SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING: PREVENTION

PREVENTION AND AWARENESS PROGRAMS

The Division of Student Affairs also provides education and information on issues of Sexual Assault, Dating Violence, and Stalking through printed and electronic materials and other programming.

Each semester, the Office of Student Affairs sends a Title IX direct mail campaign to all enrolled students. This printed postcard contains information about non-discrimination and Title IX and directs the students to complete the College’s online Title IX training course. In addition, the Office of Student Affairs also posts an announcement on the College portal about non-discrimination and Title IX and directs the students to complete the College’s online Title IX training course.

Information about non-discrimination and Title IX, including the names, titles, and office locations of the College’s Title IX Coordinators, is included in every Instructional Packet for every course taught at the College.

The Office of Human Resources provides training to new and current employees on how to respond to student complaints regarding sexual harassment, sexual assault and/or relationship violence.

DEFINITIONS

The College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined under the Clery Act. So that the College may address any such violation, the Student Code Procedures for Addressing Alleged Acts of Sexual Violence and Sexual Harassment provides the following definitions. (South Carolina Technical College System 3-2-106.2)
• **Consent** is explicit approval and permission to engage in sexual activity demonstrated by clear action, words, or writings. Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to engage in sexual activity with another person does not imply ongoing future consent with that person or consent to engage in that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

• **Sexual Assault** is actual or attempted sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to: intentional touching of another person’s intimate parts without that person’s consent; or other intentional sexual contact with another person without that person’s consent; or coercing, forcing, or attempting to coerce or force a person to touch another person’s intimate parts without that person’s consent; or rape, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person’s consent.

• **Stalking** includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death to the targeted person or a member of their family.

In addition, the College applies the following definitions from the United States Department of Justice, Office of Violence Against Women as required by the Clery Act so that the College may appropriately address any such circumstance:

• **Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under domestic or family violence law of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under domestic or family violence law of the jurisdiction.

• **Dating violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; type of relationship; and frequency of interaction between the persons involved in the relationship.
**Safe and Positive Options for Bystander Intervention**

RAINN: www.rainn.org/articles/your-role-preventing-sexual-assault

Bystander Intervention describes a situation where someone who isn’t directly involved steps in to change an outcome.

Refuse to be a bystander. Take action when you see risky behavior. If you witness someone trying to lead an intoxicated person into a private room, or if you see someone supplying another person with drinks or acting in a sexually aggressive manner, find help and intervene. Likewise, pay attention to your friends so that you can help them if they are being targeted or are in a vulnerable situation. If you feel threatened or too unsafe to intervene, then call 911.

**Information on Risk Reduction**

RAINN: www.rainn.org/articles/staying-safe-campus

Increasing Safety on Campus and at Home: These tips may reduce risk for many different types of crimes, including sexual violence.

- Know your resources. Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the Public Safety Office and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the Public Safety number into your cell phone for easy access.

- Stay alert. When you’re moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you’re alone, only use headphones in one ear to stay aware of your surroundings.

- Be careful about posting your location. Many social media sites use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.

- Make others earn your trust. A college environment can foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.

- Think about Plan B. Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can’t use a credit card? Do you have the address to your apartment or house memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
Be secure. Lock your door and windows when you’re asleep and when you leave your apartment or home. If people constantly prop open the main door to the apartment, tell security or a trusted authority figure.

College Procedures

While activities covered by the South Carolina Code of Laws and those covered by HGTC’s Student Code of Conduct may overlap, the criminal code and College rules operate independently and do not substitute for each other. The College may pursue enforcement of its own rules whether or not legal proceedings are underway. However, HGTC may use information from law enforcement agencies and the court to determine if College rules have been violated and to implement appropriate corrective and/or disciplinary actions.

The College will respond promptly to any report of sexual assault or relationship violence. This would include domestic violence, dating violence, sexual assault, or stalking that occurs on any HGTC Campus or at any HGTC-sponsored event involving students.

Any student who has been subjected to any form of violence, including domestic violence, dating violence, sexual assault, or stalking, on campus or at a College-sponsored event should report the incident to the Department of Public Safety, a Title IX Coordinator and/or any trusted member of the College faculty or staff immediately. Any College employee who receives a report of an alleged act of violence of any kind involving students should immediately notify Public Safety and/or a Title IX Coordinator. The only HGTC employees exempt from mandatory reporting are licensed mental health professionals (only as part of their job description such as counseling services).

