

# Sexual Assault Policy

Earlham College has made a commitment to the values clearly stated in our Principles and Practices document: respect for persons, integrity, peace and justice, simplicity and consensus governance. These principles undergird our Sexual Assault Policy and guide the College disciplinary process. Principles and Practices not only tells us unambiguously that sexual assault is intolerable behavior, but encourages us as a community to work actively toward creating an environment in which any inclination toward sexual assault is unthinkable.

Earlham College does not tolerate sexual assault committed by any of our members (faculty, staff, regularly enrolled and special students), or against any of our members, on or off campus. Any party can be a victim or perpetrator of sexual assault and, therefore, this policy is gender neutral. We respond to and investigate all reports of sexual assault and report assaults to local law enforcement when guided by the law to do so.

Campus Safety and Security officers, staff and administrative and teaching faculty follow clear processes, both in Richmond and on off-campus programs (subject to the laws and policies of particular countries and host institutions), when responding to a report of sexual assault. We also pursue sexual assault complaints that violate this policy and/or the principles of the College as represented in the Principles and Practices document, even if they are not matters for law enforcement, and pursue those complaints according to the practice of our College Judicial Processes depending on the status of the accused: for students through the College Judicial Council and for faculty/staff through the procedures established by the Harassment Policy. The College does its best to protect complainants from any possible retaliation stemming from their complaint.

Earlham College supports any members of our community who become victims of sexual assault. We offer immediate help and also referrals to appropriate persons and organizations, often including but not limited to, local police, hospitals, advocacy groups and counseling and crisis centers. Whenever possible, members of off-campus programs receive a list of resources available at or near their program site and in advance of the program. In the aftermath of a sexual assault the College works to create and accommodate alternative living, working and academic arrangements as appropriate.<sup>1</sup>

Earlham College supports a program that educates the community about sexual assault on Earlham's campus, on college campuses in general and in society at large. This is accomplished through campus programs and workshops as well as by making the entire Sexual Assault Policy document, a resource for referral and education, available to all members of the Earlham College community. It is included in the Student, Faculty and Employee Handbooks and is posted on Earlham's Web site; it is updated regularly.

<sup>1</sup>The College reserves the right to make changes in living arrangements to reduce risks of harm or injury to students.

# Definitions

## What is Sexual Assault?

For the purposes of Earlham College's policy and judicial process, sexual assault is defined as unwanted sexual contact where any gender can be a victim or perpetrator. Sexual assault is sexual contact that does not have a person's consent. It need not, but could, include penetration. It might include unwanted kissing, touching or fondling, touching intimate parts of the body or the clothing covering those body parts. It might also include, but is not limited to, unwanted touching with intimate parts of the body, and attempted unwanted sexual penetration. Indiana Law has specific definitions for Rape, Sexual Battery and Criminal Deviate [sic] Conduct that would need to be met in a court of law. See those definitions in Appendix A.

## What Constitutes Consent?

For the purpose of Earlham College's policy and judicial procedures consent is defined as the act of willingly agreeing to engage in specific sexual behavior. Silence or non-communication must never be interpreted as consent and a person in a state of diminished judgement cannot consent. Consent requires that a person is able to freely choose between two options: yes and no. A person is incapable of giving consent if she/he is asleep, unconscious or otherwise unable to communicate. No one who has been threatened or coerced or drugged can consent. A person is usually unable to give consent when she/he is under the influence of alcohol and/or drugs, or is mentally handicapped. A current or prior sexual or dating relationship does not constitute consent.

A person can withdraw consent at any time during the course of a sexual encounter. Pursuing sexual contact in any form whatsoever with an unwilling or unconsenting partner is sexual assault. How exactly we know when the person we're with is consenting to, or refusing, a sexual advance, can at times be difficult to discern; nevertheless the entire responsibility for correct discernment is upon the person making the sexual advance.

