Sexual Harassment/Sexual Violence: Prevention, Awareness and Support
What To Do

If you have experienced sexual violence, here are some immediate steps you can take:

• Get away from your attacker and to a safe place as soon as possible. Call 911 or Campus Safety.

• Seek medical attention to assess and treat injuries, to screen for pregnancy and sexually transmitted infections, and to collect evidence (if you consent to do so). If you decide to seek medical attention, contact the emergency room at Pomona Valley Hospital Medical Center (1798 N. Garey Avenue, Pomona, CA 91767, 909.865.9500) in advance and request that they call a Sexual Assault Nurse Examiner (SANE), a nurse who is specially trained to collect evidence. A SANE nurse is usually on call 24 hours a day, seven days a week. Evidence can be collected up to 96 hours after the incident. If you have changed clothing since the incident, bring the clothing you had on at the time with you to the hospital in a clean paper bag or wrapped in a clean sheet (plastic containers do not breathe and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital.

• You can bring someone with you to the hospital, and she or he can accompany you through the exam, if you’d like. If you would like someone from the college staff to accompany you to the hospital, contact Campus Safety at 909.607.2000 and ask them to contact the dean on call.

• If you go to the hospital, the police will be called, but you are not obligated to talk to the police or to pursue prosecution. Collecting evidence will not obligate you to any course of action but can assist the authorities in pursuing criminal charges should you decide to do so, now or at a later date.

• Seek support: Don’t be afraid to ask for help and support. Feelings of shame, guilt, fear and shock are normal. Call a trusted friend or family member or contact one of the resources listed on the last page of the brochure. Talk with your Title IX coordinator (see back page of brochure) about your options. He or she will review your options and the support resources available both on and off campus.

This brochure contains:

• Understanding Title IX
• Responsibilities of the Title IX coordinator
• Non-discrimination policy
• College and criminal investigation procedures
• Complainant rights
• Sexual harassment, sexual misconduct and sexual violence definitions and descriptions
• Survivor support resources
• Bystander intervention tips
• How to support your friends
• Whom to contact for support
Title IX of the Education Amendments of 1972 (Title IX) prohibits sex (gender-based) discrimination and harassment in educational programs and activities at institutions that receive federal financial funding. Sexual harassment, which includes acts of sexual violence such as rape, sexual battery and sexual coercion, is a form of gender-based discrimination prohibited by Title IX. It creates a hostile environment that has no place on our campus.

Harvey Mudd College (HMC) prohibits discrimination and harassment based on a person’s race, color, religion, national origin, ethnic origin, ancestry, citizenship, sex (including pregnancy, childbirth or related medical conditions), sexual orientation, gender (including gender identity and expression), marital status, age, physical or mental disability, medical condition, genetic characteristics, veteran status or any other characteristic protected by applicable law.

(“Protected Characteristics”) Harvey Mudd also prohibits discrimination and harassment based on the perception that anyone has any of these Protected Characteristics or that anyone is associated with a person who has, or is perceived as having, any of these Protected Characteristics. Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities, to women who are pregnant and/or for religious beliefs and practices. Inquiries about the application of Title IX may be referred to Leslie Hughes, interim dean of students and Title IX coordinator, at 909.621.8301 or lhughes@hmc.edu, or the U.S. Department of Education’s Office for Civil Rights at ocr@ed.gov or 415.486.5555.

Some of the responsibilities of the Title IX coordinator include:

- Overseeing Title IX compliance for the institution;
- Tracking and monitoring incidents, including gender-based discrimination and sexual misconduct;
- Ensuring prompt and equitable resolution of complaints;
- Coordinating training, education and prevention efforts; and
- Providing information on options for responding to and resolving complaints.

More information about Title IX policies, procedures and support can be found at http://7csexualmisconductresources.claremont.edu/
Sexual Harassment

Sexual harassment of a student can deny or limit, on the basis of sex, the student’s ability to participate in or to receive benefits, services or opportunities from the institution’s programs. Therefore, it is a form of gender-based discrimination prohibited by Title IX.

