek help.

Sources: VAWA Final Regulations, Federal Register, 10/20/14; Stalking Resource Center; CDC's Veto Violence

Consent

AFFIRMATIVE CONSENT

Sexual and relationship violence takes place without someone's affirmative consent.

"Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity.

Each person involved in sexual activity is responsible for obtaining the affirmative consent of the other or others engaged in sexual activity. Lack of resistance or silence does not mean affirmative consent. Affirmative consent must be ongoing throughout sexual activity and can be revoked at any time. A dating relationship between the persons involved, or past sexual relations between them, should never by itself assume affirmative consent.

When initiating sexual activity, ask for consent before taking ANY action. Clear affirmative consent must be voluntary, without coercion, intimidation, force, or threats. If you're unsure that affirmative consent has been given, take the time to talk with your partner to find out. If affirmative consent has been withdrawn, then stop. Your partner certainly has the right to change his/her/their mind.

Affirmative Consent can't be given if someone is unconscious, asleep, incapacitated (due to alcohol/other drugs), a minor or physically/mentally impaired. Plus, if you have a current relationship with someone or did in the past, that doesn't mean you can just proceed with sexual activity. You always need to obtain affirmative consent.

Consent is ACTIVE
Consent is CLEAR
Consent is VOLUNTARY
ASK FIRST!

What to Expect from Us

If you or someone you know experiences sexual assault, dating violence, domestic violence, or stalking, we will take every reasonable action to implement safety measures and supportive measures for all involved while we engage our procedures to respond to the matter.

Supportive Measures

In response to a report or complaint of sexual misconduct, either or both the Complainant and Respondent may seek or the College may offer supportive measures. Supportive measures are non-disciplinary, non-punitive individualized services to restore or preserve access to the College's education program or activity. These may include helping you receive emotional support while also offering protective measures to help you feel safer on campus.

These measures may include modifications to your academic housing, and workplace situations, if requested and they are reasonably available.

Support for Respondents

Anyone accused of sexual assault, dating violence, domestic violence and stalking can find support through counseling and other services. If you are unsure where to find the support you need, please ask for assistance.

Campus Disciplinary Proceedings

Resolving cases of sexual assault, dating violence, domestic violence and stalking involves a fair, impartial, and equitable campus disciplinary process. These proceedings will be held within a reasonably prompt timeframe. As part of this process, both the Complainant and the Respondent will have equal opportunities to have an advisor of their choice present. Both parties will also be given timely notice of meetings, plus timely, equal access to information that will be used during meetings and hearings.

Once a disciplinary proceeding is completed and a written determination has been issued, the Complainant and Respondent will be informed simultaneously regarding the outcome and any appeal options.

Preventative Measures

Gender-based violence is never the Complainant's fault, even so there are preventive measures you and your friends can take to reduce the risk of sexual assault, dating violence, domestic violence and stalking:

- Trust your instincts
- Don't worry about offending someone — just remove yourself from a situation immediately
- Make your limits known as early as possible
- Say "NO" clearly and firmly if you are able
- Notice when your boundaries aren't being respected
- Assert your right to have those boundaries respected
- Be "situationally aware" by taking note of your surroundings and who is present
- Don't be afraid to ask for help in situations where you don't feel safe
- Be firm about controlling your own alcohol or drug use, rather than allowing others to dictate what you consume
- Walk with others
- Lock doors and windows in your car and living space
- Look out for your friends and ask that they look out for you, too
- Respect a friend who challenges you if you're about to make a poor decision

And NEVER blame yourself if an act of sexual or relationship violence occurs! The only person responsible in that situation is the person who failed to get your consent.

Sources: U. of California VAWA Training; Cal State, Long Beach, Office of Equity & Diversity

Reducing the Risk of Being an Aggressor

To reduce your risk of engaging in sexual or relationship violence:

- Listen to your partner — note verbal and non-verbal cues
- Clearly communicate your intentions
- Only proceed with sexual activity if there is affirmative consent
- Respect your partner and his/her/their personal boundaries
- Watch your alcohol/other drug intake so decision-making isn't compromised
- Don't make assumptions about consent, sexual availability, attraction, or limits — communicate!
- Don't take advantage of someone who is drunk or drugged — they can't give consent
- Don't abuse any power advantage (gender, size, etc.) to intimidate or scare your partner

Sources: Cal Poly Pomona's "Myths and Facts about Sexual Violence"; Cal State, Long Beach, Office of Equity & Diversity

Bystander Intervention

When an incident of sexual or relationship violence is about to take place, bystanders can often intervene simply and safely, often affecting the outcome.