## What You Might Do If You or Someone You Know Has Been Sexually Assaulted

The following information is a quick list of options, supports or resources available to a person who has been sexually assaulted and generally assumes a Richmond / Campus incident. Consult "The Choice Is Yours" chart in this document for various avenues of response on and off campus and consult "Choices To Make / What to Expect" below for more information about confidentiality, reporting and medical exams.<sup>2</sup>

1. After an assault has occurred, go to a safe place. This might be the home of a friend or a family member, or any place where you can find physical safety and receive emotional support.
2. If you feel unsafe, desire to report the assault or want to discuss any aspect of your experience, contact one of the resources listed appropriate to your needs; consider contacting Campus Security, your off-campus leader, local police or a crisis center. See "Who Might Help? Whom Might You Call?" on the next two pages. These contacts can listen to you, give you needed advice, and help you get the needed medical attention. Whenever you contact Campus Safety and Security, Student Development or Residence Life, staff will inform the Associate Dean for Student Conduct who will follow-up on your call. See "Choices to Make / What to Expect" # 1, 2, & 3 for more information.<sup>3</sup>
3. Seek medical help immediately to treat injuries, and/or receive emergency contraception and acquire antibiotics to protect you from sexually transmitted diseases. You should also be tested for HIV, STDs and/or pregnancy. Emergency contraception is not effective if administered more than 72 hours after an assault. Funds for some exams are available through the good offices of Action Against Rape. See "Choices to Make / What to Expect" #5 for more information.

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<sup>2</sup>Here or elsewhere in this document we try to keep information accurate and current, but we cannot guarantee that all information is always fully up to date. Laws and federal policies evolve and phone numbers are subject to change.

<sup>3</sup>A note on men who are assaulted. Although our culture generally assumes that women are the victims of sexual assault, and women are far more likely to be subject to sexual assault, men are assaulted too. A number of factors, also culturally driven, may heighten or be unique to a man's experience. For example, a man may be particularly shocked by his fear and vulnerability; it may be difficult for him to look for support. A man is likely to question his sexuality or gender identity as a consequence of sexual assault. Persons knowledgeable about men's experience of sexual assault are likely to be the most helpful.

# Who Will Help? Whom Might You Call?

*All services are free unless otherwise noted.*

- **Campus Safety and Security: For immediate response, x1400 (983-1400)**  
Calling Campus Safety and Security will yield a response 24 hours a day, 7 days a week. The phone is often answered by student workers who are expected to keep all calls confidential. You may ask to speak to a Safety and Security Officer or a Dean rather than the student worker but to do so without indicating why you are calling may result in a wait. When Security responds to your call, the staff member records the contact and a report of the incident including the names of those involved is made to the Associate Dean for Student Conduct who will follow-up on your call. Campus Safety and Security will provide care and assistance and will facilitate other connections you might want to make.
- **Deans of Student Development: x1311 (983-1311), 8-5, Monday through Friday**  
Call Campus Safety and Security at other times for a connection to a Dean of Student Development.
- **Richmond Police Department: For immediate response, 9-911 on campus; 911 off campus**  
Officers will respond and facilitate medical help. They will usually contact Campus Safety and Security and Genesis, a rape crisis center. A report will be made. A criminal complaint may be initiated.

## Confidential Contacts

- **Campus Ministries**  
**x1317; Confidential line: x1501**  
The Director of Campus Ministries can be reached through the Student Development Office from 8-5 Monday through Friday. At other times Campus Safety and Security can often arrange a connection.
- **Counseling Services**  
**x1432, x1449, 8-5 Monday through Friday**  
Other times Campus Safety and Security can make a connection.
- **National Rape Crisis Line**  
**Toll Free 1-800-656-HOPE**  
This number will connect you to the Oxford, OH, Crisis Center: nearest local member of Rape Abuse and Incest National Network. You can use this number from anywhere in the United States 24/7 and be transferred to a counselor at the nearest affiliated center.
- **Online Counseling: Middle Way House, Bloomington, IN**  
**[www.bloomington.in.us/~mwhouse/ifincrisis.htm](http://www.bloomington.in.us/~mwhouse/ifincrisis.htm)**  
This is not live chat.
- **Earlham Student Advocates**  
**Lists posted: Bathrooms, Bulletin Boards**  
"We are a group of female and male students, some of us survivors ourselves... If you are a survivor, or have been in other ways affected by the issue of sexual violence, or would just like to talk about the issue, we can provide both support and information. We are trained to be active listeners and, if necessary, to make referrals for legal, medical, and counseling services both on and off campus. If desired we will accompany the survivor through these processes. We will encourage survivors to make their own choices. Everything that is shared will remain strictly confidential." (See full Statement of Purpose and Philosophy accompanying advocate lists.)

