



**TITLE IX POLICY STATEMENT- (VAWA- Violence Against Women Act)12854**

(Also included in our LJIC ASR)

Title IX of the Education Amendments of 1972 ("Title IX") protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

La' James International College not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The Institution is committed to compliance in all areas addressed by Title IX, including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

The purpose of this policy is to ensure that the Institution's policies are applied and interpreted in ways consistent with Title IX and other applicable law.

It is the policy of the Institution to provide educational, preventative and training programs regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent incidents of sexual and gender-based harassment from denying or limiting an individual's ability to participate in or benefit from the College's programs; to make available timely services for those who have been affected by discrimination; and to provide prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate officials at the College.

**Discrimination**

La' James International College prohibits discrimination and harassment based on race, color, creed, religion, sex, gender, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, genetic information, veteran status, or any other status protected by applicable law to the extent prohibited by law.

**La' James International College TITLE IX Officer** - The College appoints Title IX Officers. The Institution's Title IX Officer is:

Joni Buresh  
Compliance Administrator  
2419 5<sup>th</sup> Ave South  
Fort Dodge, IA 50501  
515-576-4046

**Sexual Harassment**

The College defines sexual harassment as unwelcome behavior of a sexual nature that relates to the gender or sexual identity of an individual and that has the purpose or effect of creating an intimidating, offensive or hostile environment for study. This policy applies to all interactions between students and La' James International College faculty members and other faculty, staff, and administrative personnel, and other students.



Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Repeated incidents or a pattern of harassing behavior may be cause for serious corrective action. However, a more serious incident, even if isolated, may be sufficient cause for action under this policy including referral to law enforcement when applicable.

Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute discrimination on the basis of sex. A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment. In addition, the following conduct may violate this policy:

1. Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties.
2. Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipients.
3. Sexual advances, whether or not they involve physical touching.
4. Commenting about or inappropriately touching an individual's body.
5. Requests for sexual favors in exchange for actual or promised job benefits, such as favorable 12854reviews, salary increases, promotions, increased benefits, or continued employment.
6. Lewd or sexually suggestive comments, jokes, innuendoes, or gestures.
7. Stalking

Other verbal, nonverbal, graphic, or physical conduct may create a hostile environment if the conduct is sufficiently persistent, pervasive, or severe so as to deny a person equal access to the college's programs or activities. Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person's education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred.

### **Unwelcome Conduct**

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.



In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not, however, diminish the Respondent's responsibility for sexual or gender-based harassment under this policy.

### **Gender-Based Harassment**

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the College's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this policy.

### **Investigations of Complaints**

A complaint that a student, staff or faculty member has committed sexual harassment or engaged in nonconsensual sexual activity may be made to the Title IX Compliance Officer, or a staff or faculty member. The college will conduct an investigation, as appropriate under the circumstances.

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek or to hold the accused responsible through the college's Student Code of Conduct. As soon as possible, the complainant and the accused will be offered appropriate assistance, and our Educational department will be contacted if course adjustments are required.

Based on the outcome of the investigation, the Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or their designee will arrange for an informal resolution conference with the accused. (Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome.) If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee.

The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the Institution for a student, staff or faculty who is found to have violated college policies.

### **Implementing Provisions/Policies**

The college will take appropriate action (i.e., an investigation, adjudication and disciplinary and remedial/corrective steps) in response to a complaint made pursuant to the complaint policies/procedures listed above. The college will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains and the rights of the accused.

La' James International College handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the institution may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.



## La' James International College Clery Compliance

### Title IX Policy – (VAWA- Violence Against Women Act)

Complaints may be made anonymously. While the college endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the Institution attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by the college, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The Institution endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the college attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, the college offers confidential resources that does not result in a complaint being filed with the institution or result in action being taken by the institution. Anyone wishing to have an incident investigated, mediated or adjudicated must make a complaint either orally or in writing in accordance with the procedures described above.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the college does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the institution uses a "preponderance of the evidence" standard, and the college may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights granted under law. The particular method and grounds for appeal are explained in the student policies listed above.

The college endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases or when the Institution is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

The college prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other college policy. Retaliation is also unlawful pursuant to Title IX and other laws.



