A RESOURCE GUIDE FOR STUDENTS ON SEXUAL MISCONDUCT: CAMPUS POLICIES, PROCEDURES AND VICTIM SERVICES
1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are willing. Medical attention would ensure help with injuries and/or risk reduction from possible STI exposure or pregnancy.
3. Contact any of the following for immediate assistance:
   a. Title IX Coordinator at 308-398-7325. Regular business hours, M-F.
   b. Counseling/Student Assistance Program at 888-381-7487. 8am – 5pm, M-F.*
   c. National Sexual Assault Hotline at 1-800-656-4673. 24 hours/7 days a week.*
   d. National Domestic Violence Hotline at 1-800-799-7233. 24 hours/7 days a week.*
   e. Línea de Crisis en Español: 1-877-215-0167. 24 hours/7 days a week.*
   f. Campus Security at 402-910-6665. 24 hours/7 days a week.
   g. Center for Survivors, College Advocate at 402-942-3653. Regular business hours, M-F.*
   h. Center for Survivors at 1-800-658-4482. 24 hours/7 days a week.*
   i. Campus Security at 308-398-7598. 24 hours/7 days a week.
   j. Crisis Center at 308-381-0555. 24 hours/7 days a week.*
   k. Campus Security at 402-705-1389. 24 hours/7 days a week.
   l. S.A.F.E. Center at 308-237-2599. 24 hours/7 days a week.*
   m. S.A.F.E. Center at 308-237-2599. 24 hours/7 days a week.*
   o. Parent-Child Center at 1-800-215-3040. 24 hours/7 days a week.
   q. Healing Hearts and Families at 308-872-2420. 24 hours/7 days a week.

Note that campus officials may contact on-call staff from other departments when their offices are closed or they are otherwise unavailable to assist immediately.

If you are off-campus and experiencing an emergency situation, you can call local police by dialing 911. You may also call the local police department’s non-emergency line at:
   a. Columbus Police Department: 402-564-3201
   b. Grand Island Police Department: 308-385-5400
   c. Hastings Police Department: 402-461-2380
   d. Holdrege Police Department: 308-995-4407
   e. Kearney Police Department: 308-237-2104
   f. Lexington Police Department: 308-324-2341
   g. Ord Police Department: 308-728-5771

4. It is important to preserve physical evidence that may include tissue and fluid samples, evidence of violence, sheets, towels, clothing, etc. You may choose to avoid washing, bathing, urinating, etc., until after being examined at the hospital. Because evidence of a sexual assault can deteriorate quickly, you may choose to seek a medical exam as soon as possible. Evidence collection should be completed within 120 hours of an assault, but fluids, hair samples, and DNA can be collected for a long time thereafter. Even if you have washed, evidence can often still be obtained. After 120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. Sexual assault nurse examiners (SANE) are trained in the collection of forensic evidence, and can check for injuries or exposure to sexually transmitted diseases. If you are still wearing any clothes worn during the assault, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the assault to the hospital in a clean paper (not plastic) bag or wrapped in a clean sheet. Leave sheets/towels at the scene of the assault. Police will collect them. Typically, police will be called to the hospital to take custody of the sexual assault kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

5. Choose how to proceed. You have options, and are encouraged to contact the Title IX Coordinator to discuss your options: 1) Do nothing until you are ready; 2) Pursue resolution by the College; and/or 3) Initiate criminal proceedings; and/or 4) Initiate a civil process against the perpetrator. You may pursue whatever combination of options is best for you. If you wish to have an incident investigated and resolved by the College, students and employees should contact the Title IX Coordinator. College procedures will be explained. Those who wish incidents to be handled criminally should contact local police where the assault occurred. A campus official is available to accompany students in making such reports, if desired. Contact the Title IX Coordinator for more information.

* Denotes that this resource is confidential.
ABOUT CONFIDENTIALITY

To make informed choices, all parties should be aware of confidentiality and privacy issues, as well as institutional mandatory reporting requirements.