What constitutes sexual harassment? According to the Department of Education’s Office for Civil Rights, it is conduct that:

- Is unwelcome
- Is based on sex or gender
- Is severe or pervasive enough to interfere with an individual’s campus employment, academic performance or participation in college programs and activities
- Creates an intimidating, hostile or offensive environment

Key points:

- Sexual harassment can take different forms depending on the harasser and the nature of the harassment.
- College employees, other students and non-employee third parties, such as a visiting speaker, are potential offenders.
- The conduct can be verbal, nonverbal or physical.
- People of all genders can be victims of sexual harassment, and the harasser and the victim may be of the same or different sexes.
- Sexual harassment can occur at any school program or activity and take place in institutional facilities or at off-campus locations, such as a school-sponsored retreat or training program at another location.

Sexual Misconduct

Sexual misconduct is a form of sexual harassment and, as such, is expressly prohibited by Title IX.

Examples of sexual misconduct include:

- Making sexual propositions or pressuring individuals for sexual favors;
- Unwelcome sexual advances;
- Writing graffiti of a sexual nature;
- Displaying or distributing sexually explicit drawings, pictures or written materials;
- Performing sexual gestures or touching oneself sexually in front of others;
- Telling sexual or dirty jokes;
- Spreading sexual rumors or rating students’ sexual activity or performance;
- Circulating or showing emails or websites of a sexual nature.
Sexual Harassment

Harassment based on a person’s sex is not limited to instances involving sexual behavior; such harassment may occur without sexual advances or sexual overtones, when conduct is directed at individuals because of their sex or gender. Examples of sexual harassment (without limitation) may include:

- Physical assault or other unwelcome touching;
- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades or letters of recommendation;
- Direct propositions of a sexual nature;
- Subtle pressure for sexual activity, an element of which may be repeated requests for private meetings without an academic or professional purpose;
- A pattern of conduct that would cause discomfort to or humiliate—or both—a reasonable person at whom the conduct is directed.

Two Types of Sexual Harassment

Quid Pro Quo Harassment

For instance, a campus employee may cause a student to believe he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity. Or, an employee may cause a student to believe that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct. It doesn’t matter whether the student resists and suffers the threatened harm or submits to and avoids the threatened harm for it to be considered harassment.

Example: A faculty member may threaten to fail a student unless the student agrees to date him or her.

Hostile Environment Harassment

This occurs when unwelcome conduct of a sexual nature is so severe, persistent or pervasive that it affects a student’s ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.

Example: Someone repeatedly makes sexually suggestive comments or sexually assaults a student.
Sexual violence is a form of sexual harassment, prohibited by Title IX, that includes conduct that is criminal in nature.

Sexual violence refers to sexual acts perpetrated against a person’s will where consent is not obtained or where a person is incapable of giving consent due to his or her use of alcohol or other drugs.

All people can experience sexual violence, no matter their gender. The perpetrator and the survivor may be of the same or different genders.

The person responsible for the violence is typically someone known to the survivor, like a friend, fellow student, family member, acquaintance or significant other.

There is help available to you if you are the survivor of sexual violence, and there is no reason to be embarrassed or ashamed or to think you won’t be believed. NotAlone.gov includes information for students, schools and anyone interested in finding resources on how to respond to and prevent sexual assault. Also, see the back of this brochure for information about how you can seek help now.

**Examples of sexual violence that include physical contact are:**
- Rape
- Sexual assault
- Sexual battery
- Sexual coercion (see box on next page)
- Unwanted touching
- Dating violence

**Examples of sexual violence that may not include physical contact are:**
- Threats
- Stalking
- Peeping

- Every 107 seconds another American is sexually assaulted.
- Each year there are about 293,000 victims of sexual assault.
- 68% of sexual assaults are not reported to the police.
**Affirmative Consent**

Affirmative consent means affirmative, conscious and voluntary agreement to engage in sexual activity.

