

COASTAL CAROLINA UNIVERSITY PROTOCOL FOR RESPONDING TO SEXUAL ASSAULT

INTRODUCTION

Rape and other types of sexual violence, whether by a stranger or by an acquaintance, whether against women or men, are violations of the law and the policy of Coastal Carolina University. Sexual violence encompasses rape, acquaintance rape, sexual assault, sexual battery, sexual coercion, and sexual harassment. Coastal Carolina University will also provide assistance and support for survivors of such assault and will aid in the apprehension of assailants. To reduce the risk of sexual assault, the college provides education to increase awareness of this important issue.

The following document was designed to ensure that members of the university community respond appropriately to students, faculty, and staff who are sexually assaulted. The protocol is intended to provide a comprehensive, standardized procedure for all faculty, staff and other campus officials (athletics coaches, RA's, RD's, Academic Advisors, etc.) to respond to victims of sexual assault in a consistent, caring, and timely manner. The protocol provides a detailed explanation of how to offer a victim support, information and referral and includes the following:

Section I: Sexual Violence/Assault Policy

Section II: Responding to a Sexual Assault

Section III: Flow Chart

Section IV: Procedures for responding to a sexual assault case when the survivor and the accused are students

Individuals designated as Campus Security Authorities (CSAs) are required to report known incidents of sexual violence to the Department of Public Safety. Designated CSAs are:

- University Housing Staff including:
 - o Director
 - o Assistant/Associate Directors
 - o Area Directors
 - o Residence Hall Directors (RDs)

- o Resident Advisors (RAs)
- Student Activities Staff including:
 - o Director of Student Activities
 - o Coordinator of Fraternity/Sorority Life
 - o Coordinator of Student Leadership Programs
 - o Coordinator of Student Programs
 - o Coordinators of Volunteer Services
 - o Faculty and Staff who advise student clubs and organizations
- All First Year Academic Advisors
- Athletics Staff including:
 - o Athletic Director
 - o Assistant/Associate Athletic Directors
 - o All team head coaches
 - o Athletic Trainers
 - o Athletic Advisors
- Campus Recreation Staff including:
 - o Director
 - o Assistant Director
 - o Coordinator of Intramurals
 - o Coordinator of Sports Clubs
 - o Coordinator of Outdoor Programs
- Other Administrators including:
 - o Provost
 - o Associate Vice-President for Student Affairs/Dean of Students
 - o Director of Student Conduct and Off Campus Student Services

- o Coordinator of Student Conduct and Off Campus Student Services
- o Director of Student Health Services
- o Director of Multicultural Student Services
- o Coordinator of Multicultural Student Services
- o Director of Career Services and other Career Counselors
- o Director of International Programs
- o Director of the Women's Resource Center
- o Deans
- o Associate/Assistant Deans
- o Accessibility Coordinators.

According to the Sexual Harassment Policy, "All members of the Coastal Carolina University community should contact the Office of Human Resources and Equal Opportunity if they observe or encounter conduct that may violate the University's Sexual Violence and/or Sexual Harassment policies."

SECTION I: Coastal Carolina University Sexual Violence/Assault Policy

To review the Sexual Violence/Assault policy, refer to:

<http://www.coastal.edu/policies/policyDetails.html?x=141>

To review the Sexual Harassment policy, refer to:

<http://www.coastal.edu/policies/policyDetails.html?x=85>

SECTION II: RESPONDING TO A SEXUAL ASSUALT

A. Protocol for Sexual Assault Response

STEP 1. Safety and Notification of Department of Public Safety (DPS) Investigator

Ensure the immediate safety of the individual. The survivor or the first faculty/staff member notified of the assault by the survivor should immediately call the Investigator in the Department of Public Safety (DPS). The DPS Investigator will immediately meet with the survivor with the survivor's consent. If the survivor refuses to meet with the DPS Investigator, individuals designated as Campus Security Authorities (CSA's) must still report the incident to the Department of Public Safety. All faculty and staff members observing or encountering an act of sexual harassment, including sexual violence, should report the incident to the Human Resources.

Victims who refuse to meet with the DPS Investigator should be encouraged by the faculty/staff member to pursue the additional steps in this document.

** The order of STEPS 2 and 3 will vary depending upon the physical and emotional condition of the victim.

STEP 2. Crisis Intervention and Discussion of Options

The DPS Investigator or his designee will contact CCU Counseling Services Counselor On-Call to assist the victim with crisis response and arrange follow-up care. If the victim is uncomfortable with the gender of the Counselor On-Call, a different counselor in the center will be contacted. The DPS Investigator and/or the Counselor On-Call will discuss options with the victim. The DPS Investigator will notify the Title IX Coordinator that a sexual assault has been reported.