- **Student Active Listeners**

Updated lists of Active Listeners can be found at the end of the College Harassment Policy. Access through the Earlham Web Site Index or at [www.earlham.edu/policies/harassment.html](http://www.earlham.edu/policies/harassment.html)

- **Safe Space Online Web Site: [www.earlham.edu/~safe/](http://www.earlham.edu/~safe/)**

- **Genesis Shelter and Rape Crisis Center, Richmond IN: 765/935-3920**

Calls answered by trained volunteers 24/7.

4. Before seeking a medical examination, do not shower, brush your teeth, douche, or change clothes and, if possible, do not drink fluids or urinate before the exam in order to best preserve physical evidence. Allowing this medical examination does not commit you to pressing charges; rather, it enables you to do so if you decide to do so. The evidence collected will probably include articles of clothing and some personal effects. It really is best not to change and wash before the exam but if you have, you can still be treated and can bring the original clothes with you in a paper bag.
5. Even if you do not have an immediate medical examination, it is still possible to collect evidence and receive antibiotics and emergency contraception for 72 hours after the assault. Even if the 72 hours have elapsed, you should still have a medical exam to test for sexually transmitted diseases or pregnancy.
6. It is easy to forget important details, so write down or record your story soon to avoid losing details.
7. Report the incident to the Richmond City Police or to Campus Safety and Security if you feel comfortable doing so. Sexual assault is a crime, and you may well want to press charges against the perpetrator. You may leave an anonymous message on the Earlham College "Crime Watch" Web site [www.earlham.edu/~sas/security/watch.html](http://www.earlham.edu/~sas/security/watch.html) . See "Choices to Make / What to Expect" # 1, 2 & 3 for more information.
8. You may also want to file a complaint in the Campus Judicial System. To do so, contact the Associate Dean for Student Conduct if you are a student, or the Grievance Officer or Provost if you are a member of the faculty or staff. Your case will then be referred, respectively, to the Campus Judicial Council or the Harassment Board. An investigation will follow for appropriate disciplinary action under the College's policies. It is important to know that the victim may have a supporter (any Earlham College community member of their choice) with her/him during the reporting and College Judicial Council processes. See "Choices to Make / What to Expect" # 1, 2 & 3 for more information.
9. Take whatever steps you find necessary. These might include talking with a friend, partner or counselor about your feelings. (You may wish to read the section marked "Third Party Reporting," or discuss fully issues of confidentiality covered in # 3 under "Choices to Make / What to Expect.") You may find it helpful to try to resume your regular routine although frequently people find that difficult.
10. Over time other things to consider might include your living arrangement, academic class situations, strategies for completing work or leaves of absence.
11. Consider seeking counseling, whether or not you decide to press charges or take part in any judicial action. Counseling can be helpful as you work through the assault and as you consider your options.

# The Choice Is Yours

The chart below depicts the three paths a victim of sexual assault may follow in seeking information, counseling, support and reporting an assault. None of the three paths is mutually exclusive; a student, faculty or staff member may pursue any or all forms of recourse.

**Only you can decide what to do.**

**As you reach your decision, keep in mind that most offenders will reoffend if not held accountable. Legal action may prevent that from happening.**