- It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity.
- Lack of protest or resistance does not mean consent, nor does silence.
- Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time.
- The existence of a dating relationship between the persons involved, or a history of sexual relations between them, should never by itself be assumed to be an indicator of consent.

**The Role Intoxication Plays**

There is a spectrum of intoxication. If someone is physically incapacitated by his or her drinking or drug use, he or she cannot consent to sexual conduct. Incapacitation is a state in which someone cannot make rational, reasonable decisions because he or she lacks the capacity to give knowing consent (i.e., to understand the “who, what, when, where, why or how” of sexual interaction). If it is unclear how intoxicated your partner is and you feel conflicted, then communication is very important. In many instances of sexual assault, alcohol or other drugs play a role. Keep these things in mind:

- When a person is the recipient of sexual advances but is highly intoxicated, he or she is unable to consent to any sexual conduct.
- If the person seeking sex is intoxicated, he or she has a decreased ability to discern the capacity of the other party to give consent. The inability to perceive capacity does not excuse the behavior of the person who begins the sexual interaction or tries to take it to another level.

**Sexual Coercion**

Using pressure, force or alcohol/drugs to have sexual contact with someone against his or her will is considered sexual coercion. Sexual coercion is NOT OK and is considered sexual violence.

**You may be experiencing sexual coercion if:**

- You feel pressure from your date, partner or friend (“Sex is how you can prove you love me. Everyone is doing it.”).
- Someone buys you gifts or spends money on you to make you feel like you “owe” him or her sex.
- There are times you do not want to have sex but feel like you can’t say “no.” (“We’ve had sex before, so you can’t say ‘no’ now.”).
- You had sex without using a condom against your wishes because your partner did not want to use one.
- Someone uses force (including physical violence, threats or intimidation) to gain sexual access.
Taking Action

Our promises to you (the complainant):

- We will strongly take into account the wishes of the complainant as much as possible when determining how to proceed with the investigation of a Title IX complaint.
- We will investigate Title IX complaints in a prompt, fair and impartial manner.
- We will take steps to prevent the recurrence of any harassment and retaliation directed toward the complainant and others.
- Both parties can present witnesses and evidence.
- Both parties will be notified of the outcome of a complaint.

Title IX Complaints and Criminal Investigations

A campus Title IX investigation is different from any law enforcement investigation. You can utilize the HMC grievance procedures or file a police report if you would like. The Title IX coordinator and other supporters can help you decide the best course of action for you by describing the grievance procedures. Please ask!

What About the Police?

We will not call the police if you report an instance of sexual violence unless you request that we do so. The one exception is if a survivor is a minor. If that is the case, we are obligated by law to call Child Protective Services.

- Rape is one of the most underreported crimes and we encourage you to report it to the police.
- Choosing to collect evidence at a hospital will not obligate you to speak with police or press charges.
- If you wish to speak with police or file charges, the Title IX coordinator, members of the student affairs staff and/or Campus Safety will help you do so.
You are called a “complainant” when you come forward to let us know of a personal instance of sexual harassment or sexual violence. The person who is the alleged initiator of sexual harassment or sexual violence is known as a “respondent.”

**Reporting Options**

The College makes every attempt to honor the wishes of a complainant who has experienced sexual harassment or sexual violence. In most cases, the amount of action that will be taken is up to you. You will start by having a confidential conversation with the Title IX coordinator, who will review your options and the support resources available both on and off campus. Regardless of when the incident occurred, it is never too late to speak with someone regarding support resources and other options. Please refer to the Policy on Discrimination, Harassment and Sexual Misconduct for the full procedures.

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**When you report an instance of sexual harassment or sexual violence to the College, you have several options:**

1. Your report can remain on file with the Title IX coordinator, and you can choose not to pursue any resolution process.

