Campus Guide for Prevention and Response to Sexual Misconduct:
Know Your Rights - Protect Yourself

Published for ACC students and employees by
The Clery Coordinator, Title IX Coordinator, Office
of Academic and Student Affairs, and the Clery/
Title IX Task Force.
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ACC is firmly committed to maintaining a campus environment free from sexual harassment and sexual violence, including domestic violence, dating violence and sexual assault, collectively referred to as Sexual Misconduct.

Sexual Misconduct diminishes individual dignity, jeopardizes the welfare of our students and employees and impedes access to educational, social, and employment opportunities. Sexual Misconduct violates our institutional values of respect, integrity, accountability and excellence. Sexual Misconduct is expressly prohibited by College policy as well as by law.

WHAT IS CONSENT?

• Consent is informed
• Consent is voluntary and mutual
• Consent may be withdrawn at any time
• Consent is not consent if a person is:
  - Impaired or incapacitated by drugs or alcohol
  - Unconscious, asleep, or unaware
  - Unable to understand due to mental, physical or developmental disability
  - Coerced or threatened

• Clear, unimpaired, voluntary consent is the only form of consent

Silence or lack of resistance is NOT consent

Know Your Rights

All students and staff are strongly encouraged to read and understand the College Policy on Sexual Misconduct. (Policy 7009).

The full policy is found on the ACC website in the Policies & Procedures Manual and explains how the College will proceed once it is made aware of reported Sexual Misconduct in keeping with our institutional values and to meet our legal obligations under Title IX, the Jeanne Clery Act, the Violence Against Women Reauthorization Act, and other applicable laws.

Protect Yourself

Acquaintance rape or date rape is the most common form of rape on college campuses. The same criminal laws apply whether the rapist is an acquaintance or a stranger. Regardless of the relationship, rape is never excusable.

• Set sexual limits and communicate them clearly.
• Trust your instincts.
• Exercise control over your environment.
• Don’t assume that previous permission for sexual contact applies to the current situation.
• Recognize that dating does not give you the right to abuse or violate another person.

ACC Complaint Procedure for Sexual Misconduct

The procedures for reporting and responding to reports of sexual harassment or sexual violence are found in ACC Board Policy 7009 – Sexual Misconduct.

• The accuser and the accused are both entitled to the same opportunities during a disciplinary proceeding.
• The complainant and the accused will be informed in writing of the outcome of any College disciplinary proceedings arising out of complaints of Sexual Misconduct.
• The College will consider changing a victim’s academic and living situation after an alleged sex offense if requested by the victim and if reasonably available.
• Reports of sexual harassment and sexual violence are not generally confidential due to the duties required of ACC by law. Licensed counselors and pastors acting in their official capacity are considered confidential resources. Discussions with confidential resources will not result in further action by the College unless a non-confidential report is made.
• In determining whether a violation of the Sexual Misconduct Policy occurred, the College will apply a “preponderance of the evidence” standard. This is a lesser burden of proof than the “beyond a reasonable doubt” standard used in criminal cases.
• ACC considers reporting assaults to be of paramount importance. The College will consider extending limited immunity from sanctions to complainants involved in violation of ACC policy on alcohol. Depending on the circumstances, ACC will attempt to resolve the alcohol violation by the complainant or reporting student through education and counseling, if possible.
Sexual Harassment

Unwelcome conduct, communication or behavior on the basis of sex where:

• Submission to such conduct is made either explicitly or implicitly a condition of an individual’s employment, education, housing or public services

• Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual’s housing, or public services

• Such conduct or communication has the purpose or effect of substantially interfering with an individual’s employment, public accommodations or public services, education or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, education, or housing environment
WHAT SHOULD YOU DO IF A SEXUAL ASSAULT OCCURS?

Seek Medical Attention
If you or someone you know has safety concerns or needs medical attention, call 911 or go to a local emergency room immediately. Seek medical attention quickly to determine any physical injury, treat or prevent sexually transmitted disease and obtain a rape exam.

Preserve the Evidence
Avoid bathing, showering, urinating, brushing your teeth, washing your hands, changing clothes, eating or drinking until evidence is collected. Don’t clean up or move items where the assault occurred. Write down the details. Save all relevant digital information such as texts, emails, voice mails, any social media posts, and photos.

Report a Crime
Sexual assault and domestic violence are crimes. Victims are encouraged, but not required, to report these crimes to the police. If you choose, College officials will assist you in notifying the police.

Report to College Officials
Reports of Sexual Misconduct involving a student or employee should be made to the College officials listed on this page, or to an official listed in the Policy. The College has an obligation to investigate reports of sexual violence and take prompt and appropriate action. If a victim does not want to come forward, it will limit the College’s ability to take action.

Obtain Community Support Services
Support services are available through your local domestic violence/sexual assault shelter program and other community resources listed on this page that provide victim’s information about counseling, mental health services and legal rights. You may wish to seek a personal protection order to prevent further instances of stalking or domestic violence.

Request Support Services from the College
A student who has experienced Sexual Misconduct has the right to request accommodations from the College. You should make the request of the Dean of Students or the Title IX Coordinator. The College will assist in providing accommodations that are reasonably available. This could include change to class schedules, housing or transportation.

Obtain Additional Information
The ACC publication, “Rights and Options: What Every Student Should Know About Sexual Harassment, Sexual Violence, Dating Violence, Domestic Violence, and Stalking” contains detailed information. It is available on the ACC website and in the offices of the Title IX Coordinator and Deputy Title IX Coordinator.