Examples of positive ways to intervene include:

- Provide a distraction that interrupts an interaction
- Directly engage one or more of the involved parties
- Get police or other authorities involved
- Tell someone else and get help
- Ask people in potentially dangerous situations if they are okay and/or want to leave
- Make sure they get home safely
- Remind friends and acquaintances that incapacitated people can't give consent
- Help remove someone from the situation
- Provide options and a listening ear

Don't just hope that someone else will step in. You can stop a terrible, life-altering situation. Be part of the solution!

Providing a Distraction

Causing a distraction to interrupt a potentially dangerous interaction is something we can all do:

- Call a friend's cell repeatedly
- Spill something on purpose
- Tug on your friend's arm insistently
- Ask where the bathroom is
- Interrupt the conversation
- Turn off the music
- Say, "I think that guy wants to talk to you" to separate those involved
- Tell someone, "Your car is being towed!"
- Matter-of-factly pull your friend away, saying, "We need to leave" — and then go

Being a Proactive Bystander

There are a variety of ways you can help prevent sexual and relationship violence, such as:

- Believe that sexual and relationship violence is unacceptable and say it aloud
- Treat people with respect
- Speak up when you hear victim-blaming statements
- Talk with friends about confronting sexual and relationship violence
- Encourage friends to trust their instincts to stay safe
- Be a knowledgeable resource for survivors
- Don't laugh at sexist jokes or comments
- Look out for friends at parties, bars, and other gatherings
- Educate yourself and your friends
- Use campus resources
- Attend awareness events

VAWA at Palmer College of Chiropractic

At Palmer College of Chiropractic, we strictly prohibit the crimes of sexual assault, dating violence, domestic violence, and stalking.

Reporting and Support

If you have experienced sexual assault, dating violence, domestic violence, or stalking—or witnessed it—you can report it to the Title IX Coordinator, or the Title IX Deputy Coordinator located on your campus. The Title IX Coordinator will discuss your reporting options and provide you with any supportive measures.

Title IX Coordinator

Earlye Julien, PHR, M.S. Ed.
563-884-5476
earlye.julien@palmer.edu

Title IX Coordinator Deputy – Main Campus

Lori Larsen, B.A.
563-884-5246
lori.larsen@palmer.edu

Title IX Coordinator Deputy – Florida Campus

Angela Carter
386-763-2665
angela.carter@palmer.edu

Title IX Coordinator Deputy – West Campus

Michael Crump, M. Ed.
408-944-6122
michael.crump@palmer.edu

You can also find immediate support at:

- Davenport Campus Security
(563) 884-5555
- Port Orange Campus Security
(386) 763-2777
After hours: (800) 227-9805
- San Jose Campus Security
6 a.m.-3:30 p.m.: (408) 944-6000
After 3:30 p.m.: (408) 472-8441

Confidential Resources

For confidential reporting, seek out contacts and community resources for each Palmer College of Chiropractic campus found at <https://www.palmer.edu/student-life/academic-success/student-academic-support-center/>

Policies and Procedures

The College's process for investigating these incidents involves interviewing the complainant and respondent separately. Physical evidence is gathered, and witnesses are questioned. The investigation will be completed in a prompt, fair and impartial manner. This process is facilitated through the Office of Compliance.

Prevention and Awareness

In addition to online training for students, Palmer College of Chiropractic has developed several resources for information on prevention and awareness of sexual misconduct. These include the Annual Security and Fire Safety Report and Sexual Misconduct Prevention and Response-Get Help Link (found on the Palmer website at www.palmer.edu/security).

VAWA at Palmer College of Chiropractic

To learn more about available support, our resolution process, reporting protocols, policies, and more concerning VAWA-related incidents, please contact the Title IX Coordinator or Deputy Coordinator from your campus.



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Disclaimer: This brochure was prepared as an informational overview only. It should not be used as a legal guide.

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