## **A STATEMENT OF CURRENT POLICIES CONCERNING THE SEXUAL ASSAULT PREVENTION PROGRAM AND THE PROCEDURES THAT ARE FOLLOWED**

The new Campus Sexual Violence Elimination Act of 2013 (SaVE Act) requires schools to educate students, staff, and faculty on the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. As part of La' James International College's compliance with the SaVE Act requirements for prevention and awareness programs that address the specified areas above, the institution has contact resource information available in the student lab and/or breakroom. These services are from nationally recognized organizations and include awareness and preventive information, and may include help hotlines related to these specific topics.

### **Male Victims**

While most victims of sexual assault are women, some men are also victims and will be treated the same as a female victim and have the same rights, resources and access to help.

### **Institutional Notice of Petitioners Rights Under the Violence Against Women Act**

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

La' James International College not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The Institution is committed to compliance in all areas addressed by Title IX including access to higher education, career education, math and science, standardized testing, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and include dating violence, domestic violence, and stalking. These crimes are prohibited, and as such should you report a form of sex-based discrimination, the college wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as well as your rights, options and the institution's responsibilities.

As a petitioner of sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of our institution's Title IX Policy. This policy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These procedures include our right to inform you of your rights to file criminal charges as well as the availability of medical, counseling, and support services. We also offer additional remedies to prevent contact between a complainant and an accused party. The policy also addresses possible sanctions and interim and/or long-term protective measures that the college may impose.

La' James International College prohibits and does not tolerate crimes of dating violence, domestic violence, sexual assault and stalking as defined in the Clery Act, against males or females, whether committed by a stranger or an acquaintance. LJIC attempts to protect members of its campus community, including visitors, from sexual assaults. LJIC strongly encourages the following actions to prevent or protect against sexual assault:



Use of a “Buddy System” when walking to parked cars at night

- Leaving the building in a group when classes are dismissed
- If an assault occurs, notify the College Administrator immediately
- Do not disturb the crime scene
- Notify local law enforcement officials
- Secure counseling for the victim, or offer a referral to appropriate entities that provide applicable counseling
- Change the academic schedule if victim requests
- Disciplinary actions against the assaulter include dismissal from the School

As part of the effort to provide an environment conducive to the school's mission, the following services relating to sexual assault are provided at La' James International College. The college hosts organizational speakers to enhance awareness of sexual assault and the condition that fosters this offense on school campuses. The school undertakes efforts to safeguard the rights and interest of the survivor and pursues sanctions against the perpetrator(s) of sexual assault. The school official will, upon request, arrange transportation to a hospital for treatment and evidence collection; provide notification to an off-campus support and counseling service; provide assistance in contacting the appropriate law enforcement agency as applicable.

La' James International College does not tolerate sexual assault against females or males, whether committed by a stranger or by an acquaintance. The school attempts to protect members of the school community, including visitors, from sexual assaults and offers any student, faculty or staff member who survives a sexual assault that occurs within the context of the college community the support necessary to enable them to continue to pursue their academic or career goals.

### **Definitions**

**Consent** is defined in as “intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.”

The **Iowa** Age of Consent is 16 years old. In the United States, the age of consent is the minimum age at which an individual is considered legally old enough to consent to participation in sexual activity. Individuals aged 15 or younger in Iowa are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape.

Iowa statutory rape law is violated when a person has consensual sexual intercourse with an individual under age 16. A close in age exemption allows teens aged 14 and 15 to consent to partners less than 4 years older. Regardless of age, it is also illegal for a school employee to engage in sexual intercourse with a current student or even a student who attended school within 30 days of such a violation.

Under **Illinois** law, the age of consent for any type of sexual activity is, typically, 17 years. This means anyone younger than 17 years of age cannot lawfully consent to any type of sex act involving sexual conduct. Sexual conduct is the touching of any sex organ of another. Voluntary sexual activity with someone younger than 17 is not “consensual” sexual activity as far as Illinois law is concerned. At this age, “consent” is a legal term, not a factual term.

**Nebraska** law - Sixteen is the age of consent in Nebraska, and adults who engage in sexual activity with



children under that age may face criminal charges for statutory rape (also called sexual assault).

**Sexual Assault** is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

**Sexual violence** includes any one incident of:

1. Sexual battery, as defined in a lewd or lascivious act, as defined in upon in the presence of a person younger than 16 years of age.
2. Luring or enticing a child, as described in:

### **Iowa, a person commits the crime of child enticement by:**

- luring or attempting to lure a child the defendant reasonably believes to be under the age of 13 to engage in sexual conduct
- luring or attempting to lure a child the defendant reasonably believes to be under the age of 16 to engage in sexual conduct, or
- luring or attempting to lure a child the defendant reasonably believes to under the age of 16 to commit any illegal act.