STEP 3. Medical Care and Evidence Collection

Because sexual assault may involve physical trauma, the DPS Investigator and the Counselor On-Call will strongly encourage the survivor to seek medical treatment. If the victim has already obtained medical treatment or refuses to do so, the DPS Investigator and/or Counselor On-Call will proceed to STEP 4.

Option 1. Hospital

The victim/survivor may go to Conway Medical Center, Waccamaw Community Hospital or another local hospital. Hospitals with available Sexual Assault Nurse Examiners (SANE Nurses) are preferable. The DPS Investigator will arrange transportation for the survivor to the hospital. The survivor will be examined and treated for any physical injury or sexually transmitted diseases at the hospital. The survivor will also be informed that because the assault is a crime, the hospital has an obligation to inform the police and that the police will conduct an interview at the

hospital regarding the assault. The survivor can choose whether or not to disclose details to the police. If the assault occurred within the last 72 hours, the survivor's consent will be requested to allow collection of evidence and the survivor may choose to go forward with a criminal and/or civil prosecution. Friends may accompany the survivor to the hospital.

If the assault took place within the previous 72 hours, evidence collection may be possible. Note that 72 hours is an approximation. The longer one waits to collect evidence, the greater the chances are that the evidence will be lost. It is also possible that the evidence may still exist after three days depending on what the survivor has done in that time (shower, etc.)

The survivor can take measures to avoid the destruction of evidence. The survivor should be advised not to shower, douche, change clothes, use the restroom, smoke, chew gum or comb hair. The survivor should also be advised to bring a fresh change of clothes. If clothes have been changed, the clothes worn at the time of the assault should be put in a paper bag (evidence deteriorates in plastic) and brought to the hospital. (If the survivor has done any of the advised "don'ts" as listed above, he/she should still seek medical attention immediately)

A police report must be filed and delivered with the survivor to a medical facility so that the SC Office of Victims Assistance can pay for the costs of the sexual assault kit. The survivor needs to be aware that if he/she files a report with the University Department of Public Safety or the local police, it does not mean that he/she must press charges. In addition, the university has its own policies for dealing with cases if the perpetrator is a Coastal Carolina University student, faculty, or staff member.

Option 2. Student Health Services or Private Health Care Provider

A student survivor may seek medical attention from the university's Student Health Services. If an appointment is needed with SHS and the student is concerned about confidentiality, he/she may request an appointment for a "Healthy Chant" to alert staff to the situation while protecting the student's privacy. There, the medical providers may check for injuries, Sexually Transmitted Infections, and pregnancy but cannot collect evidence. Student, faculty, and staff survivors may choose to see a private physician. The University will not be financially responsible for private medical care. Assistance with medical expenses may not be possible unless and police report is filed.

STEP 4. Discussion of Formal Report to Law Enforcement, Student Conduct, and/or Human Resources

The DPS Investigator and/or the Counselor On-Call will discuss with the victim the options for making a formal report of the assault. If the survivor chooses to make a formal report, he/she will be assisted in making the report to the relevant agency. The survivor will be encouraged to cooperate in pursuing an investigation of the incident and

pressing charges. The DPS Investigator is required to report the incident to the Title IX Coordinator. If the complainant requests confidentiality, Title IX requires the University to take reasonable efforts to comply with the request. In deciding whether this request can be met, the University may conduct a preliminary investigation, overseen by the Title IX coordinator, looking at the following factors: the seriousness of the alleged sexual misconduct and whether the accused has had any other complaints of sexual harassment or sexual violence in the past. The complainant will be informed if confidentiality cannot be maintained.

The Counselor On-Call can maintain confidentiality of the victim within legal limits affecting disclosure of counseling/psychological contacts.

STEP 5. Assignment of Coastal Carolina University (CCU) Victim's Advocate

The DPS Investigator in consultation with the Counselor On-Call will assign the victim a CCU Victim's Advocate. The CCU Victim's Advocate will be given the survivor's contact information and will initiate contact with the survivor during business hours and/or within 24 hours of the assignment. The survivor will be given the CCU Victim's Advocate contact information.

STEP 6. CCU Victim's Advocate

The CCU Victim's Advocate will conduct a meeting with the victim. The CCU Victim's Advocate will contact other campus officials so that adequate services may be provided.

- Student Health Services: If services are sought at a local hospital, the Student Health Services Office should be notified if the survivor is a student so that they may provide follow-up care to the victim.
- The Vice President for Student Affairs and Dean of Students and/or the Director of Human Resources depending upon whether the victim and assailant are students or faculty/staff members
- The Director of Student Conduct
- The Deputy Chief of Public Safety and Chief of Public Safety
- The Title IX Coordinator
- Other: It may be helpful to notify other offices that can be of assistance, depending on the student's situation including but not limited to University Housing Staff, Athletics, Fraternity and Sorority Life, Academic Advisor, members of SART, etc.

