

and the rights of other persons. Because of the University's concentrated housing, varied activities, and the individual needs of students and faculty to pursue their work free from hazards and intrusions on their privacy, the cooperation of all is needed in order to maintain these standards.

2.1 Harassment. Repeated unwanted contact or communication by any means and behavior or verbal abuse that threatens to injure or endangers the health, safety, or welfare of oneself or another person is unacceptable. Harassment is conduct that has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive environment. (See also 2.10, Hate Crimes and 2.11, Bias-Based Incidents.)

2.2 Stalking. Stalking includes repeated or cumulative behaviors that serve no purpose other than to annoy, threaten, or cause fear for another individual. Common stalking acts include harassing, threatening or obscene phone calls, emails, instant messages or notes, following, vandalism or personal property and/or leaving unwanted gifts or objects. Stalking is unacceptable as well as unlawful under State Law.

2.3 Privacy. Privacy violations such as video or audio taping in private space without permission, voyeurism, or watching others from a place of concealment are prohibited. Examples of private space would include but are not limited to sleeping areas, bathrooms, locker rooms. Publicizing or threatening to publicize sensitive personal material (e.g., photos, videos, etc.) is prohibited.

2.4 Threats. Physical or verbal threats which endanger the health, safety or welfare of oneself or another person are unacceptable.

2.5 Physical Actions. Physical abuse or other inappropriate physical action(s) that injures, threatens or endangers the health, safety, or welfare of oneself or another person is unacceptable.

2.6 Information About Sexual Harassment and Assault. Sexual harassment is sex discrimination and is unlawful under State and Federal laws and University of Rhode Island policy. Sexual harassment includes verbal and physical behaviors that range from sexual gestures or teasing to sexual assault.

Verbal sexual harassment may include, but is not limited to sexual remarks, comments, jokes and innuendoes, whistles and cat calls, crude and offensive language, comments on physical attributes, use of demeaning or inappropriate terms, discussion of sexual activities, the posing of personal questions, the spreading of stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.

Physical sexual harassment may include but is not limited to, unwanted touching, patting, grabbing, pinching, or hugging, stares, leers or sexual gestures, following someone or blocking their path, the display of sexually explicit or suggestive picture, sexual assault and rape.

Peer sexual harassment is a form of prohibited sex discrimination where the harassing conduct creates a hostile environment when it is unwelcome and when the conduct is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from the educational program, or to create a hostile or abusive educational environment.

a. Welcomeness. In order to be actionable as harassment, sexual conduct must be unwelcome. Conduct is unwelcome when the student being harassed did not solicit or incite it and regarded the conduct as undesirable or offensive. Mere acquiescence in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a student may have accepted the conduct does not mean that he or she welcomed it. Also, the fact that a student willingly participated in conduct on one occasion does not prevent him or her from indicating that the same conduct has become unwelcome on a subsequent occasion.

b. Acquaintance Rape. Acquaintance rape is rape by a date, boyfriend, girlfriend, casual friend or acquaintance. Regardless of the relationship between a perpetrator and victim, acquaintance rape is the same crime as stranger rape and the same criminal laws and penalties apply to both. Date rape often occurs following some level of mutually acceptable intimate activity. At some point the victim has stopped *consenting*.

c. Consent. Consent is an informed agreement to participate in specific sexual acts that is not achieved through manipulation, force or coercion of any kind, and requires having cognitive and emotional ability to agree to participate. Impairment due to alcohol and drug use, permanent/

temporary emotional or physical disability, and being below the age of consent (age 16) are all factors detracting from, or making consent possible.

d. Rhode Island Sexual Assault Law In Rhode Island, sexual assault is defined legally in three degrees:

1st degree - any forced or coerced penetration of the vagina, anus or mouth, by any part of another person's body or by an object.

2nd degree - any forced or coerced contact with a person's genital area, inner thighs, buttocks, or the breast of a female.

3rd degree - penetration when one person is age 18 or older and the other is over the age of 14 but under the age of consent (age 16). The state of Rhode Island does not recognize the ability of people under the age of 16 to give informed consent to sexual intercourse with an adult.

e. The Role of Alcohol. In many cases of campus acquaintance rape, alcohol is involved. Alcohol use may impair judgment or lessen the victim's ability to resist. In some cases the victim is incapacitated, or has passed out, and usually is isolated. It is important to note that alcohol is not the direct cause of sexual assault, but it is an exacerbating factor. Alcohol frequently contributes to the social conditions that lead to acquaintance rape. In the *Ms. Survey* (1988) Robin Warshaw reported that about 75% of the offenders and at least 55% of victims involved in acquaintance rapes had been drinking just before the attack.

f. Impact of Sexual Assault. Sexual assault victims experience profound emotional trauma. Although victims react in different ways, common responses include initial feelings of shock and disbelief; intense fears about personal safety; preoccupation with recurrent, intrusive thoughts about the assault; sleep disturbances; anxiety; impaired concentration; mood swings; depression; and feelings of anger, shame and self-blame. These reactions are called "post-traumatic stress disorders" or "rape trauma syndrome."