The crime is punished more severely if the child is under the age of 13 and less severely if the defendant merely attempts to lure a child under the age of 16 to commit an illegal act.

The crime is considered to have occurred in Iowa if the child is present in Iowa or the communication originates in Iowa.

(Iowa Code § 710.10)

For example, an adult who arranges to meet with a fifteen-year-old for sex could be convicted of child enticement in Iowa, as could an adult who arranges to meet for sex with a police officer posing as a fifteen-year-old child.

### **Illinois Child Enticement Laws:**

In Illinois, a person age 18 or older commits the crime of luring a minor by contacting or communicating electronically with a child under the age of 15 and arranging to meet the child for some illicit purpose, such as sexual activity, without the consent or permission of the child's parents or guardian.

It is a defense to the charge that the defendant reasonably believed the child was over the age of 16, or was assisting the minor during an emergency.

It is not a defense that the "child" is actually an adult law enforcement official.

Luring a minor is punished more severely if the defendant is over the age of 21.

(720 Ill. Comp. Stat. § 5/10-5.1.)

Some behavior, such as texting a fourteen-year-old girl to arrange to meet for sex, could be prosecuted as indecent solicitation, electronic enticement, or luring a minor.

### **Nebraska Child Enticement**

Generally, a person commits the crime of "child enticement" by tempting, luring, or attempting to lure a child to engage in sexual activity, whether in person or by electronic means, such as a text message.



In Nebraska, a person commits the crime of child enticement by luring or attempting to lure a child under the age of 14:

- into a vehicle, or
- into a building or any other place with an intent to isolate the child.

In order to be convicted of child enticement in Nebraska, the defendant does not need to know the child's age.

3. Sexual performance by a child, as described in:

**Iowa 728.12 Sexual Exploitation of a Minor**

It shall be unlawful to employ, use, persuade, induce, entice, coerce, solicit, knowingly permit, or otherwise cause or attempt to cause a minor to engage in a prohibited sexual act or in the simulation of a prohibited sexual act. A person must know, or have reason to know, or intend that the act or simulated act may be photographed, filmed, or otherwise preserved in a negative, slide, book, magazine, computer, computer disk, or other print or visual medium, or be preserved in an electronic, magnetic, or optical storage system, or in any other type of storage system. A person who commits a violation of this subsection commits a class "C" felony. Notwithstanding section 902.9, the court may assess a fine of not more than fifty thousand dollars for each offense under this subsection in addition to imposing any other authorized sentence.

**Illinois 720 ILCS 5 Sec. 11-9.1 Sexual Exploitation of a Child**

A person commits sexual exploitation of a child if in the presence or virtual presence, or both, of a child and with knowledge that a child or one whom he or she believes to be a child would view his or her acts, that person:

- (1) engages in a sexual act; or
- (2) exposes his or her sex organs, anus or breast for the purpose of sexual arousal or gratification of such person or the child or one whom he or she believes to be a child.

(a-5) A person commits sexual exploitation of a child who knowingly entices, coerces, or persuades a child to remove the child's clothing for the purpose of sexual arousal or gratification of the person or the child, or both.

**Nebraska Chapter 28 Section 813.01, 28-1463.02-03 Sexual Exploitation of a Child**

In Nebraska, it is a crime to possess a visual depiction of sexually explicit conduct featuring a child under the age of 18 years. Sexually explicit conduct includes nudity and fondling, as well as intercourse and other sexual acts. It is also illegal in Nebraska to create, produce, buy, sell, or distribute child pornography. (Neb. Stat. Rev. Ann. §§ 28-813.01, 28-1463.02, 28-1463.03.)

28-813.01

Sexually explicit conduct; visual depiction; unlawful; penalty; affirmative defense; forfeiture of property.





La' James International College Clery Compliance

Title IX Policy – (VAWA- Violence Against Women Act)

(1) It shall be unlawful for a person to knowingly possess any visual depiction of sexually explicit conduct, as defined in section 28-1463.02, which has a child, as defined in such section, as one of its participants or portrayed observers.