2. You may request assistance under the informal resolution procedures described on the next page.

3. You may file a formal complaint that will result in an investigation to determine whether a violation of the Policy on Discrimination, Harassment and Sexual Misconduct occurred. This process is described on the next page.

4. The Title IX coordinator can assist you with filing a police report. Keep in mind that you can pursue assistance from the College and file a police report, and we encourage students to consider both options.

“Perhaps most important, we need to keep saying to anyone out there who has ever been assaulted: You are not alone. We have your back. I’ve got your back.”

- President Barack Obama, Jan. 22, 2014
Informal Resolution Process

A complainant who requests assistance under the informal procedures will be advised of options for resolving the problem and about sources of further assistance. The College treats all reports and complaints of discrimination, harassment, sexual misconduct and retaliation, including requests for assistance under informal procedures, as confidential to the greatest extent practicable. Requests for assistance may have any of several outcomes:

• The person who makes such a request may wish to discuss his or her options, such as directly informing the responsible person(s) that the specific conduct is offensive and must stop;
• Seeking intervention by a supervisor, another College official, department chair, dean of students, student affairs staff member, dorm proctor or human resources;
• Or seeking a mediated or negotiated resolution.

If a resolution is reached, no further action will be taken, and the matter will be considered closed. If the matter cannot be resolved informally, the recipient of the request will assist the complainant in filing a formal complaint.

Formal Resolution Process

An individual who believes he or she has been subjected to discrimination, harassment, sexual misconduct or retaliation may file a formal complaint. The filing of a formal complaint will result in an investigation to determine whether a violation of the policy has occurred.

• All persons involved in the process are expected to treat the matter under investigation with discretion and with respect for the reputation of all parties involved. The College treats all reports and complaints of discrimination, harassment, sexual misconduct and retaliation, including requests for assistance under informal procedures, as confidential to the greatest extent practicable.
• The complainant and the respondent(s) will be permitted to have a support person from the HMC community or a family member accompany him or her through every phase of the process.
• Every effort shall be made to complete the investigation within 60 working days of the date the formal complaint is made or as soon thereafter as practical under the circumstances.
• Interim remedial steps may be taken to protect the safety and well-being of the complainant and/or members of the HMC community. Interim remedies may be applied with respect to either the complainant or the respondent(s).
• The investigating officer shall document the results of the investigation in a written report and submit the report to the vice president of student affairs/dean of students and the Title IX coordinator.
• The complainant and the respondent(s) will be notified promptly of the outcome of the investigation and of the actions, if any, taken in connection with the complaint.
• Persons who violate the Policy on Discrimination, Harassment and Sexual Misconduct are subject to disciplinary action.
Complainant Rights

In order to eliminate a hostile environment, prevent the recurrence of sexual harassment or sexual violence and address its effects, complainants are entitled to remedies that include, but are not limited to, the following:

• Assurance that you and the alleged respondent do not have to attend the same classes;
• Access to alternative housing arrangements in different residence halls;
• The availability of counseling services;
• Access to sexual assault advocates;
• The availability of medical services;
• Academic support services, such as tutoring;
• Arrangements for you to retake a course or withdraw from a class without penalty, including assurance that any changes do not adversely affect your record;
• Review of any disciplinary action taken against you (e.g., you skipped a class because the alleged respondent was enrolled and you wanted to avoid contact) to see if there is a connection between the sexual misconduct that resulted in you being disciplined;
• Ability to file a complaint with local law enforcement at any time and the option to be assisted by the Title IX coordinator in notifying such authorities;
• The right to adequate, reliable and impartial investigation of complaints; the right to have an equal opportunity to present your case, witnesses and other evidence; and the right to the same appeal process for both parties;
• Notification of the time frame within which the College will conduct an investigation of the complaint;
• Having your complaint decided using a preponderance of evidence standard (i.e., it is more likely than not that sexual misconduct occurred);
• Notification in writing of the outcome of the complaint, including information about potential sanction information when it directly relates to you;
• Knowing that you can end the informal process at any time and begin the formal stage of the complaint process.