<p><b>Seeking Information and Support</b> <i>Confidential</i></p>	<p><b>External Formal Reporting of a Crime</b> <i>Not Confidential</i></p>	<p><b>Reporting to Earlham College</b> <i>Mostly Confidential</i></p>
<p>This is the path to choose when you want to focus on the emotional and physical healing process in relation to your experience and/or explore your options. It is an informal way of talking about your experience without going to the police or pursuing College Judicial Procedures.</p>	<p>This path is external to the College and is the one to choose if you want to initiate a criminal investigation. Earlham College encourages students, faculty, staff and guests to report all sexual assault to the police. Campus Safety and Security is available to initiate contact and arrange a meeting between you and the police. A representative of the College will accompany you if you wish.</p>	<p>Except in cases of a felony, which will be reported to the police, it is unlikely any judicial action will be taken without the victim's approval.</p> <p>We encourage all victims of sexual assault on Earlham's campus — students, faculty, staff and guests — to report the incident to Campus Safety and Security. This is the path to choose for support and information as well as consultation about pursuing College Judicial Action. All reports will be investigated.</p>
<ul style="list-style-type: none"> <li>• Counseling Services</li> <li>• Campus Minister</li> <li>• Student Advocates</li> <li>• Student Active Listeners</li> <li>• Rape Crisis Lines</li> </ul>	<ul style="list-style-type: none"> <li>• Richmond Police Department Emergency: 911 Non-emergency: 983-7247</li> </ul>	<ul style="list-style-type: none"> <li>• Faculty and staff should report sexual assault incidents to the College Grievance Officer.</li> <li>• Students should report sexual assault to Student Development: Campus Safety and Security, Health Services, Residence Life staff or Associate Dean for Student Conduct.</li> </ul>
<p>These people are not required to report a sexual assault nor to provide names of persons involved unless persons are physical dangers to themselves or others.</p>		<p>These people are legally obligated to gather statistics on campus crime. They are required to report possible felonies to the police.</p>
<p><u>Off-Campus Programs</u> consult Clergy, Counselors, Doctors or Crisis Lines or Earlham counselors by phone.</p>	<p><u>Off-Campus Programs</u> individuals should consult with the Program Leader and/or with the IPO Director for information and support.</p>	<p><u>Off-Campus Programs</u> students should consult with IPO or the Program Leader.</p>

# Choices to Make/What to Expect

People whom you encounter as you deal with the sexual assault should be respectful and supportive of you. Sometimes, however, you can feel particularly alone or vulnerable, and sometimes others can be less sensitive than desirable. Therefore, it is always a good idea to have a friend, advocate or other support person with you.

## 1. Deciding how you want to respond to an assault; reporting an assault:

See "The Choice is Yours" chart (on the previous page) for a graphic representation of major options on and off campus.

If you believe you have been sexually assaulted and want to tell somebody other than a friend or family member, you have four distinct but not mutually exclusive options; a person may pursue any and all forms of recourse. Only you can decide what to do. In all cases you can decide what material you will and will not disclose. You cannot be forced to bring charges. You cannot be forced to pursue charges if you change your mind. However, as you reach your decision, and as you take all of the necessary steps, keep in mind that what a person did once a person may do again to someone else. Legal action may prevent that from happening. See item 2 below for the College's commitments.

- A.** Reporting to the Local Police Department is recommended and external to the College although Campus Safety and Security will gladly make a referral and a representative of the College will accompany you if you wish. This may initiate a criminal investigation responsive to the Indiana Statutes regarding Rape, Sexual Battery and Criminal Deviate [sic] Conduct. See Appendix A.
- B.** A person may report an assault to Campus Safety and Security which will investigate, and this may initiate formal College Judicial Action pursued by the Associate Dean for Student Conduct in the case of students, or by the College Grievance Officer or Provost in the case of faculty/staff. This path is mostly confidential and, except in the case of a probable felony, which will be reported to the Police, is unlikely to result in any judicial action without the victim's approval. It is important to know that the victim may have a supporter (any Earlham College community member of their choice) present during the reporting and College Judicial Council processes.
- C.** For those seeking support and/or information and entirely confidential conversations about the assault (within the limits of the law: if someone is of danger to themselves or others), a person should consult counselors, clergy, doctors and crisis lines. At the College those persons include counselors available at the Counseling and Health Services, the Campus Minister, Student Active Listeners and Student Advocates.
- D.** You may leave an anonymous message about the assault on the College Security Campus Watch Web site **[www.earlham.edu/~sas/security/watch.html](http://www.earlham.edu/~sas/security/watch.html)**. The College does not recommend this as a sole course of action. Information will be investigated but unless and until the information is verified it cannot be considered a "report" nor will it be counted in campus statistics about sexual assault.