(2)(a) Any person who is under nineteen years of age at the time he or she violates this section shall be guilty of a Class IV felony for each offense.

(b) Any person who is nineteen years of age or older at the time he or she violates this section shall be guilty of a Class IIA felony for each offense.

4. Any other forcible felony wherein a sexual act is committed or attempted regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney.

**Sexual Assault** is defined as any sexual act perpetrated upon a person without their consent, where the assailant uses physical force, threat, coercion or intimidation to overpower or control the victim; where the victim fears that they or another person will be injured or otherwise harmed if they do not submit; where the victim is prevented from resisting due to the influence of alcohol or other drugs; or where consent is otherwise not freely given. A “sexual act” includes, but is not limited to, actual or attempted intercourse, sexual touching, fondling, and groping. Sexual assault is defined as “rape” when vaginal, anal or oral intercourse takes place without consent. This includes penetration by a foreign object. All parties engaging in sexual activity must be based upon explicit consent among the parties. Verbal communications of non-consent, non-verbal acts of resistance or rejection, or mental impairment of the victim due to any cause, including the victim’s use of alcohol or drugs, may constitute lack of consent.

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member of another family or household member. A family or household member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

**Dating Violence** means violence committed by a person—

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship will be determined based on a consideration of the following factors:
  - a. The length of the relationship
  - b. The type of relationship
  - c. The frequency of interaction between the persons involved in the relationship



Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 months.
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties.
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time, and on a continuous basis during the course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who have engaged in ordinary fraternization in a business or social context.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

**“Credible threat”** means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety, or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

**“Cyber stalk”** means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

A person, who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in:

#### **Iowa 708.7 Harassment**

A person commits harassment in the first degree when the person commits harassment involving a threat to commit a forcible felony, or commits harassment and has previously been convicted of harassment three or more times under this section or any similar statute during the preceding ten years. Harassment in the first degree is an aggravated misdemeanor.

A person commits harassment in the second degree when the person commits harassment involving a threat to commit bodily injury, or commits harassment and has previously been convicted of harassment two times under this section or any similar statute during the preceding ten years. Harassment in the second degree is a serious misdemeanor. Any other act of harassment is harassment in the third degree.

Harassment in the third degree is a simple misdemeanor. For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section 692A.126.



**Nebraska R.R.S. Neb. § 28-311.04. Stalking; violations; penalties. (2006)**

(1) Except as provided in subsection (2) of this section, any person convicted of violating section 28-311.03 is guilty of a Class I misdemeanor.

A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in:

**Illinois 720 Sec. 12-7.5 Cyberstalking**

Cyberstalking is a Class 4 felony; a second or subsequent conviction is a Class 3 felony.

**R.R.S. Neb. § 28-311.04. Stalking; violations; penalties. (2006)**

2) Any person convicted of violating section 28-311.03 is guilty of a Class IV felony if:

- (a) The person has a prior conviction under such section or a substantially conforming criminal violation within the last seven years;
- (b) The victim is under sixteen years of age;
- (c) The person possessed a deadly weapon at any time during the violation;
- (d) The person was also in violation of section 28-311.09, 42-924, or 42-925 at any time during the violation; or
- (e) The person has been convicted of any felony in this state or has been convicted of a crime in another jurisdiction which, if committed in this state, would constitute a felony and the victim or a family or household member of the victim was also the victim of such previous felony.

**Bystander Intervention:** A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking, or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence, or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse.

**Reporting sexual assault, dating violence, domestic violence, or stalking**

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at a local hospital that will supply a physical evidence recovery collection kit.

**In Iowa,** you have the right to: A free medical examination (Sexual Assault Evidence Exam) whether or not you choose to report the crime to the police that is paid for by the State of Iowa. Apply for financial assistance from the [Crime Victim Compensation Program](#) by submitting a [Crime Victim Compensation Application](#).

**In Illinois,** evidence may be collected even if you do not plan to report the attack to the police. If you decide, at a later date, that you would like to prosecute, this evidence will be available. Hospitals in



Illinois are required to notify the local police department that treatment has been given to a sexual assault victim.

**In Nebraska**, evidence may be collected even if you chose not to make a report to law enforcement. If you are not sure you want to report the assault to the police, you can still have the evidence collected to have available in case you change your mind. Evidence can only be collected from your body within the first 3 days of your assault.

