

Department of Student Rights and Community Standards

Sexual Misconduct Information

The Law

In Massachusetts, rape is defined as the penetration of any bodily orifice by any object without the consent of the individual, or which is accomplished by the use of force or the threat of force.

At Brandeis

Sexual conduct that occurs without the explicit consent of each student involved may be considered sexual misconduct. Consent must be clearly communicated, mutual, non-coercive, and given free of force or the threat of force. A student who is physically or mentally incapacitated by drugs, alcohol, or other circumstances is not capable of giving consent.

What to do if you or someone you know is the victim of sexual misconduct at Brandeis:

- Make sure the environment is safe- get somewhere safe.
- Seek medical attention (for pregnancy prevention, treatment of sexually transmitted infections, evidence collection).
- Report the incident. Campus police are trained and available anytime to assist you in obtaining medical help, and they offer various ways to report the incident. Students can also make a report through the Student Development and Conduct Office.
- Seek support from the Psychological counseling center and trusted friends.

Rights and Responsibilities at Brandeis University

- Section 3.1- Students are prohibited from engaging in sexual misconduct. Sexual contact that occurs without the explicit consent of each student involved may be considered sexual misconduct. **(Consent)**
- Section 3.2- Causing incapacitation or intoxication, or taking advantage of someone's incapacitation or intoxication for the purpose of engaging in sexual activity is considered sexual misconduct **(Coercion)**
- Section 3.3- A student who is physically or mentally incapacitated by drugs, alcohol, or other circumstances is not capable of giving consent. Physical or mental incapacity means the lack of ability to appreciate the fact that the situation is sexual, and/or the inability to rationally and reasonably appreciate the nature and extent of that situation. Evidence of ingestion of drugs, and/or alcohol, may raise a presumption of physical and/or mental incapacity **(Capacity)**

What is Sexual Harassment?

For example:

- subtle pressure for sexual activity
- unnecessary touches or contact
- offensive sexual graffiti or cartoons

- inappropriate sexual innuendoes
- verbal sexual abuse disguised as humor
- whistling, cat-calls, obscene gestures

What to do if Sexually Harassed

- Consider letting the harasser know that the conduct is unwelcome.
- Keep a journal: write down what is happening to you and keep a record of times, dates and places of the events and person.
- Use Brandeis Resources- report the behavior to the Department of Student Development and Conduct, your CA, or Quad Director.

Campus Resources

Public Safety (Campus Police)	Available 24 hours.	(781) 736-3333 or (781) 736-5000
Escort Service	Provides escort for individuals to locations both on and off campus.	(781) 736-4999
Dept. of Student Development & Conduct	Confidential advice, filing complaints against students.	(781) 736-5070
Counseling and Rape Crisis Hotline	Counselors on call 10 p.m. to 2 a.m.	(781) 736- TALK
Psychological Counseling Center	Provides confidential, individual counseling.	(781) 736-3730
Women's Resource Center (WRC)	Student Organization	(781) 736-4745
Committee on Rape Education	Student Organization	(781) 736-4745
Student Sexuality Information Service (SSIS)	Student Organization	(781) 736-3695 (SSIS)
Triskelion (LGBT)	Student Organization	(781) 736-3749