The CCU Victim's Advocate will assist a student survivor in notifying professors of absence, changing residence halls to avoid contact with the alleged perpetrator, changing class schedule to avoid contact with the alleged perpetrator, obtaining community assistance, etc. The CCU Victim's Advocate will also assist the survivor in understanding and navigating his/her options for recourse through the legal system, the Office of Student Conduct, and/or Human Resources.

The CCU Victim's Advocate, with the consent of the survivor, will provide ongoing follow-up on the case, as soon as possible after the assault, a week after the assault, a month after the assault and then on an as-needed basis. The follow-up will consist of insuring that the survivor has access to the support services he or she needs. Follow-up is particularly important if a survivor is not following through with contacts with offices. If a survivor has complaints or feels uncomfortable with a particular office, he/she should notify the Title IX Coordinator.

B. Appropriate responses when dealing with victims of Sexual Assault

Helpful responses:

- Listen without interrupting. Encourage the survivor to take his/her time if necessary.
- Don't panic. Remain calm and concerned.
- Respect the language that the survivor uses to identify what happened.
- Understand that individuals from different cultural backgrounds may express or experience their reactions to an assault in different ways.
- Allow for tears and expression of feelings.
- Validate the survivor's experiences or reactions.
- Believe and support the survivor.
- Acknowledge courage and discomfort.
- Remind the survivor that he/she is not at fault.
- Encourage the survivor to seek medical attention and counseling.
- Allow the survivor to make his/her own decisions.
- Ask what you can do to be supportive.
- Provide resources and options.

Unhelpful responses:

- Asking "why" questions or other questions that might imply blame. (i.e. "Why didn't you yell?"; "What were you doing there?")
- Blaming or judging the survivor's actions. (i.e. "You shouldn't have had so much to drink.")
- Dismissing the survivor's feelings or minimizing his/her experience. (i.e. "You should just forget about it.")
- Trying to "fix" the problem. (i.e. pressuring them to report and/or telling them what to do.)

Facilitating a referral:

Examples of introducing a referral include:

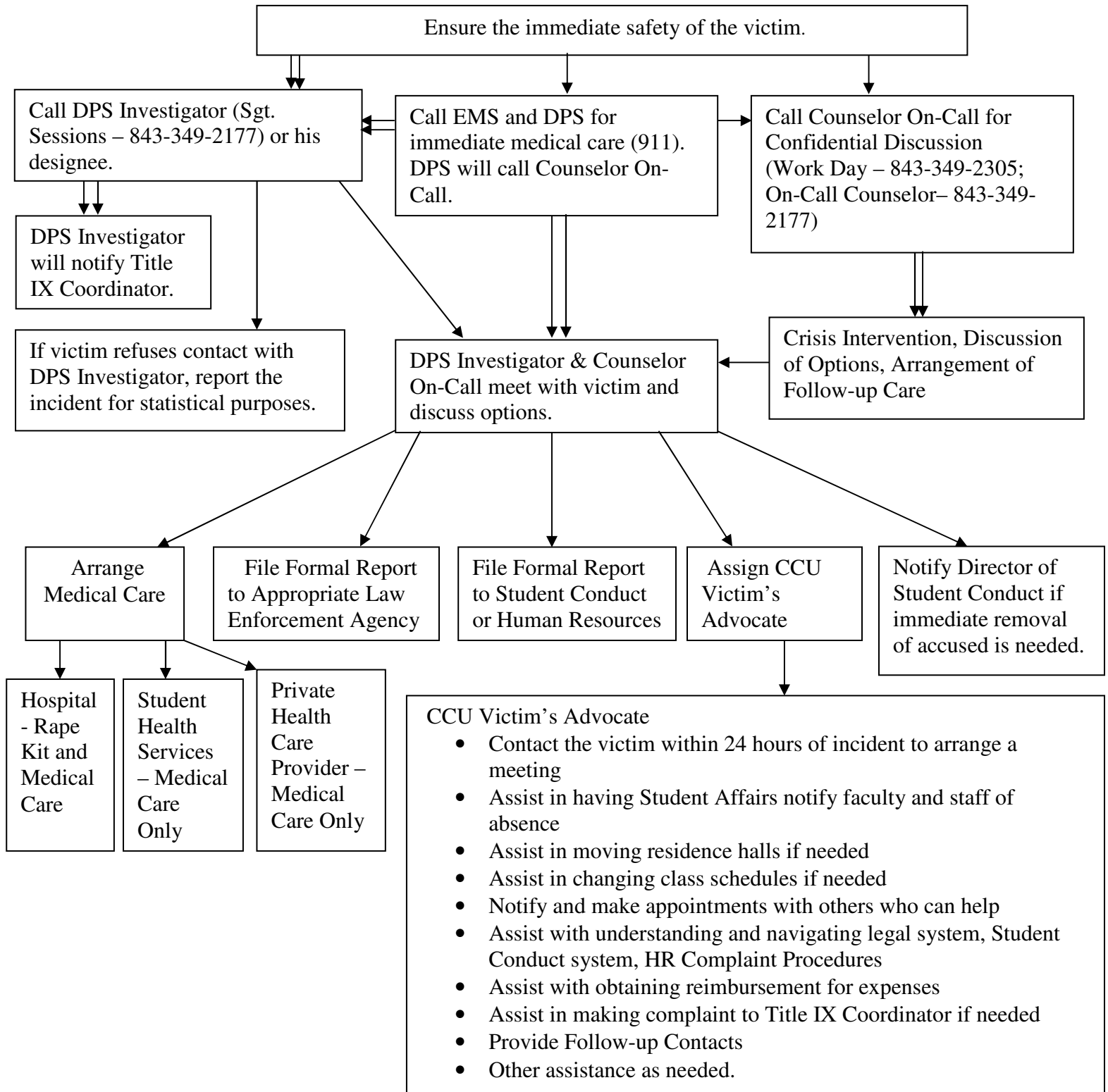
- "I am here to listen and support you, but it would also be helpful for you to talk to someone who has specialized knowledge in this area."
- "There are places that you can go anonymously to get information or support."
- "Even if you do not know what you want to do right now, it can be helpful to talk with someone about your options."