A victim's name and identifying information will be withheld from the public and press in accordance with the Public Records Law. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to the Institution's hearing boards/investigators or police. Although the institution strongly encourages all members of its community to report violations to law enforcement, it is the victim's choice whether or not to make such a report, and victims have the right to decline involvement with the police.

**To report an incident involving a sexual assault, domestic violence, stalking or dating violence, contact**

Joni Buresh, Title IX Coordinator @ 2419 5<sup>th</sup> Ave. South, Fort Dodge, IA 50501 – 515-576-4046 x 5405 and / or your College Administrator.

The purpose and authority of the institution staff is limited to the enforcement of campus rules and regulations. Incidents that go beyond this scope are referred and investigated by the Local Police Department.

**A victim of domestic violence, dating violence, sexual assault or stalking has the following rights:**

1. A law enforcement officer who investigates an alleged sexual battery shall:
  - (a) Assist the victim in obtaining medical treatment, if medical treatment is necessary as a result of the alleged incident, a forensic examination, and advocacy and crisis-intervention services from a certified rape crisis center and provide or arrange for transportation to the appropriate facility.
  - (b) Advise the victim that he or she may contact a certified rape crisis center from which the victim may receive services.
  - (c) Prior to submitting a final report, permit the victim to review the final report and provide a statement as to the accuracy of the final report.
2. The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available to a victim on a standard form developed and distributed in conjunction with the Department of Law Enforcement. The notice will include the resource listing, including telephone number, for the area certified rape crisis center as designated by the State.

**A person who is the victim of sexual violence or the parent or legal guardian of a minor child who is living at home who is the victim of sexual violence has standing in the circuit court to file a sworn petition for an injunction for protection against sexual violence on his or her own behalf, or on behalf of the minor child if:**

1. The person has reported the sexual violence to a law enforcement agency and is cooperating in any criminal proceeding against the respondent, regardless of whether criminal charges based on the sexual violence have been filed, reduced, or dismissed by the state attorney; or



2. The respondent who committed the sexual violence against the victim or minor child was sentenced to a term of imprisonment in state prison for the sexual violence and the respondent's term of imprisonment has expired or is due to expire within 90 days following the date the petition is filed.

Further, the Institution complies with State law in recognizing orders of protection for dating violence, domestic violence, repeat violence, and sexual violence. Any person who obtains an order of protection from the State or any reciprocal state should provide a copy to the Title IX Coordinator and / or College Administrator. A petitioner should then meet with Title IX Coordinator and/ or College Administrator to develop a Safety Action Plan, which is a plan to reduce risk of harm while on campus, or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, or other measures to assist the petitioner.

A victim has the option of filing a restraining order and should follow the directives from their local Law Enforcement for details.

To the extent of the victim's cooperation and consent, all Institutional offices will work cooperatively to ensure that the petitioner's health; physical safety, work and academic status are protected, pending the outcome of a formal Institution investigation of the complaint. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The Institution does not publish the name of crime victims nor publish any identifiable information regarding victims in ASR reports.

### **Disciplinary Procedures Following a Complaint**

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek, or to hold the accused responsible through the La' James International College Student Code of Conduct. As soon as possible, the complainant will be offered appropriate assistance.

Based on the outcome of the investigation, the Title IX Officer or the College Administrator will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or the College Administrator will arrange for an informal resolution conference with the accused. Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome. If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or College Administrator will determine if the evidence warrants a formal hearing before the Grievance Committee. The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the College for a student, staff or faculty who is found to have violated Institutional policies.

The college will take appropriate action i.e., an investigation, adjudication and disciplinary and remedial/corrective steps in response to a complaint made pursuant to the complaint policies/procedures listed above. The college will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains, and the rights of the accused.

The college handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the college may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.



## La' James International College Clery Compliance

### Title IX Policy – (VAWA- Violence Against Women Act)

Complaints may be made anonymously. While the college endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the college attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by the college, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The college endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the college attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, the college will also proceed in this regard.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the college does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the college uses a "preponderance of the evidence" standard, and the Institution may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight, or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights the law grants. The particular method and grounds for appeal are explained in the student policies listed above.

The college endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases, or when the college is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.



The college prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other Institution policy. Retaliation is also unlawful pursuant to Title IX and other laws.