CONFIDENTIAL REPORTING

If reporting students wish that details of an incident be kept confidential, they should speak with campus mental health practitioners provided through the Student Assistance Program. Their service is free of charge for up to 12 sessions. Members of the clergy, chaplains, and off-campus sexual assault crisis center staff can maintain confidentiality and have no duty to report your information to the College.

MANDATED REPORTING

All College employees are mandated reporters for all the details of which they are aware about an incident. They share this information with the Title IX Coordinator. Incidents of sexual misconduct will be taken seriously by the college. Such incidents of sexual misconduct will be investigated and resolved in a prompt and equitable manner under the College’s resolution procedures, which are discussed in a later section of this brochure.

INCIDENTS INVOLVING MINORS

Please be aware that institutional duties with respect to minors (those under the age of 19) may require reporting sexual misconduct incidents to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed in sexual misconduct incidents involving minors.

POLICY

Sexual misconduct, including sexual harassment, sexual violence, sexual exploitation, intimate partner violence, and stalking are violations of the College’s Civil Rights Policies and Procedures and its sexual misconduct policy. A number of federal laws and regulations, including Title IX, the Violence Against Women Act, and the Clery Act mandate how institutions respond to such allegations. Many types of sexual misconduct also constitute violations of Nebraska law.

Members of the campus community, guests, and visitors have a right to be free from sexual misconduct. All members of the community must conduct themselves in a way that does not infringe upon the rights of others. The College’s sexual misconduct policy is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. When individuals accused of sexual misconduct are found to be in violation of the policy, the College will impose serious sanctions, as noted on the next page.

All members of the campus community, guests, and visitors are protected by this policy regardless of their sexual orientation or gender identity. The College has jurisdiction over all acts of sexual misconduct involving members of the campus community, no matter where they occur, whether on- or off-campus. For more details on this policy, please visit http://www.cccneb.edu/What-is-Title-IX/.

Additional information about campus crime, state laws, and disclosures related to sexual misconduct can be found online in the campus Annual Security Report. Access it here: http://www.cccneb.edu/StudentPoliciesandProcedures/.
SEXUAL MISCONDUCT VIOLATIONS
The following are the definitions of conduct prohibited by the sexual misconduct policy.

SEXUAL HARASSMENT
Sexual harassment is:
• unwelcome,
• sexual and/or gender-based verbal, written, online, and/or physical conduct.

HOSTILE ENVIRONMENT
A hostile environment is created when sexual harassment is:
• sufficiently severe, or
• persistent or pervasive, and
• objectively offensive that it:
  • unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the college’s educational and/or employment, social and/or residential program.

Sanctions range from warning through expulsion/termination.

NON-CONSENSUAL SEXUAL CONTACT
Non-consensual sexual contact is:
• any intentional sexual touching,
• however slight,
• with any object,
• by a person upon another person,
• that is without consent and/or by force.

Sanctions range from warning through expulsion/termination.

NON-CONSENSUAL SEXUAL INTERCOURSE
Non-consensual sexual intercourse is:
• any sexual intercourse,
• however slight,
• with any object,
• by a person upon another person,
• that is without consent and/or by force.

Sanctions typically result in suspension or expulsion/termination.

SEXUAL EXPLOITATION
• Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.
• Sanctions range from warning through expulsion/termination.

INTIMATE PARTNER VIOLENCE
Intimate partner violence is:
• physical, sexual, or psychological harm by a current or former partner/spouse. This type of violence can occur among heterosexual or same-sex couples.

Sanctions range from warning through expulsion/termination.

STALKING
Stalking 1:
• a course of conduct,
• directed at a specific person,
• on the basis of actual or perceived membership in a protected class,
• that is unwelcome, and
• would cause a reasonable person to feel fear.

Sanctions range from warning through expulsion/termination.

Stalking 2:
• repetitive and menacing
• pursuit, following, harassing and/or interfering with the peace and/or safety of another.