## 2. How you can expect the College to respond to an assault or a report of an assault:

The College will be supportive of a person assaulted or reporting an assault. You can expect kindness, assistance and information, at the time of the assault and subsequently, from well informed College personnel who are following a written and understood procedure. (See Appendix B for "Responding to Sexual Assault" directions for both on and off campus circumstances.)

The College will investigate all sexual assault incidents and reports of incidents. (investigate is defined as following up on information, perhaps to evaluate, verify, confirm and amplify what is known.) The College will encourage victims of sexual assault to bring charges against a perpetrator, but it cannot compel them to do so. The College will report all possible felonies to the local police authorities as required by law.

The College, however, maintains a higher standard for personal behavior, as reflected in Principles and Practices [www.earlham.edu/policies/principles.html](http://www.earlham.edu/policies/principles.html) and the definitions presented earlier in this document, than that of the State of Indiana Criminal Code. (See Appendix A for Indiana's Criminal Code definitions.) Therefore, the College may bring charges and initiate internal judicial procedures against an alleged perpetrator. It is important to know that the victim may have a supporter (any Earlham College community member of their choice) present during the reporting and College Judicial Council processes. (See "Judicial Policies and Procedures" in the Student Handbook. [www.earlham.edu/policies/judicial](http://www.earlham.edu/policies/judicial)) .

Sometimes, however, complainants choose not to bring charges (and the College can encourage but may not insist that a person do so), or the evidence does not warrant official judicial procedures. It can be discouraging and infuriating if nothing seems to happen in response to a report of an assault or assaults or to anonymous information about a possible assault. While an official judicial response may not be possible in all cases, there are a number of available non-judicial responses to campus events or perceptions. These may take the form of warnings and pointed, serious conversations, or recommendations for counseling and education. It is not a matter of "all or nothing."

The College promises to act promptly, to vigorously pursue any reports / information it receives, and to make its responses as clear and public as reasonably possible.

### **3. What to expect regarding confidentiality:**

The College does its best to respect the confidentiality of all persons. Counselors, Rape Crisis Lines, Student Advocates, Student Active Listeners, and clergy are not required to report conversations, within the limits of the law. These limits are usually defined as a threat of physical harm to another person or to one's self.

The confidentiality of all persons involved in a report of sexual assault must be strictly observed, except as it interferes with the College's obligation to reasonably investigate allegations of sexual assault. Certain College administrators are informed about an assault on a "need to know" and confidential basis, but not necessarily of the identities of the persons involved; Campus Safety and Security, the Director of Residential Life, Area Directors and the Associate Dean for Student Conduct and the Dean of Student Development are legally obligated to gather statistics on campus crime and to report possible felonies to the police.

If an Earlham College faculty member, including Off-Campus Program Leaders and regular personnel (and excluding counselors and clergy) has information about a sexual assault she/he must notify either Campus Safety and Security, the Associate Dean for Student Conduct, the College Provost or, in the case of off-campus programs, IPO. The alleged victim will then be approached by a College official who will offer support and information and inquire about pursuing an external path to the College or College Judicial System complaint.

See "Third Party Reporting of Sexual Assault" on next page for additional information.

### **4. What to expect regarding changes in your living or working arrangements:**

If you have reported to the College that you have been sexually assaulted and you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. The College will grant any reasonable request for such a change. Changes in work space or related matters for Faculty and Staff should be discussed with the appropriate senior administrator. The College will work to implement any reasonable request.

## **5. What to expect from a medical exam:**

There are different options for medical exams based upon the purpose of the exam. Action Against Rape (AAR) makes some funds available to pay for medical exams. AAR's Faculty Advisor administers that fund and can provide information and access. Funds are also available through the Indiana Sex Crimes Victims' Fund if a person pursues a police investigation. In any case, a person should not skip a medical exam because of the cost. The hospital will perform the exam if requested to do so and, if necessary, the College will exhaust a variety of options to find needed funds.

In each of the circumstances below a woman can receive emergency contraception which can be used to prevent pregnancy any time unprotected sexual intercourse occurs, including after sexual assault. The most common form of emergency contraception comes as a pill (a.k.a. the "morning after pill"): a set of two high dose oral contraceptives. The first dose must be taken within 72 hours of unprotected intercourse, followed by a second dose 12 hours later. Emergency contraception pills are meant to be taken in an emergency situation only and should not be used as a regular method of birth control. The other option to prevent pregnancy is to have a copper-T intrauterine device (IUD) inserted within five days of unprotected intercourse.

