

## VAWA (Violence Against Women Act) Sexual Violence Awareness and Prevention Plan/Program

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### VAWA Program:

This program and the following information is provided for employees and students of the Davis Technical College (College) in order to promote awareness and prevention of sexual violence. The purpose is to educate those people attending or working at the College regarding sexual assault, rape, acquaintance rape, domestic violence, dating violence, and stalking. The College has established and enforces policies and procedures regarding these issues. Resources are available for anyone who is a victim, witness, or perpetrator of sexual violence. Training and information regarding this program is provided to employees annually and also made available to students.

### **a) Confirmation that the institution prohibits these offenses:**

#### Personnel Policy Statement:

The purpose of the College Anti-Harassment/Discrimination Policy is to create an environment that is supportive of the College Campus objectives, partners, students, and employees by striving to create and maintain a campus environment in which people are treated with dignity, decency and respect. Maintaining a campus free from sex discrimination or sexual harassment, including sexual violence is important for all students and employees. The environment of the College Campus should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Employees and students should be able to work and learn in a safe yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the College Campus and the College Campus is committed to this objective through enforcement of this policy and through awareness of employees. The College Campus seeks to prevent, correct and discipline behavior that violates this Policy

#### Student Code of Conduct Policy Statement:

The College provides this Policy and Procedure in order to articulate the College commitment to all students, to outline standards for appropriate student group and individual behavior, and to encourage responsible citizenship within the campus community.

The College prohibits harassment or discrimination toward students or staff for any reason. Harassment based on gender, gender identification, sexual preference, or sex stereotyping is specifically prohibited, and includes retaliation in response to a report of sexual harassment or sexual assault.

Sexual misconduct and nonconsensual sexual contact of any kind will not be tolerated. This includes but is not limited to rape, voyeurism, intentional exposure for the purpose of exhibitionism, intentional exposure to pornography, sexual harassment (verbal or behavioral), stalking, sexual exploitation, taking photographs of a sexual nature, and/or threats of sexual violence. Incidents of intimate partner abuse and domestic violence may also be considered sexual misconduct.

### **b) Definition of the offenses in the applicable jurisdiction:**

#### **76-5-402. Rape.**

A person commits rape when the actor has sexual intercourse with another person without the victim's consent. Statutory rape is based on the age of the victim, as defined under Consent, below.

#### **76-5-404. Forcible Sexual Abuse.**

A person commits forcible sexual abuse if the victim is 14 years of age or older and, under circumstances not amounting to rape, object rape, sodomy, or attempted rape or sodomy, the actor touches the anus, buttocks, or any part of the genitals of another, or touches the breast of a female, or otherwise takes indecent liberties with another or with the intent to arouse or gratify the sexual desire of any person, without the consent of the other, regardless of the gender of any participant.

### **76-5-405. Aggravated Sexual Assault.**

A person commits aggravated sexual assault if in the course of a rape, object rape, forcible sodomy, or forcible sexual abuse, the actor uses a weapon, causes serious bodily injury, threatens (death, kidnapping or serious bodily injury), aided or abetted by 1 or more persons.

### **76-5-106.5. Stalking "Course of conduct"**

The actor commits two or more of the following acts which are directed at or toward a specific person, which includes: follows, monitors, observes, photographs, surveils, threatens, or communicates to or about a person, or interferes with a person's property or work/place of employment

#### **c) Definition of consent, with reference to sexual offenses:**

*Consent – Definitions relating to lack of Sexual Consent*

Lack of consent through words or conduct, application of physical force, element of surprise, threats of retaliation or coercion of possible future physical force/ kidnapping or extortion. or through diminished mental capacity (unconsciousness or physical defect). Lack of consent is also related to the victim vs actor (age of victim being under 18 and the actor is 3 years older than the victim), or victim is under the age of 14 regardless to the age of the actor or through positions of influence such as teacher or clergy.

#### **d) "Safe and Positive" options for bystander intervention an individual may take to prevent harm or intervene:**

Bystanders are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. They are someone who is present and thus potentially in position to discourage, prevent, or interrupt an incident. Bystander intervention occurs when one or more people step-in at any given time or place to try to stop a harmful event. The important thing is to speak up and express your concerns. However, if the situation is unsafe, it's best not to intervene alone. Call 911 or find others to help.