Sanctions typically result in suspension or expulsion/termination.

RETALIATION
Retaliation is:
• any adverse action,
• taken against a person participating in a protected activity,
• because of their participation in that protected activity
• subject to limitations imposed by the First Amendment and/or academic freedom.

Sanctions range from warning through expulsion/termination.
CONSENT

Ongoing, knowing, voluntary, and clear permission, through word or action, to engage in mutually agreed upon sexual activity or contact.

Since different people may experience the same interactions differently, each party is responsible for making sure that partners have provided ongoing, clear consent to engaging in any sexual activity or contact.

A person may withdraw consent at any time during sexual activity or contact through words or actions. If that happens, the other party must immediately cease the activity or contact. Pressuring another person into sexual activity can constitute coercion, which is also considered to be sexual misconduct.

Silence or the absence of resistance alone does not constitute consent. A victim is not required to resist or say “no” for an offense to be proven.

Consent to some forms of sexual activity (e.g., kissing, fondling, etc.) should not be construed as consent for other kinds of sexual activities (e.g., intercourse).

Being or having been in a dating relationship with the other party does not mean that consent for sexual activity exists.

Previous consent to sexual activity does not imply consent to sexual activity in the future.

To legally give consent in Nebraska, individuals must be at least 16 years old.

FORCE

Force is defined as power, intimidation, violence, or pressure directed against an individual with intent to gain sexual access.

INCAPACITATION

Incapacitation is defined as a state in which individuals are unable to make rational, reasonable decisions because they lack the capacity to understand the “who, what, when, where, why, or how” of a situation or interaction. Individuals cannot give sexual consent if they can’t understand what is happening, or if they are disoriented, helpless, asleep, or unconscious for any reason. That applies even if it is because they voluntarily consumed alcohol or drugs. Unless consent is “knowing,” it is not valid.

Those engaging in sexual activity who know or should have known that the other party is incapacitated are engaging in sexual misconduct. The possession, use, distribution, and/or administration of any incapacitating substance is prohibited (alcohol included).

The fact that the accused was intoxicated, and thus did not realize that the victim was incapacitated, does not excuse sexual misconduct.
YOUR RIGHTS

The College strives to provide members of the campus community with fair and equitable resolution processes that include both formal and informal options.

FAIRNESS

• All members of the campus community have the right to have reported incidents addressed according to the published College procedures.
• All parties have equal opportunities to have a support person of their choosing or offered by the institution present throughout all resolution proceedings (including intake, interviews, etc.). This person can be an advisor, advocate, attorney, family member, friend, faculty member, etc.
• All parties have the right to written notice of the outcome of sexual misconduct resolution proceedings.
• Reporting parties and witnesses will receive amnesty for minor infractions (e.g. alcohol and drug violations) that are secondary to incidents of sexual misconduct.
• All parties have a right to be free from retaliation.

SUPPORT

• Students and employees have a right to be notified of their ability to access counseling and health services.
• Students and employees have a right to be notified of on- and off-campus supportive resources.
• All parties involved in sexual misconduct allegations will receive the information and assistance needed to effectively participate in all proceedings.
• Reporting parties have the right to seek orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts, and may seek the help of Campus Security in requesting and/or enforcing.

SUPPORTIVE MEASURES

The College may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct, protect students’ rights, and keep members of the campus community safe from further harm. Measures include, but are not limited to:

• Issuing interim suspensions pending an investigation.
• Reporting incidents to local police and/or prosecutors.
• Referring to counseling and health services.
• Referring to the Student Assistance Program.
• Providing education to the community.
• Altering the housing situation of involved parties.
• Altering work arrangements for employees.
• Providing campus escorts.
• Providing transportation assistance.
• Implementing contact limitations between the parties.
• Offering adjustments to academic deadlines, course schedules, etc.

These measures are available regardless of whether a reporting party seeks formal resolution or makes a crime report.
INVESTIGATIONS
An investigative model is used to resolve allegations. Trained investigators will provide an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview reporting and responding parties and witnesses, gather any available evidence and prepare reports with their findings and sanctioning recommendations.

