

## CENTENARY COLLEGE NOTICE OF COMPLAINANTS RIGHTS

### Complainants Rights

Centenary College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited by Centenary College as well as federal law whether sexually based or not and include dating violence, domestic violence, and stalking. Because you are reporting a possible form of sex-based discrimination, Centenary College wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as well as your rights and Centenary College's responsibilities.

As a complainant of sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of our institution's policy. The policy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These procedures include our right to inform you of your right to file criminal charges as well as the availability of medical, counseling and support services. We also offer additional remedies to prevent contact between a complainant and an accused party, such as a temporary or permanent changes in housing, academic, transportation and working conditions, if reasonably available. The policy also addresses possible sanctions and interim and/or long-term protective measures that Centenary College may impose following a report through the final determination of our discipline process. If you would like more information than is contained in this handout regarding any process or procedure, or if you'd like to make a report, ask questions about the policy, or need to request an accommodation to your living or working arrangements regardless of whether or not you chose to report the crime to law enforcement or campus police, contact the College's Title IX Coordinator, Dr. Karen Soul, Vice Provost of Academic Affairs located in Hamilton Hall, room 208A.

### Definitions

The following definitions are helpful in understanding the College's policy prohibiting sex-based discrimination:

**Consent** is not defined in Louisiana but the Centenary Police use the following definition; agreement, approval, or permission as to some act or purpose, esp. given voluntarily by a competent person. Express consent is clearly and unmistakably stated while implied consent is inferred from a person's conduct rather than from his/her direct expression.

**Sexual Assault:** Means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating Violence:** Means violence committed by a person—

(a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

**Stalking:** Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress

**Bystander Intervention:** A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse. Examples of active bystander intervention include: not leaving an overly intoxicated person in a bar/party alone, walking a classmate to his/her car after class, calling police when a potentially violent situation is unfolding, not leaving an unconscious person alone (alerting an RA, EMS, campus police, etc.), or intervening when someone is being belittled, degraded or emotionally abused (walking victim away from abuser, contacting others for help, like counseling center, RA, Dean).

### **What to do if you have been the victim of sexual assault, dating violence, domestic violence or stalking**

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at University Health, Schumpert Highland, Willis Knighton Medical Center, Willis Knighton Bossier, Willis Knighton Pierremont, or Willis Knighton South.

In Louisiana, evidence may be collected even if you chose not to make a report to law enforcement through a Blind Report. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. To report an incident involving a sexual

assault, domestic violence, stalking, and dating violence, contact the Centenary College Police/Public Safety Department at 318.869.5000. The College Police Department will assist any victim with notifying local police if they so desire. The Shreveport Police Department may also be reached directly by calling 318.675.2150, in person at 1234 Texas Ave Rm 100, Shreveport, LA 71101. Additional information about the Shreveport Police department may be found online at: <http://www.shreveportla.gov/index.aspx?NID=422>.

In Louisiana, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. The right to reasonable notice and to be present and heard during all critical stages of pre-conviction and post-conviction proceedings.
2. The right to be informed upon the release from custody of the escape of the accused or the offender.
3. The right to confer with the prosecution prior to final disposition of the case.
4. The right to refuse to be interviewed by the accused or a representative of the accused.
5. The right to review and comment upon the pre-sentence report prior to imposition of sentencing.
6. The right to seek restitution.
7. The right to a reasonably prompt conclusion to the case.

Further, Centenary College complies with Louisiana law in recognizing orders of protection by: providing an order of protection from Louisiana or any other state to the Centenary Police and the Office of the Title IX Coordinator. A complainant may then meet with the Centenary Police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. Campus no-contact orders may be requested from the Centenary Police, the Title IX coordinator or the Director of Student Conduct. Temporary Protection Orders may be obtained through the Shreveport courthouse. Forms can be found at the courthouse in the office of the civil clerk. Protective orders are filed in with the Civil Division of the Caddo Parish Clerk of Court's Office.

To the extent of the victim's cooperation and consent, college offices, including the Centenary Police Department, Student Development, Health Services, and Provost's Office will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal college investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The College does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request of the Department of Public Safety.

### **Disciplinary Procedures Following a Complaint**

Whether or not criminal charges are filed, the college or a person may file a complaint under the Sexual Assault policy and/or Sexual Harassment policy alleging that a student or employee violated the College's policy on Sexual Assault and/or Sexual Harassment. Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The college disciplinary process will include a prompt, fair, and impartial investigation and resolution process. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Sexual Assault and/or Harassment policy provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board;
2. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
3. A student conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated the college’s Student Conduct Code?”;
4. The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
5. The accuser and the accused each have the right to appeal the outcome of the hearing by writing to the appropriate Appellate Body, the Director of Student Conduct, or the Dean of Students within one week of the date of the decision being made available to the student and will be notified simultaneously in writing of the final outcome after the appeal is resolved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the college’s policy against Sexual Harassment in the Student Handbook in order to remedy any hostile environment. All conduct proceedings against students, however, will be resolved through the Office of Student Conduct.