### **LJIC Awareness Programs & Prevention Campaigns**

The college engages in educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in:

#### **Iowa**

Sexual intimacy requires that all participants consent to the activity. Consent between two or more people is defined as an affirmative agreement--through clear actions or words--to engage in sexual activity. The person giving the consent must act freely, voluntarily, and with an understanding of their actions when giving the consent. Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in the sexual activity are responsible for obtaining consent--it should never be assumed. A prior relationship or prior sexual activity is not sufficient to demonstrate consent.

Consent must be present throughout the sexual activity--at any time, a participant can communicate that they no longer consent to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion can be clearly resolved.

In addition, under Iowa law the following people are unable to give consent:

- Persons who are asleep or unconscious
  - Persons who are incapacitated due to the influence of drugs, alcohol, or medication (see "Resource Links" below for Iowa Code Section 709.1A, Incapacitation)
  - Persons who are unable to communicate consent due to a mental or physical condition
- Generally, minors under the age of 16.

#### **Illinois**

In the Illinois law, "consent" is defined as "a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent"

The law also states:

"A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct."



### **Nebraska**

“Consent” means agreement, approval, or permission as to some act or purpose, given voluntarily by a competent person. Nebraska law states “without consent” means:

- (1) (i) The person was compelled to submit due to the use of force or threat of force or coercion, or (ii) the person expressed a lack of consent through words, or (iii) the person expressed a lack of consent through conduct, or (iv) the consent, if any was actually given, was the result of the actor's deception as to the identity of the actor or the nature or purpose of the act on the part of the actor;
- (2) The person need only resist, either verbally or physically, so as to make the person's refusal to consent genuine and real and so as to reasonably make known to the actor the person's refusal to consent; and
- (3) A person need not resist verbally or physically where it would be useless or futile to do so.
- (4) In the above text, the word “person” means the individual against whom a wrongful act was allegedly committed, and the word “actor” is the individual alleged to have committed a wrongful act. When the actor knew or should have known that a person was mentally or physically incapable of resisting or understanding the nature of his or her conduct, there is no consent. A person may be incapacitated due to intoxication, mental illness or deficiency or by physical illness or disability to the extent that personal decision-making is impossible. Surprise may also prevent resistance, as where a person is grabbed from behind.

There are some persons who the law presumes are incapable of consenting to sexual contact or penetration by an actor by reason of their age. Under Nebraska law an actor nineteen years of age or older may not subject a person under the age of sixteen years of age to sexual penetration, or a person under fifteen years of age to sexual contact.

4. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander.

#### ***When & How to Intervene***

Every situation is different and there is no universal response when intervening to prevent sexual violence. Safety is key in deciding when and how to respond to sexual violence. Every person must decide for themselves the safest and most meaningful way to become an engaged bystander. Some ideas on how to maintain safety while being an engaged bystander:

- If you witness sexual violence, get support from people around you. You do not have to act alone. If you do not feel safe, contact the police.
  - When intervening, be respectful, direct and honest.
  - Group setting and sexual gestures made to a person in the group. Person becomes upset. An engaged bystander could tell the group to stop harassing the person, or ask the person if they want to leave and tell an appropriate authority (Ex: Instructor or Supervisor.)
  - Group setting and a friend starts flirting with someone. The other person is not interested, but the friend will not leave them alone. An engaged bystander could approach the friend and start a conversation to distract them from the uninterested person.
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks. – See below Risk Reduction/Warning Signs of Abusive Behavior
  6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.





This educational campaign will consist of but not be limited to the distribution of educational materials to new students, participating in and presenting information and materials during student/employee orientation and through newsletters among other means of distribution through the year. The college also has a directory of services that are available to victims within the community to assist those who have suffered from a criminal act.

### **Risk Reduction/Warning Signs of Abusive Behavior**

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

#### **Warning Signs of Abusive Behavior**

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

1. Being afraid of your partner.
2. Constantly watching what you say to avoid a “blow up.”
3. Feelings of low self-worth and helplessness about your relationship.
4. Feeling isolated from family or friends because of your relationship.
5. Hiding bruises or other injuries from family or friends.
6. Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
7. Being monitored by your partner at home, work, or school.
8. Being forced to do things you don't want to do.