Interim steps may be taken to protect the complainant before the final outcome of the investigation is reached. You have the option to avoid contact with the alleged perpetrator, something the Title IX coordinator can discuss with you.

If you want to learn more about your rights or federal law related to Title IX, contact the U.S. Department of Education, Office for Civil Rights, at ocr@ed.gov, 415.486.5555 or 1.800.421.3481.
Support for Survivors

If you are the survivor of sexual harassment or sexual violence, you can fully expect support to meet your varied needs. Here are some of the ways that the Title IX coordinator, student advocates, student affairs staff, proctors, mentors, wellness peers, MCAPS, the EmPOWER Center and others can help:

- Provide information about campus and community services
- Make referrals, as desired
- Go to the hospital and/or law enforcement office with you
- Help you file a report
- Assist you in getting a protective order or other remedies, such as housing and class schedule changes
- Provide an empathetic listener
- Help with academic concerns
- Assist you in preparing for investigation and judicial meetings and accompany you if requested
- Meet with you on a regular basis to follow up
- Help you keep track of details
- Assure you that the assault was not your fault

You will be reminded often that you are never alone. We can connect you with resources that you need; they are plentiful within our campus community.

Harvey Mudd College Peer Advocates
advocates@hmc.edu
The Peer Advocates are comprised of caring HMC students who are available to support you if you are the survivor of sexual harassment or sexual violence. They can keep your name confidential but must report an anonymous description of your incident to the Title IX coordinator on your behalf.

EmPOWER Center
909.607.0690
The EmPOWER Center is a 7-C sexual assault resource center that provides support for survivors of sexual harassment or sexual violence. Center staff can keep your name confidential but must report an anonymous description of your incident to the Title IX coordinator on your behalf.

Claremont Colleges Support Resources
http://7csexualmisconductresources.claremont.edu/support/
Support for Survivors

Helping a Friend
If your friend has been harmed, make sure he or she is safe. Listen. Establish yourself as a safe, nonjudgmental person who will let your friend lead his or her own recovery process. Be patient. Healing takes time, so continue to offer your support. Don’t try to rationalize what happened or make excuses for the offender. Provide options to the victim/survivor and let him or her choose which option is best. Do not avoid your friend or the subject; doing so may reinforce any shame or fear he or she feels.

Know about available support resources and refer your friend to them. If your friend isn’t interested, don’t force the issue. You may also contact these resources for guidance on how to help your friend. Educate yourself about sexual violence and the trauma associated with it. Do not forget to get help for yourself. Having a friend who has been victimized can be a scary and confusing experience. The Office of Student Health and Wellness, Monsour Counseling and Psychological Services (MCAPS) and the EmPOWER Center can help you process what has happened.

“Sexual violence is more than just a crime against individuals. It threatens our families, it threatens our communities; ultimately, it threatens the entire country. It tears apart the fabric of our communities. And that’s why we’re here today—because we have the power to do something about it as a government, as a nation. We have the capacity to stop sexual assault, support those who have survived it and bring perpetrators to justice.”

- President Barack Obama, Jan. 22, 2014
How Bystanders Can Intervene

Every campus has a population of bystanders who support sexual violence. They may not mean to do so, yet by not intervening when they see something happening, not reporting offensive actions or dismissing certain behaviors, they are essentially sending a message to perpetrators that their actions are OK.