- “I would be happy to go with you to talk with someone.”
- “What would make you feel safe for you to go and talk to someone?”

SECTION III: FLOW CHART

Option →

Required ⇨



SECTION IV: PROCEDURES FOR RESPONDING TO A SEXUAL ASSAULT CASE WHEN THE SURVIVOR AND THE ACCUSED ARE STUDENTS

Coastal Carolina University views sexual assault, in any of its forms, as a very serious matter and is committed to responding promptly and thoroughly to any sexual assault charges leveled at a Coastal Carolina University student.

A survivor who has been sexual assaulted by student is strongly encouraged to file a report with the Department of Public Safety, the Office of Student Conduct, as well as the local police.

Individuals who wish to file a complaint against a student should do so as soon as possible after the assault, although complaints may be filed at any time.

When a survivor files a complaint with the Department of Public Safety or the Office of Student Conduct, they will:

- Ask the survivor questions to assess the situation for continuing threat to the survivor and/or other members of the community.
- Attempt to ensure that the survivor is given appropriate protection, if necessary, including protection from retaliation for the complaint. Such protection may include a temporary housing reassignment and other restrictions on the accused.
- Request a written statement of complaint from the survivor that includes as much detail as possible.

The university investigation will occur independently from any legal proceedings that may take place.

THE PROCESS WILL BE AS FOLLOWS:

- The investigators will interview the survivor and will interview the accused, and each will be allowed to have a friend present during his or her interview.
- The survivor and the accused will be asked to suggest available witnesses. Others may be interviewed to obtain relevant information.
- The investigators may consult with legal counsel and make a decision in a timely manner regarding the charges and the appropriate consequences, including discipline up to permanent dismissal for the accused.
- The survivor and the accused will be informed of the outcome of the investigation.

Either the survivor or the accused may appeal the decision to the appellate body. The appellate body may interview both parties and consult with the investigators before deciding whether to accept the prior judgment or authorize further investigation or deliberations.

The Department of Public Safety should be notified immediately if anyone associated with this matter is under continuing threat.

There may be other individuals at the university who may also be informed of the fact that a sexual assault has occurred and that both parties are members of the CCU community. The names of the individuals involved will not be released without their consent unless the release is essential to the health and safety of the community or otherwise fulfills the legal obligations of the university.

References

Warshaw, Robin. (1994). *I Never Called It Rape: The Ms. Report on Recognizing, Fighting and Surviving Date and Acquaintance Rape*. New York: Harper Perennial.

Fisher, F.S., F.T. Cullen, and M.G. Turner. (2000). *The Sexual Victimization of College Women*, NIJ Research Report, Washington, DC: U.S. Department of Justice, National Institute of Justice and Bureau of Justice Statistics, NCJ 182369: 3, 11–14.

University of California, Irvine, Sexual Assault Response Protocol, Prepared and distributed by UCI Campus Assault Resources and Education (CARE)

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