#### **Help Reduce Your Risk and Avoid Potential Attacks**

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
2. Consider making a report with the College Administrator and ask for a “no contact” directive from the college to prevent future contact.
3. Consider getting a protective order or stay away order.
4. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
5. Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

#### **Sexual Assault Prevention (From Rape, Abuse and Incest National Network - RAINN)**

- Try not to leave your drink unattended.
- Only drink from un-opened containers, or from drinks you have watched being made and poured.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.



## La' James International College Clery Compliance

### Title IX Policy – (VAWA- Violence Against Women Act)

- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

#### **Traveling to and from campus and outside the campus building**

- Make sure your cell phone is easily accessible and fully charged.
- Take major, public paths rather than less populated shortcuts if walking to and from the college.
- Avoid dimly lit places and talk to the College Administrator if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Carry a noisemaker on your keychain.
- Carry a small flashlight on your keychain.

#### **La' James International College has a sexual assault prevention program that includes, but is not limited to the following:**

- If an assault occurs, notify the College Administrator immediately
- Do not disturb the crime scene
- Notify local law enforcement officials
- Secure counseling for the victim
- Change the academic schedule if victim requests
- Disciplinary actions on the assaulter includes dismissal from the college.

The nature of sexual assault, particularly when perpetrated by an acquaintance, makes it difficult for many survivors to report their experience. For this reason, the local Shelters and Women's Service Centers are primary places where individuals may seek assistance in complete confidentiality.

#### **Important Phone Numbers:**

##### Battered Women's Services

Crisis & Intake Line: (604)-687-1867

Toll Free: 1-(855)-687-1868

Business Phone: (604)-687-1868

Email: [information@bwss.org](mailto:information@bwss.org)

Domestic, Sexual Assault Outreach Center Fort Dodge, IA Hotline (888)-356-2006 Business (515)-955-2273

YWCA 826 1<sup>st</sup> Ave North Fort Dodge, IA 50501 (515)-573-3931

Gateway Domestic Violence Services Crisis Line (303)-343-1851

National Domestic Violence Hotline at 1-800-799-7233

[www.ndvh.org](http://www.ndvh.org)

Rape, Abuse & Incest National Network 1-800-656-4673

[www.rainn.org](http://www.rainn.org)

National Domestic Violence – Dating Abuse Hotline 1-866-331-9474



La' James International College Clery Compliance

Title IX Policy – (VAWA- Violence Against Women Act)

Chat at [loveisrespect.org](http://loveisrespect.org)  
Text "loveis" to 22522, anytime, 24/7/365  
[www.loveisrespect.org](http://www.loveisrespect.org)

National Child Abuse Hotline 1-800-422-4453  
[www.childhelp.org](http://www.childhelp.org)

National Suicide Prevention Lifeline 1-800-273-8255  
[www.suicidepreventionlifelong.org](http://www.suicidepreventionlifelong.org)

Center for Community Solutions  
(Rape/Domestic Violence) (24-hour Hotline) 1-888-385-4657

Stalking Resource Center Victim Connect Helpline  
855-4-VICTIM (855-484-2846)

Young Women's Resource Center 818 5<sup>th</sup> Ave. Des Moines, IA 50309 (515)-244-4901  
Email: [ywrc@ywrc.org](mailto:ywrc@ywrc.org)

Homeless Shelters:

Emergency Residence Project Ames, IA	(515)-232-8075
Central Iowa Shelter & Services Des Moines, IA	(515)-284-5719
Foundation for Children and Families of Iowa Des Moines, IA	(515)-288-1981
Hope Ministries Des Moines, IA	(515)-265-7272
Beacon-Hope Men's Homeless Fort Dodge, IA	(515)-955-3366
Shelter House Iowa City, IA 52240	(319)-351-0326
Madge Phillips Center-Waypoint Cedar Rapids, IA	(319)-366-7999
Waypoint Shelter Cedar Rapids, IA (24 hour support line)	(319)-363-2093 or (800)-208-0388
Humility of Mary Housing, Inc. Davenport, IA 52807	(563)-326-1330
YWCA 826 1 <sup>st</sup> Ave North Fort Dodge, IA 50501	(515)-573-3931
Y.W.C.A. (24 hr. hotline for all domestic violence services)	(877)-718-1868
Story County Victim/Witness Assistance Program	(515)-239-5101
National Women's Law Center	(202)-588-5180

Iowa Coalition Against Sexual Assault (515) 244-7424  
[www.iowacasa.org](http://www.iowacasa.org)