### **Evidentiary Medical Exam in Richmond**

An evidentiary exam at Reid Hospital is administered by a nurse and a physician. Reid Hospital recommends, and encourages, victims to bring a friend, family member, or other support person with them who may be present during the exam. The purpose of this exam is to collect evidence that may corroborate that a sexual assault occurred. This will include documenting any genital or non-genital injury in addition to collecting trace evidence (hairs, fibers, debris) and biological evidence (semen, blood and saliva). The exam cannot indicate whether a person was raped, or that consent was not provided; however, it may document injury that is consistent with the force described by the victim or it may identify biological evidence that can be used to identify an unknown assailant. This exam is a total physical exam, including STD, HIV and Hepatitis testing and, in the case of a female, a pelvic exam and Pap smear. The hospital is required to offer emergency contraception and antibiotics for potential sexually transmitted infections. Reid Hospital may also contact Genesis for counseling services for the victim and will contact the Richmond Police.

### **General Medical Exam**

A general medical exam done at Earlham Health Services is administered by a physician and a nurse or by a nurse practitioner and a nurse. Earlham Health Services also encourages victims to bring a support person with them who may be present during the exam. This exam includes STD testing and, in the case of a female, a pelvic exam and Pap smear. A Hepatitis B vaccination, prophylactic antibiotics and emergency contraception are also available. There is no cost to see the doctor or nurse, and medication may be obtained through Health Services at cheaper prices than at a regular pharmacy. A general medical exam done by Earlham Health Services DOES NOT include the collection of evidence; therefore, they recommend that victims go to Reid Hospital for a post-assault exam. An exam at Earlham Health Services is confidential unless the client identifies her or himself as having been assaulted or there is physical trauma indicative of an assault. Any claim or physical evidence of assault would be evidence of a possible felony and therefore require a report to the Associate Dean for Student Conduct and possibly the Richmond Police.

### **A Private Doctor Examination**

The victim of a sexual assault may, of course, consult a private physician and receive a general medical exam that includes all facets of an exam at Earlham Health Services as well as prophylactic antibiotics and emergency contraception. Such an exam DOES NOT include the collection of evidence. It probably will not be confidential if the victim tells about the assault or there is physical trauma indicative of an assault.

## **6. What to expect from the local police and prosecutor:**

You can always report sexual assault to the police regardless of College involvement. While there is an active police complaint, the College will not initiate judicial procedures.

The police and prosecutor will be considering your complaint in light of the Indiana Laws in Appendix A.

## Third Party Reporting of Sexual Assault

Reporting of sexual assault by a person who is a third party (someone who has been told of or otherwise has credible knowledge about a sexual assault, but is not the victim nor the perpetrator of the assault) raises important questions about persons' responsibilities in intentional communities and the tension between the emotional and physical safety of an individual and her/his agency, versus the safety and agency of a community.

Students, faculty and staff, in accordance with Principles and Practices, are encouraged to "assume responsibility for upholding and maintaining the standards and expectations of the Earlham community. Individuals assume full responsibility for their actions and work to assure the rights, freedoms and safety of all members of the Earlham Community" (Student Handbook Planner). This Sexual Assault Policy Statement asserts that as a community we will "work actively toward creating an environment in which any inclination toward sexual assault is unthinkable." At the same time, this policy tells a victim of sexual assault that "the choice [of what path to take regarding reporting, or not reporting, or how to report a sexual assault] is yours" while much of what the College knows about sexual assault on campus comes from third party student reports. It is difficult to know how to reconcile these various positions. It is hard for most thoughtful and compassionate people to take an unambiguous position on third party reporting.

For College faculty, the College's expectations are clear. Faculty members, consistent with the College By-laws, are responsible for student life. All other than counselors or clergy are required to report knowledge of sexual assault to the appropriate College official. The investigation of these reports leads to emotional and physical help for victims and a safer campus environment for all.