Too often a pattern called "bystander apathy" occurs: the more people witnessing a dangerous or abusive situation, the less likely any one of them is to intervene. One reason is that bystander(s) may think it is "none of their business" and are more willing to ignore responsibility when others are there to share the blame. But there's one key fact that we often forget with regard to sexual violence: we are all affected by it. When someone witnesses a situation and does not take action, that inaction affects both the attacker and the person being attacked. Our inaction also sends a message to other bystanders; it helps create a climate of apathy. If we want to stop sexual violence, we all have an obligation to ourselves, our friends, and our community to maintain a healthy and safe environment.

#### **e) How to recognize the signs of abusive behavior and how to avoid potential attacks:**

A healthy relationship has clear communication, trust, respect, and honesty. A healthy relationship should make you feel good about yourself. Some signs of an unhealthy relationship include having a partner who puts you down or lies frequently; tries to control, threaten, or intimidate you; gets angry when you want to talk about the relationship; or generally doesn't want to communicate or listen. An unhealthy relationship can quickly turn into dating violence if you miss the signs and don't draw the line with a potentially abusive partner.

While you can never completely protect yourself from sexual assault and other violent crimes, you can take steps to reduce your risk of being victimized. Walking in groups, trusting your instincts, avoiding dangerous situations, not loading yourself down with packages and bags, avoiding excessive drinking: these are some tips to help minimize your risk. But safety is also a community responsibility. For instance, if you're in a group setting and you see someone walking alone, ask that person to join your group. At college, it's not just about how to be safe, it's also about how to work together to keep the campus community safe.

**f) Reporting and Resources Available:**

The College encourages anyone victimized by sexual misconduct of any kind to report incidents so care and support can be offered. An individual victimized by sexual misconduct is not required to report, but, if s/he chooses to do so, it is up to the person preference how it will be reported.

Except where protected by law, third-parties (clergy, mental healthcare professional, or healthcare professional), may report allegations of sexual misconduct to the College Campus Security or to the Director of Student Services or to the Director of Human Resources. The College will extend an invitation to those identified as potential victims to offer opportunities for care and support as well as to discuss the College’s processes for responding to such allegations.

The Departments Receiving Reports for the College are:

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|---------------------------------|--------------|---------------------------------------|
| 1. Campus Security              | 801-593-2430 | Facilities/Security Suite Room 2036   |
| 2. Director of Student Services | 801-593-2319 | Student Services Suite Room 1018-H    |
| 3. Director of Human Resources  | 801-593-2393 | Fiscal and Human Resources Suite 1081 |

Community agencies are also available to assist individuals who have been victimized:

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| Safe Harbor Crisis Center                                   | 801-444-3191<br>801-444-9161 (24-hour crisis)<br><a href="http://www.womensdvshelter.org">www.womensdvshelter.org</a>                 | Office available at<br>College upon request                     |
| Davis Behavioral Health                                     | 801-773-7060 (24-hour crisis)<br><a href="http://www.dbh.utah.gov">www.dbh.utah.gov</a>   | 934 S. Main St<br>Layton, UT 84041                              |
| Utah Legal Services<br>Victim Advocate Protective Orders    | 1-800-662-4245<br><a href="http://utahlegalservices.org">http://utahlegalservices.org</a>   |   |
| Blomquist Hale Consulting<br>Employee Assistance Plan (EAP) | 801-392-6833<br>801-262-9619<br>435-752-3241<br>801-225-9222  | Ogden Office<br>Salt Lake Office<br>Logan Office<br>Orem Office |
| Kaysville City Police Department                            | 801-544-1131<br>911 (Emergency)<br><a href="http://www.kaysvillecity.com/police.main.html">www.kaysvillecity.com/police.main.html</a> | 80 N. Main St<br>Kaysville, UT 84037                            |
| Davis County Sheriff’s Office                               | 801-451-4100<br>911 (Emergency)<br><a href="http://www.daviscountyutah.gov/sheriff/">www.daviscountyutah.gov/sheriff/</a>             | 883 W. Clark Ln<br>Farmington, UT 84025                         |
| Davis Hospital & Medical Center                             | 801-807-1000<br><a href="http://www.davishospital.com">www.davishospital.com</a>  | 1600 W. Antelope Dr<br>Layton, UT 84041                         |
| Lakeview Hospital   | 801-299-2200<br><a href="http://www.lakeviewhospital.com">www.lakeviewhospital.com</a>  | 630 Medical Dr<br>Bountiful, UT 84010                           |