Proactive Bystander Strategies
In order to be a proactive bystander who helps prevent instances of sexual harassment or sexual violence, you can:
• Work to create an environment where sexual harassment and sexual violence are unacceptable
• Treat people with respect
• Speak up when you hear people making statements that blame victims
• Encourage friends to trust their instincts to stay safe
• Discourage sexist jokes and comments
• Look out for friends at parties and bars
• Educate yourself and your friends
• Use campus resources
• Attend awareness events

Reactive Bystander Strategies
In order to be a reactive bystander who positively intervenes in instances of sexual harassment or sexual violence, you can:
• Get Campus Safety or other authorities involved
• Create a distraction
• Get help
• Ask someone in a potentially dangerous situation if he or she is OK and/or if he or she wants to leave
• Make sure he or she gets home safely
• Intervene if you hear someone targeting another person
• Separate someone too intoxicated to consent from a potential perpetrator
• Say or do something

Teal Dot
Teal Dot is a 5-College program designed to reduce power-based personal violence through bystander intervention. Through the Teal Dot training, participants are provided practical tools and skills that equip them to respond and help reduce instances of violence. Moreover, Teal Dot empowers participants to become active bystanders who demonstrate that violence is not acceptable and that everyone must do his or her part.

For more information about Teal Dot and on how to sign up for training, please “like” Teal Dot on The Claremont Colleges’ Facebook page.
Title IX and Harvey Mudd College

In compliance with Title IX, HMC does not deny or limit any student or employee the ability to participate in or benefit from any program offered by the institution on the basis of sex or gender.

For additional information about our Policy on Discrimination, Harassment and Sexual Misconduct, visit www.hmc.edu/human-resources/policies-procedures-and-guidelines/.

How to File a Title IX Complaint

If you would like to pursue resolution on campus, you should speak with your Title IX coordinator for information about your college’s grievance procedures, support resources and interim measures. Students also have the right to file a formal complaint with the United States Department of Education: OCR@ed.gov or 415.486.5555.

In cases involving potential criminal misconduct, The Claremont Colleges encourage individuals to report the conduct to the law enforcement agency that has jurisdiction over the location where the incident occurred. Members of the student affairs staff and/or Campus Safety are available to assist individuals in contacting the police or other appropriate law enforcement agency.

Students may reach out to any of the following staff members for assistance in reporting a Title IX complaint:

Leslie Hughes
Interim Dean of Students and Title IX Coordinator
Platt Campus Center
301 Platt Blvd.
Claremont, CA 91711
lhughes@hmc.edu
or 909.621.8301

Qutayba Abdullatif (Dean Q)
Associate Dean for Student Health and Wellness
deanq@hmc.edu
or 909.607.4101

Michelle Harrison
Coordinator for Student Health and Wellness
mharrison@hmc.edu
or 909.601.8013

On-call Deans
An HMC dean is on call 24 hours a day and can be reached by calling Campus Safety at 909.607.2000.

EmPOWER Center:
7-C Sexual Assault Resource Center
1030 Dartmouth Ave.
Claremont, CA 91711
909.607.0690
On-campus Confidential Reporting

An individual who wishes for the details of an incident to remain completely confidential may speak with certain college officials who, by law, must maintain confidentiality and may not disclose the details of an incident, except as required by law. These officials include:

**Monsour Counseling and Psychological Services staff**
Tranquada Student Services Center

757 College Way, first floor
Claremont, CA 91711
909.621.8202
909.607.2000 (after-hours emergency)

**Members of the clergy,**
**including the McAlister Center chaplains**
McAlister Center for Religious Activities
919 North Columbia Ave.
Claremont, CA 91711
909.621.8685

Local and National Resources

There are a number of support resources available locally and nationally. Here are a few:

**Project Sister Sexual Assault 24/7 Crisis Hotline (Claremont, CA)**
800.656.4673, 909.626.HELP (909.626.4357)
http://projectsister.org

**RAINN National Sexual Assault Crisis Hotline**
800.656.HOPE (800.656.4673)
www.rainn.org/get-help/national-sexual-assault-hotline

**Childhelp National Child Abuse Hotline**
800.4.A.Child (800.422.4453)
www.childhelp.org/pages/hotline-home

**House of Ruth (dating and domestic violence)**
877.988.5559 (toll-free hotline)
909.623.4364 (Pomona Outreach Office)
http://houseofruthinc.org/home