Students are under no such requirement. However, while it is frequently the victim who reports a sexual assault, any third party (other than a Student Advocate, or Student Active Listener) who comes to possess serious information about an assault should also feel the obligation to report it to a Senior Administration official. This is true whether the third party has become aware of the alleged assault through conversation with the victim, with the perpetrators, or through some other credible sources. If the alleged perpetrator is a student, the alleged incident should be reported to the Associate Dean for Student Conduct; if a faculty/staff member, then to the Provost or College Grievance Officer.

To make a third party report of, or bring forward information about, an alleged sexual assault does not, in itself, initiate charges. If there appears to be validity in a third party report, the College will investigate and, on the basis of that investigation, may pursue a variety of responses to campus events and perceptions. The College may also encourage the parties involved to make a charge. The College cannot insist that someone bring a charge. (See: "How You Can Expect the College to Respond to an Assault.")

While it is not recommended, a student may leave an anonymous message about the assault on the College Security Campus Watch web site [www.earlham.edu/~sas/security/watch.html](http://www.earlham.edu/~sas/security/watch.html) . Information will be investigated, but, unless and until the information is verified, it cannot be considered a report nor will it be counted in campus statistics about sexual assault.

# Campus Judicial Procedures

**For Students:** Sexual Assault is a violation of "Respect for Persons; Peace and Justice" as described in the Student Handbook Planner. It is considered a "Serious Offense" and will be addressed in conformity with other serious offenses. It is important to know that the victim may have a supporter (any Earlham College community member of their choice) present during the reporting and College Judicial Council processes. See "Reporting Violations and Initial Actions Taken" in the Judicial Section of the *Student Handbook Planner*.

**For Faculty:** On-Campus Judicial Procedures for faculty and staff members will be addressed by using and adapting procedures established in the "Sexual Harassment Policy." [www.earlham.edu/policies/harassment.html](http://www.earlham.edu/policies/harassment.html) In the case of sexual assault the judicial process begins with the Harassment Board being called together by the College Grievance Officer in consultation with the Provost or Vice President for Finance. Consult the Harassment Policy Section: "Harassment Board Procedures." Ultimately, if the complaint is sustained, the President of Earlham will decide on disciplinary actions consistent with the Faculty Handbook and the Staff Handbook.

The status (student, faculty, staff) of the accused determines whether College Judicial Council (for students) or the Harassment Board (for faculty/staff) hears the case.

## Educational Efforts

Basic to any policy on sexual assault is the education of the entire community: students, administration, faculty and staff. The responsibility for such education lies with the Provost or designated representative. The objective of the education should be to:

1. Enable persons to understand and recognize the nature and dimensions of sexual assault.
2. Provide members of the community with the means for confronting potential or actual sexual assault, or accusations of sexual assault. Education and discussion about sexual assault are encouraged within the curriculum wherever appropriate.

Each summer and fall all residence hall personnel, including Resident Hall Advisers, have an orientation session about Sexual Assault. Annual training for Area Directors includes procedures for emergency response and active listening. These are conducted by the Director of Health Services, the Director of Counseling and the Director of Campus Safety and Security. During New Student Week, all first-year students attend a presentation about sexual assault, and Student Development presents appropriate material in each residence hall once a year.

## Dissemination, Monitoring and Amending the Document

This document is available to all students, faculty and staff, as well as alumni, friends of the College and the general public, via the Earlham College Web site. [www.earlham.edu](http://www.earlham.edu). Copies of this policy also appear in the student, faculty and staff handbooks. The Student Development Office maintains records and engages in an annual administrative review and evaluation, in consultation with the College Grievance Officer, of the efficacy of this policy. At the beginning of the Fall Semester, the College publishes a security report that is distributed to all students, faculty, staff and prospective students. By October 1 each year, Earlham sends information containing statistics on sexual assault to the Department of Education.

This policy may be amended in the course of the regular Judicial Policy review associated with the monitoring of Earlham's Principles and Practices, a five-year cycle, or as deemed necessary. Any community member or group may propose amending this document at any time by contacting the student and faculty leadership of the Committee on Campus Life to be put on the agenda for that body, or by contacting the Clerk of the Faculty for appropriate referral.