Illinois Coalition Against Sexual Assault (217) 753-4117  
[www.icasa.org](http://www.icasa.org)

Nebraska Coalition to end Sexual & Domestic Violence (402) 476-6256  
[www.ndvsac.org](http://www.ndvsac.org)

Iowa Coalition against Domestic Violence Help Line (800)-770-1650  
Or text iowahelp to 20121

Illinois Coalition against Domestic Violence Help Line (877)-863-6338

**Suggestions to Reduce Risk:**

- There is strength in numbers or group dates. Go to parties or clubs with a friend and be responsible for each other. Don't split up. Have a preplanned signal to let your friend know that you want to leave or need help.
- Control your alcohol; don't let it control you. Drink responsibly or not at all, especially on first dates.



- No substance abuse.
- Know your limits. It's never too late to say "no." Don't be embarrassed or ashamed to say "no" or ask someone to stop. It is your body.
- Verbalize your expectations. Be up front. Talk about sexual boundaries. A potentially embarrassing conversation could save you from a traumatic situation.
- Trust your gut instinct. Guard your personal space. If someone makes you uncomfortable, remove yourself from the situation.
- Believe in yourself. Know your rights. Women do not ask to be raped any more than a man with money in his pocket is asking to be robbed. You are in charge of your body and you can say "NO".
- End the night early if your date becomes drunk or abusive. No one deserves physical or emotional abuse.

### **Response to Reports of Sexual Assault**

The school is committed to creating an environment that both promotes and assists in prompt reporting of sexual assault, and to providing compassionate support services for survivors. Students who are the victims of campus-related sexual assault are entitled to certain rights. These rights include, but are not limited to, the following:

- The survivor has the right to have their claims treated seriously and to be treated with dignity.
- The survivor has the right to be informed of their options with regard to notifying law enforcement authorities and to be assisted in notifying such authorities if they so choose. Because the school recognizes that a sexual assault is more than an assault on an individual's body, but is also an attack on the individual's dignity and sense of self, the school is committed to ensuring that the decision to take action against the accused rests solely with the survivor. There may be circumstances, however, depending upon the status of the alleged assailant and the seriousness of the offense, in which the school must take action to protect the survivor or the campus community. Federal law requires that the school provide the campus community with timely notice of certain reported crimes and/or acts the institution believes represent a threat to members of the campus community.
- The survivor has the right to be free from undue coercion of any kind from the school's personnel. Such coercion includes but is not limited to pressuring the survivor to report, not to report, or to under report a sexual assault; suggesting that the survivor somehow contributed to or assumed the risk of being sexually assaulted; or suggesting that the survivor or the school would incur unwanted publicity or humiliation by reporting the sexual assault.
- Student survivors may choose to change academic arrangements, if such changes are reasonably available, without financial or academic penalty. For assistance in exploring options for a change in academic situations, contact should be made with the College Administrator.

### **If you are Sexually Assaulted**

- Get to a safe place.
- Call the police as soon as it is safe to do so by dialing 9-1-1.

### **Reporting the Assault**

Students who believe that they are victims of a sexual assault should contact College Administrator.

School faculty, staff members or campus visitors who believe they are victims of a sexual assault should contact at least one of the following College officials:

- College Administrator
- Human Resources
- Compliance

Individuals who have been raped or sexually assaulted should try to preserve all physical evidence. They should not wash, use the toilet, or change clothing, if doing so can be avoided. If oral contact took place,



## La' James International College Clery Compliance

### Title IX Policy – (VAWA- Violence Against Women Act)

one should not smoke, eat, drink, or brush one's teeth. If one changes clothes, all clothing worn at the time of the attack should be placed in a paper bag, not plastic. Medical attention should be sought as soon as possible to assess any physical injuries, provide appropriate medical treatment, and collect important evidence in the event legal action is taken.

In cases of alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during campus disciplinary proceedings, and both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault. The institution will, upon written request, disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), or a nonforcible sex offense, the report on the results of any disciplinary proceeding conducted by LJIC against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. An accused perpetrator of sexual assault, if determined to be responsible of the accused sexual assault, may be dismissed from La' James International College immediately.

The nature of sexual assault, particularly when perpetrated by an acquaintance, makes it difficult for many survivors to report their experience. For this reason, the local Shelters and Women's Service Centers are primary places where individuals may seek assistance in complete confidentiality.