STANDARD OF EVIDENCE
The College uses a preponderance of evidence standard. Decision-makers consider whether, given the available credible evidence, it is more likely than not that a violation occurred.

FINAL DETERMINATION
The parties will be informed in writing of the outcome of the resolution, without significant delay between the notifications to each party. This notice will include the procedures for appealing the decision, any change to the results that occurs prior to the time that such results become final, and when results are considered to be final.

APPEALS
Students involved in sexual misconduct proceedings may appeal decisions. All parties are included in any appeal reconsideration and have equal rights of participation.

PROGRAMS

PRIMARY PREVENTION
The college offers students educational opportunities and training on awareness and risk reduction of sexual violence, dating violence, intimate partner violence, stalking and consent in compliance with the Violence Against Women Act and the Clery Act.

Bystander intervention
The College offers bystander intervention programming in an effort to ensure that each member of the campus community is invested in creating a safe campus environment for themselves and others. Program participants are instructed on safe options for preventing harm and intervening when a risk of sexual misconduct exists.

ONGOING CAMPAIGNS
Ongoing awareness and prevention campaigns are provided throughout the school year to students, faculty, and staff.

INTAKE
A College official will assist the reporting party with making choices and accessing resources. Assuming the reporting party chooses to move forward with a campus resolution, the next step is a preliminary inquiry.

All resolutions will be conducted by campus officials who receive annual training on issues related to intimate partner violence, dating violence, sexual assault, and stalking. This training also includes how to conduct an investigation that protects the safety of all parties and promotes accountability.

The institution will protect the confidentiality of victims, consistent with federal law. Title IX-related resolutions are not subject to publicly available record keeping provisions. Any release of information about a resolution will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

PRELIMINARY INQUIRY
An initial determination is made about the allegations and whether to move them forward to a formal investigation. This decision is made by the Title IX Coordinator, taking into account the nature of the allegations and the reporting party’s wishes. If the decision is made to move forward, the coordinator refers the allegations to investigators.

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While victim-blaming is never appropriate and Central Community College fully recognizes that only those who commit sexual misconduct are responsible for their actions, CCC provides the suggestions that follow to help individuals reduce their risk of being victimized and their risk of committing acts of sexual misconduct.

**Bystanders**
- Don’t mind your own business
- Explore the following types of abuse so you can better identify it: emotional, verbal, stalking, financial, physical, sexual, and digital abuse
- Look for warning signs of abuse
- Err on the side of caution
- Alert authority figure/police as needed
- Put yourself in their shoes
- Reach out, be supportive, listen & acknowledge their feelings
- Connect them with resources

**Abusers**
- Explore the following types of abuse so you can better identify it: emotional, verbal, stalking, financial, physical, sexual, and digital abuse
- Recognize the cycle of violence: tension > incident > reconciliation > calm > tension
- Admit the behavior is wrong
- Take responsibility for the problem and get help
- With help, you can learn how to treat others with respect
- Always ask for consent

**Victims**
- Create a safety plan http://www.loveisrespect.org/for-yourself/safety-planning/
- Build a support system at home, work, school, and your community
- Know your social networks
- Update your privacy settings
- Set boundaries
- Recognize the cycle of violence: tension > incident > reconciliation > calm > tension
- Keep detailed documentation
- Explore the following types of abuse so you can better identify it: emotional, verbal, stalking, financial, physical, sexual, and digital abuse

**Relationship Rights**
- Right to live free from violence & abuse
- Right to feel safe and respected
- Right to say NO
- Right to privacy, online and offline
- Right to do things you enjoy
- Right to end a relationship

**Obstacles to seeking help**
Shame, embarrassment, fear, believing abuse is normal, low self-esteem, lack of money, nowhere to go, pregnancy/parenting, distrust of police, language barriers/immigration status, social/peer pressure, and cultural/religious reasons.