# Appendix A

## Personnel Guides to Responding to a Sexual Assault

### On Campus / In Richmond

The safety and well-being of the victim is Earlham's immediate concern. These procedures are designed to ensure that every incident will receive the complete attention of the College and will be handled mindful of a person's welfare and privacy. For assistance or consultation contact the Associate Dean for Student Conduct (983-1311).

If an Earlham College faculty member (excluding counselors and clergy) has information about a sexual assault she/he must notify Campus Safety and Security, the Associate Dean for Student Conduct or the College Provost.

A person reporting a sexual assault should be provided with written information about campus and community based resources whenever possible.

### A Coordinated Response to a Report of Sexual Assault or Rape

1. Ensure victim's safety.
2. Call Earlham Campus Safety and Security 983-1400.
3. Refer victim for immediate medical treatment and emotional and physical support.
  - a. If a person is injured, an individual or Campus Safety and Security should call an Ambulance (911).
  - b. If ambulance is not needed, an individual should arrange for transportation to the hospital.
  - c. The victim should not be sent to the hospital alone. If possible, identify a friend, family member, faculty member or some other support person to accompany the victim. If no such person is available, a member of Campus Safety and Security or the Dean's Office should provide escort.
  - d. Provide a written list of resources.

### Resources for Emotional and Physical Support in Richmond and Vicinity

- Campus Ministry: x1501
- Campus Safety and Security: For immediate response, x1400
- Health Services: x1328
- Counseling Services: x1432, 1449
- Student Development: x1311
- Oxford Crisis and Referral Center: 513/523-4146 (24/7)
- Richmond Police Department: For immediate response, 9-911 on campus; 911 off campus
- National Rape Crisis Line: Toll Free 1-800-656-HOPE (24/7)
- On Line Counseling: Middle Way House, Bloomington, IN [www.bloomington.in.us/~mwhouse/ifincrisis.htm](http://www.bloomington.in.us/~mwhouse/ifincrisis.htm)
- Earlham Student Advocates: Lists posted: Bathrooms, Bulletin Boards
- Safe Space Online Web Site: [www.earlham.edu/~safe/](http://www.earlham.edu/~safe/)
- Genesis Shelter and Rape Crisis Center 935-3920 (24/7)

4. Offer victim referral for crime reporting.
  - a. When an individual goes to the hospital, the hospital will notify the Police and the Police will likely notify Campus Security if Campus Security is not already involved.
  - b. Richmond Police: 983-7247
  - c. Associate Dean for Student Conduct: day: 983-1311; night: 983-1400
5. Offer victim referral for formal college reporting.
6. Inform the College in all cases.
  - a. Record the time, location, and persons involved in any incident.
  - b. Before receiving this information be sure to inform the victim that you will pass this information, in the case of a student, to the Associate Dean for Student Conduct and, if a faculty/staff member, to the Provost.
  - c. The Associate Dean for Student Conduct or the Provost will coordinate a response, including referrals to a broad range of College and community services.

## **Off-Campus Personnel Response**

(For International Program Leaders and Others)

1. Ensure the victim's safety: Ascertain in advance whom to call at your site. If the local police are not appropriate, decide whom else to contact.
2. Refer victim for medical exam and treatment. If criminal prosecution is likely or possible, advise the victim not to change clothes, bathe or douche before examination and to go for examination speedily.
3. Record the time, location and persons involved in any incident. Before receiving this information, be sure to inform the victim that you will pass this information to the International Programs Office (IPO) and, through IPO, to the appropriate party in the Dean of Students' office.
4. Have someone accompany the victim. You may or may not be the right person for this task. While acting responsibly, take into account the needs and feelings of the victim.
5. Contact IPO at Earlham at 765/983-1424. They will contact the appropriate person in the Student Development Office.
6. There may well be need for long-term counseling on site. Have at hand and provide names and numbers of available on site counseling. Offer to accompany the victim to the counselor.
7. If the incident occurred in a home, alternate housing should be secured immediately.

**For legal information on Indiana statutes  
regarding sexual assault, please go to  
[www.earlham.edu/policies/sexual-assault/appendix-a.html](http://www.earlham.edu/policies/sexual-assault/appendix-a.html)**