College disciplinary procedures for allegations of student sexual assault and relationship violence occurring on any HGTC Campus or at any HGTC-sponsored event involving students are initiated through the Vice President for Student Affairs. The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Both the accuser and the accused shall simultaneously be informed, in writing, of the following: (i) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; (ii) the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding; (iii) any change to the results that occurs prior to the time that such results become final, and (iv) when such results become final.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING: RESPONSE PROCEDURES TO FOLLOW

Support for Sexual Assault and Relationship Violence Survivors

The Division of Student Affairs provides free and confidential counseling services for students who have survived sexual assault or relationship violence (occurring on or off-campus). Licensed counselors and/or social workers provide both crisis intervention and referrals to
community resources. In addition, the division maintains a partner relationship with numerous informational and referral organizations, including the Rape Crisis Center of Horry and Georgetown Counties, accessible online at www.victimtosurvivor.org or by phone 24-hours-a-day at (843)448-7273 for Horry County and (843)545-5198 for Georgetown County.

What should you do if Sexual Assault, Domestic Violence, Dating Violence, or Stalking happens to you?

- Get to a safe place.

- Contact a trusted friend or family member for help and support.

A survivor can choose who to talk to and not talk to at any time.

The list below provides several options, but these are not required steps for a survivor.

- Call 911, Local Law Enforcement, or HGTC Public Safety
- Do not shower, bathe, douche or change your clothes if you have been assaulted or raped.
- Do not disturb anything at the scene of the assault or throw away any evidence.
- Go to a hospital for medical care. You can be given a physical exam and options for the prevention of pregnancy, STIs and HIV/AIDS.
- Medical professionals are required to notify the police whenever they treat a rape victim, but the decision to make a formal police report is still yours.
- If you decide not to go to the police immediately, write down all the details of the assault (who, what, when, where, why and how) and keep them in case you wish to report the assault later.
- If the incident occurred on campus or at a college sponsored event, report the incident to your Title IX Coordinator or a Responsible Employee.

Seek crisis intervention through resources such as these.

HGTC
Confidential Counseling Services
843-349-7587
counseling@hgtc.edu

Public Safety
Conway: 843-349-7806
Cell 843-251-6111 or 843-516-0147
Options for Survivors

The survivor may request options for, and available assistance in, changing academic, living, transportation, and working situation, and if such accommodations are reasonably available, the college will comply with the request, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. The College will also provide community and/or on-campus resources for student financial aid, counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services. The College can also assist in obtaining “no-contact” orders, restraining orders, or similar lawful orders.

Further, any allegation of sexual assault or relationship violence occurring on any HGTC Campus or at any HGTC-sponsored event involving students may require a report to Public Safety and/or local law enforcement for criminal investigation. College disciplinary sanctions for sexual assault may range up to and include suspension or expulsion. Criminal prosecution for sexual assault, domestic violence, dating violence, and harassment or stalking is initiated by contacting Public Safety or local law enforcement authorities.

Confidentiality

HGTC is committed to maintaining confidentiality in all investigations and record keeping to the extent that would not impair the ability of the institution to provide accommodations or protective measures. The College will protect the confidentiality of victims and other necessary parties by excluding personally identifying information in regards to reporting and disclosing incidents under the Clery Act.

Written Notification to Survivors

When a student or employee reports to the institution that the student or employee has experienced dating violence, domestic violence, sexual assault, or stalking, whether the offense
occurs on or off-campus, the institution will provide the student or employee with a written explanation of the student’s or employee’s rights and options.

**SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING: DISCIPLINARY PROCEDURES**

The College follows the Student Code Procedures for Addressing Alleged Acts of Sexual Violence and Sexual Harassment for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

The procedure outlines the authority for decision-making, how to file a complaint, the standard of evidence used, possible sanctions, protective measures, rights of the involved parties, and timelines for the overall process.

**SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING: WRITTEN NOTIFICATION CHECKLIST**

**Written Notification to Survivors**

When a student or employee reports to the institution that the student or employee has experienced dating violence, domestic violence, sexual assault, or stalking, whether the offense occurs on or off-campus, the institution will provide the student or employee with a written explanation of the student’s or employee’s rights and options.

**OTHER SEX OFFENSE POLICY AREAS**

**Registered Sex Offenders**

The federal Campus Sex Crimes Prevention Act of 2000, enacted on October 28, 2000 and effective on October 28, 2002 requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. The South Carolina State Law Enforcement Division provides a searchable database of registered sex offenders in the State at this site: http://www.communitynotification.com/cap_main.php?office=54575.

**Disclosure of Results of Disciplinary Proceedings**

Upon request, the College will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or next of kin if the victim is deceased.