Victims of acquaintance rape often experience especially intense feelings of shame and self-blame. Many also feel betrayed because they have been violated by someone they initially trusted. Some victims lose confidence in their own judgment and find it hard to learn to trust again. In order to facilitate the healing process, it is important for victims to seek services from appropriate departments or agencies.

g. What to Do Following a Sexual Assault. Get the victim to a safe place: her/his home, a friend's house, or a place where there are several people.

Seek medical attention as soon as possible. It is extremely important to be examined for physical injury as well as to discuss the options for prevention of disease and pregnancy. Even if the incident was not recent, you should still consider a medical discussion (and perhaps examination) about the possible physical consequences of the event.

If the assault has taken place within 72 hours, it is recommended that a "rape kit" be performed in order to gather possible physical and medical evidence for immediate or later legal action. To facilitate the gathering of evidence, victims should not bathe, change their clothing, douche, etc. However, if these have been done, a "rape kit" can be performed. If the victim changes clothing, those items worn at the time of the assault should be collected and placed in individual paper bags. It is important to note that the police will not be notified of a sexual assault without the victim's consent.

Medical services are available at Health Services until 8:00 p.m. After that time, transportation is provided to South County Hospital. It is recommended that you call Health Services as the initial step in getting the proper medical attention. All medical information will remain confidential unless you choose to take formal action and give permission for the information to be released.

h. Options for Victims of Sexual Assault and Harassment. For emotional support the Violence Against Women Prevention Program (874-9131/9293/5222) and the URI Counseling Center (874-2288) are available for students and the Sexual Assault & Trauma Resource Center of Rhode Island operates a 24-hour hot line statewide (1-800-494-8100). Advocates are available 24 hours a day, statewide, to provide this essential service. Ongoing support is crucial to the emotional recovery of victims. Many sexual assault cases go unreported because the victim fears retaliation or possible humiliation if word gets around that she/he has been the victim of a sex offense. Victims tend to feel guilty, as though they did something to bring it on themselves, and often keep the incident to themselves or share some of the incident with a close friend. Students who have been raped or sexually assaulted in any way have been victimized. Their assailants are at fault and the behavior is not acceptable. In order to stop this type of criminal activity, we encourage victims to help start the healing process by

reporting what has happened to them. Recognizing the different needs of victims, there is a range of ways to report the perpetrator's behavior. A student may pursue any or all of these options.

The incident may be reported to the police 874-2121, whether or not criminal prosecution is desired. A police report does not require a victim to prosecute, that decision can be made later. If the incident occurs on campus, Campus Police have jurisdiction and can be of help in exploring this option. The victim may bring an advocate and a female victim will almost always be able to talk with a female Campus Police officer.

If the offender is a University of Rhode Island student and the incident happened on campus or if University jurisdiction applies to the off campus incident (see section 12), the University is obliged to take action. To initiate disciplinary action, the student contacts the Office of Student Life. Please consult the URI Student Handbook Section 10 through 30 or call the Office of Student Life, Judicial Affairs at 874-2098. In addition, a student may want to initiate criminal action by contacting the Campus Police at 874-2121.

2.7 Information about Domestic Violence. Domestic violence is the use of emotional, physical and/or sexual attacks by an individual against his/her intimate partner in order to maintain power and control in the relationship. Threats and/or physical actions which endanger the health, safety, or welfare of an individual are unacceptable (refer to Section 2.4 and 2.5) regardless of the relationship between the parties. As in sexual assault, victims are often reluctant to report or prosecute incidents of domestic or dating abuse.

Options for Victims of Domestic Violence. For emotional support and advocacy, the Violence Against Women Prevention Program (874-9131/9293/5222) and the URI Counseling Center (874-2288) are available. Assistance is also available through the 24-hour hotline at the Women's Resource Center of South County (782-3990).

2.8 Sexual Actions. Behavior that results in the sexual abuse, harassment, or intimidation of another person, or any unwanted sexual attention toward another person, is unacceptable. Forced or coerced contact with intimate body parts is prohibited. If the individual to whom it is directed does not give consent or is physically or mentally unable to give consent, sexual attention is considered unwanted.