

Policy Type: Student Services  
Policy Title: Sexual Assault Policy and Procedure  
Policy Number: SS-19

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**Purpose:**

To increase the safety and welfare of the Green River Community College community by providing timely and appropriate action in the case of sexual assault.

**Scope:**

This policy includes staff, faculty, and students on campus and in campus housing.

**Definitions:**

- Acquaintance/Date Rape: non-consensual sex between adults who know each other. Acquaintance/date relationships include platonic, dating, marital, professional, academic or familial.
- Advocate: A man or woman chosen by a survivor of sexual assault for support in a crisis.
- Coercion: is defined as force or the power to use force. Intimidation, threats and peer relationship pressure are common behaviors used to coerce unwanted sexual contact or activity.
- Consent: Both parties must agree or gain consent to any sexual activity before initiation. Consent is the act of willingly and verbally agreeing to engage in specific sexual contact or conduct. Obtaining consent is an ongoing process in any sexual interaction. The request of consent must be specific to each act and should be obtained with each new level of physical and/or sexual contact/conduct in any given interaction, regardless of who initiates it. Consent must be clear and verbal.
- The person with whom sexual contact/conduct is initiated: responsible to express verbally and/or physically her/his willingness or lack of willingness when reasonably possible. If someone has initially consented but then stops consenting during a sexual interaction she/he should communicate withdrawal verbally and/or through physical resistance. The other individual(s) must stop immediately.
- Controlled and illegal substances: The use of alcohol, marijuana and other controlled substances does not excuse sexual misconduct of any kind. A person under the influence of alcohol or drugs is legally incapacitated, and therefore incapable of giving consent to sexual activity.
- Court orders: include the following court issued documents:
  - **Protection Order** – petitioner has been a victim of domestic violence or who fears abuse from a family or household member
  - **No Contact Order** – victims of domestic violence; incident must have been reported to the police or criminal charges pending
  - **Restraining Order** – petitioner is either married to respondent or has a child in common with them
  - **Anti-Harassment Order** – petitioner has been seriously alarmed, annoyed, or harassed by conduct which served no legitimate or lawful purpose

- Incapacitation: A person can never give consent to sexual activity if they are physically or mentally incapacitated, or if they are a minor under the age of 18. A person who is unconscious or under the influence of alcohol, illegal substances or/and prescribed medication is incapacitated.
- Legal Rape Exam Kit: Sexual Assault Evidence Collection Kit includes physicians report, diagnostic impressions and description of trauma and injuries, pelvic exam, collect samples of pubic hair, vaginal, oral, rectal exam, fingernail scrapings, saliva, clothing, secretions, check for injuries, blood typing,(swabs, slides, syringes) foreign materials, alcohol/toxicology samples.
- Rape: is defined by the Washington State Criminal Code as engaging in sexual intercourse with another person under any of the following circumstances:
  - **1st degree:** Forcible compulsion including the use, or threatened use of a weapon, or what appears to be a weapon; kidnapping the victim; inflicting serious physical injury; feloniously entering into a building or vehicle where the victim is located.
  - **2nd degree:** Forcible compulsion when the victim is incapable of giving consent because he or she is physically helpless or mentally incapacitated for any reason, including being under the influence of any drugs or alcohol.
  - **3rd degree:** The victim does not consent to sexual intercourse with the perpetrator and such lack of consent is expressed by the victim's words or conduct.
- Relationship Violence: Used to gain power and control on a date or in an intimate relationship, this can take the form of physical, sexual, or verbal coercion, force, threats, or other forms of manipulation when one person cannot give consent due to incapacitation.
- Sexual Assault: Can include any form of actual or attempted sexual activity perpetrated upon a person without that person's consent, including sexual behavior coerced through physical or verbal threats, force or other forms of manipulation and sexual behavior when one person cannot give consent due to incapacitation.
- Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:  
Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or academic advancement;  
Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual's employment or academic standing; Such conduct has the purpose or effect of unreasonable interfering with a person's work or academic performance or creating and intimidating, hostile or offensive work, learning or social environment.
- Stalking: A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:
  - He or she intentionally and repeatedly harasses or repeatedly follows another person; and
  - The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

- The stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.
- Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.