In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Assault and/or Sexual Harassment policy occurred will lead to the initiation of disciplinary procedures against the accused individual. College sanctions including, but not limited to formal warnings, probation, loss of privileges, fines, restitution, discretionary sanctions, residential separation (temporary or permanent), exclusions from certain activities and/or certain areas of or locations on campus, suspension, and/or expulsion, may be imposed upon those determined to have violated this policy.

The College may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking which may include some or all of the following actions: no contact orders, residential separation, exclusions from certain activities and/or certain areas of or locations on campus, interim suspension, and/or administrative withdrawal. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

## **Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking**

### **On-Campus**

Health and Counseling Center	Rotary Hall, Lower Level	318.869.5466
Centenary Police	Centenary Square, Suite 214A	318.869.5000
Office of the Title IX Coordinator	Hamilton Hall, Rm 208A	318.869.5240
Chaplin's Office	Smith Bldg, Rm 206	318.869.5029
Student Conduct	SUB, Basement	318.869.5110

### **Community Resources**

Crisis Center / Advocate	<a href="http://www.projectcelebration.com">www.projectcelebration.com</a> <a href="mailto:saccpci@gmail.com">saccpci@gmail.com</a>	318.227.7900
Shreveport Police	1234 Texas Ave., Rm 100	318.675.2150
Caddo Sheriff's Office		318.675.2170
Caddo Coroner's Office		318.226.6881
Caddo Crime Victim Advocate		378.681.0870
Child Protective Services		318.676.7622
Elderly Protective Services		318.676.5200
University Health		318.675.6881
Schumpert Highland		318.681.5543
Willis Knighton Medical Cntr		318.212.4000 Emrgy Rm 318.212.4500
Willis Knighton Bossier		318.212.7000 Emrgy Rm 318.212.7500
Willis Knighton Pierremont		318.212.3000 Emrgy Rm 318.212.3500
Willis Kinghton South		318.212.5000 Enrgy Rm 318.212.5500
Louisiana Rape Crisis Center		1.800.656.HOPE (4673)
Louisiana Victim Assistance	<a href="http://www.ojp.usdo.gov/ovc/help/map.la.htm">www.ojp.usdo.gov/ovc/help/map.la.htm</a>	
Louisiana Rape Crisis Hotline	<a href="http://www.aardvarc.org/rape/states/larp.shtml">www.aardvarc.org/rape/states/larp.shtml</a>	
Louisiana Foundation Against Sexual Assault	<a href="http://www.lafasa.org">www.lafasa.org</a>	

*\* Required to provide existing counseling, health, mental health, victim advocacy, legal assistance, and other services on and off campus.*

## **Risk Reduction, Warning Signs of Abusive Behavior and Future Attacks**

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

### *Warning Signs of Abusive Behavior*

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

- 1) Being afraid of your partner.
- 2) Constantly watching what you say to avoid a “blow up.”
- 3) Feelings of low self-worth and helplessness about your relationship.
- 4) Feeling isolated from family or friends because of your relationship.
- 5) Hiding bruises or other injuries from family or friends.
- 6) Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
- 7) Being monitored by your partner at home, work or school.
- 8) Being forced to do things you don’t want to do.

### *Help Reduce Your Risk and Avoid Potential Attacks*

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Get help by contacting the Counseling Center or Health Center for support services
2. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners
3. Consider making a report with Centenary Police, the Title IX Coordinator, or the Director of Student Conduct and ask for a “no contact” directive from the College to prevent future contact
4. Consider getting a protective order or stay away order by filling out and filing the forms at the courthouse. Forms can be found at the courthouse in the office of the civil clerk.
5. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
6. Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

### **Sexual Assault Prevention (From RAINN)**

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible
- If you suspect you have been drugged, go to a hospital and ask to be tested
- Keep track of how many drinks you have had
- Try to come and leave with a group of people you trust
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours

## **Traveling around campus (walking)**

- Make sure your cell phone is easily accessible and fully charged
- Be familiar with where emergency phones are installed on the campus
- Be aware of open buildings where you can use a phone
- Keep some change accessible just in case you need to use a pay phone
- Take major, public paths rather than less populated shortcuts
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Walking back from the library very late at night is sometimes unavoidable, so try to walk with a friend
- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, try calling campus security. Many campuses offer safe ride programs