**Policy:**

Green River Community College will not tolerate sexual assault. *Sexual assault, for the purposes of this policy, will be defined as any form of actual or attempted sexual activity perpetrated upon a person without that person's consent.* This includes both sexual behavior coerced through physical or verbal threats, force or other forms of manipulation and sexual behavior when one person cannot give consent due to incapacitation. Such activities are against the law and are a direct violation of the College's Student Conduct Code, specifically the sections related to harassment/physical harm and/or Sexual Harassment. When violations are believed to have occurred, disciplinary action can be pursued.

**Procedure:**

The Green River Community College Sexual Assault Procedure defines and coordinates the efforts of various campus departments in order to provide a caring and effective institutional response to students involved in sexual assaults. This statement serves the purpose of describing the policy but is inadequate for providing a more detailed background for an informed response to this type of incident. For that additional information readers should go to the Gatornet website: Administration/Departments/Human Resources/Policies & Procedures.

**Steps To Follow For First Responders:**

1. Assess the situation with safety as the first priority
  - If in immediate danger, call 911 and then call Campus Safety at Ext. 3350 so they can meet and guide the police to the location
2. Contact a support person to be with the victim
  - Dean of Student Services available at Ext. 3328
  - Student Housing residents contact 24 hr duty phone at 206.793.3740
  - Counseling Services available at Ext. 2460
  - Women's Programs available at Ext. 2547
  - Diversity Services available at Ext. 2403
  - Disability Support Services available at Ext. 2646
  - Student Life available at Ext. 2415
  - TRIO available at Ext. 2654
  - See #4 below for additional contacts
3. Discuss medical options
  - Auburn Regional Medical Center, 202 N. Division St. 253-833-7711
  - Valley Medical Center, 400 43<sup>rd</sup> St., Renton 425-251-5158

Victim should not wash up, but should be checked for sexually transmitted diseases, HIV, possible pregnancy, and have evidence collected at a hospital. For best results, a rape exam should be conducted within 72 hours.

4. Discuss legal and college reporting options
  - Campus Safety, Ext. 3350, provides safety and will contact the Auburn Police Department
  - The victim can choose if they want to speak to the Police Officer called
  - The victim can choose to have a King County Sexual Assault Resource Center advocate present during the questioning and for on-going support 888-998-6423 or 800-825-7273
5. Campus Safety fills out a Sexual Assault Report form
6. The Dean of Student Services, Ext. 3328, is contacted when the Sexual Assault Report form is filed and will meet with the victim to discuss reporting and resource options.

### **Campus Processes**

Victims of sexual assault are strongly encouraged to use the campus Code of conduct process, sexual harassment complaint process, and the criminal justice system in pursuing action against the alleged offender.

Green River Community College is committed to providing students with an environment conducive to the pursuit of knowledge. Admission to the College carries with it the presumption that students will conduct themselves as responsible members of the community and refrain from actions that would endanger the health, welfare, or safety of others. Conduct constituting a sexual offense, such as rape, sexual or physical assault, or sexual harassment, will not be tolerated. Students who commit sexual offenses of any form can be prosecuted under Washington State Criminal Code (RCW Chapter 9A) and/or disciplined under the College's Student Conduct Code (WAC 132J-125-270 through WAC 132J-125-300) and/or Sexual Harassment Policy.

If the alleged offender is a student, the victim is encouraged to meet with the Dean for Student Services to file a written complaint. A written complaint allows the Dean to initiate an investigation. The Dean will treat such a complaint with high priority and will conduct a fair and impartial investigation. Both parties will have the opportunity to tell their side of the incident. Both parties may have an advocate present during any interview or proceeding related to the alleged assault.

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Specific Authority:

Law Implemented:

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**History of Policy or Procedure**

Draft: January 7, 2005, May 17, 2005

Adopted: January 6, 2006

Revised: March 12, 2008

Reviewed by:

Contact: Deborah Casey, Dean of Student Services, Ext. 3328

Cabinet Sponsor: Deborah Casey, Dean of Student Services, Ext. 3328