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This Handbook is a 2004 revision of the previous Sexual Assault, Sexual Harassment Handbook drafted by the Handbook Revision Committee.

The information in this publication, current as of the time of printing, may be subject to change between editions. Any revisions will take priority over the contents of this edition and will be given the necessary publicity to acquaint members of the University community with them. It is the responsibility of all members of the University community to make note of such changes.

RESPONSIBLE MEN RESPONSIBLE WOMEN

Welcome to Bemidji State University. On behalf of the Responsible Men Responsible Women programming staff, congratulations on your acceptance to this noble institution! You are about to begin on an exciting and challenging journey that will provide amazing opportunities for growth, both academically and socially. As you begin this exciting new chapter in your life be sure to spend time reading this brochure to ensure a successful transition to campus life.

CIVILITY

Bemidji State University seeks to prevent sexual violence and sexual harassment and promote a safer and more civil campus environment.

WHAT IS CIVILITY?

Civility is consciously motivated, interactive behavior that is simultaneously conscious of self, other, and community.

It contains an ethical consciousness of other people as precious and sacred beings. Civility has nothing to do with conflict-avoiding pretense, mere politeness, and not making waves when waves are called for.

Civility involves a commitment to surfacing significant issues in organizations and social life and challenging unrealistic and detrimental social norms to encourage their conscious and creative resolution.

Civility recognizes the importance of diversity and the value of all contributions and works to maintain the dignity and rights of every individual.

Civility has no tolerance for bias, intolerance, discrimination, harassment or violence since these are attitudes and actions of domination which limit or eliminate choices, destroy individual value and greatly hinder organizational and social effectiveness.

To ACT WITH INCIVILITY IS TO ACT WITH:

Insult, Harassment, Prejudice, Bias, Inequity, Stereotyping,
Discrimination, Hatred, Passive Aggression, Sexual Assault,
Domestic Violence, Violence.

*“Attention must be given to the fact that careless
or deliberately offensive words or acts can
be deeply wounding.”*

*“If communication does not go beyond the formality
of words and yield a deeper understanding
of who people really are, prejudice persists.”*

“Prejudice fosters intolerance and violence.”

The Carnegie Foundation.

**“It is the responsibility
of each person on campus
to speak, act and live from
a perspective of civility.”**



SEXUAL VIOLENCE

Sexual violence is any sexual conduct between two or more people to which at least one person does not or cannot consent. All five degrees of criminal sexual conduct are considered sexual violence.

WHAT IS ACQUAINTANCE RAPE (DATE RAPE)

Acquaintance rape occurs when a woman or man is forced to have sexual intercourse against their will by someone they know. The rapist may be a friend, date, neighbor, partner or spouse.

Date rape is a form of sexual assault.

Date rape happens when one person, a date or social acquaintance, forces sexual activities on another person, that the other person doesn't want.

According to Minnesota State Law, force used can be physical, verbal, or implied.

While physical force is most often used against women, coercion and intimidation are used against both men and women.

Both men and women can be victims of date rape. Date rape can occur between same sex partners. The majority of rape victims are women.

WHY PEOPLE RAPE

Some rapists are sadistic, they want to mutilate, hurt or kill their victims. These are the ones we usually hear of through the media and they account for a small proportion of rapes.

Some people are angry, they choose to express their anger by hurting other people. They use sex to humiliate and strike out at their victims.

Still others who rape feel the need to control others. They use sex to demonstrate their dominance over the other person.

Most date rapes occur in this category. When one partner doesn't consent to have sex, and the other partner forces it against their will, this is sexual assault.

IT IS AGAINST THE LAW.

STAY SOBER!

- Alcohol is usually part of date rape.
- Nearly all gang rapes involve the use of alcohol.
- Alcohol acts to ease inhibitions, adversely affects judgment and slows down reactions.
- Men are more likely to attempt rape and women are more vulnerable to date rape as a function of alcohol.
- Your intoxicated perception may be that you are seducing a willing partner when in fact you are forcing someone to have sex with you against their will.
- Being drunk is no legal defense against committing rape.
- Give some SOBER thought to your decision about alcohol before you become a statistic as a perpetrator or a victim of rape.

RAPE IS ABOUT POWER AND CONTROL

- A potential rapist chooses a victim who will be easily overcome by words or physical force or who is easily isolated.
- Many women learn to be passive, polite, submissive and sexually reserved which makes women the most likely and most frequent victims of rape.
- Many men on the other hand, learn to be sexually dominant, competitive, knowledgeable and adventurous, making men most often at risk of being perpetrators of rape.

Challenging these learned patterns and recognizing the inherent dangers in them are important features of rape prevention.

Both women and men can learn to be assertive, active, knowledgeable, responsible, civil and equal partners in this human family.



DRUG FACILITATED RAPE

While alcohol is most often linked to drug facilitated rape it is important for individuals to be aware of other drugs that are being used. There are a variety of substances frequently described as predatory drugs. Most are colorless, odorless, and tasteless. Many times these drugs are added to drinks especially those containing alcohol. The unsuspecting victim will experience intensified effects, confusion and short-term memory loss.

Drug facilitated rape occurs when a substance is forced upon a person (usually without their knowledge) in an effort to reduce or eliminate resistance to sexual activity. Drug-induced sexual assault can happen to anyone at any time, however, it is often associated with the party scene. Here are some protective steps you can take to reduce the risk;

- Never leave a beverage unattended.
- Do not accept a drink from someone you do not know well and trust.
- At a bar, accept drinks only from the bartender or server.
- At a party only drink from unopened cans or bottles, or drinks that you've seen poured.
- Avoid "group" drinks. Punch bowls or containers that are "passed around" are the easiest to dose.
- Use the buddy system - If you came together, leave together. Watch out for your friends and keep each other safe.
- Share this information with friends and develop a plan to avoid potentially dangerous situations.

If you feel dizzy, confused, or have other sudden unexplained symptoms after a beverage...

- Get to a safe place.
- Call someone you trust.
- Get to a hospital emergency room immediately. Rohypnol mixed with alcohol can be fatal.
- Try to retain a sample of the beverage for testing.

If you think you've been sexually assaulted under the influence of a substance, call the police immediately. Do not shower, bathe, douche, or change clothes until medical and legal evidence is collected. These actions can destroy evidence. You can decide later if you want to file a police report. Immediately get to a hospital or clinic to receive treatment for injuries, testing for pregnancy or sexually transmitted infections and to receive support. Request a urine test to detect the presence of Rohypnol or other drugs as soon as possible. Traces of the drug can be detected up to 24 hours following ingestion. The test is free.

BEMIDJI STATE UNIVERSITY POLICY:

Acts of sexual violence, assault or abuse, such as rape, acquaintance rape, or other forms of non-consensual sexual activity will not be tolerated. Such acts are criminal behavior and create an environment contrary to the goals and mission of our University.

THE MINNESOTA CRIMINAL SEXUAL CONDUCT LAW:

- Identifies 5 degrees of criminal sexual conduct.
- Stipulates that the victim's testimony need not be corroborated.
- Provides that the victim need not prove resistance.
- Provides that medical costs arising from examining the victim for purposes of gathering evidence be paid by the county in which the offense was committed.
- Provides that, as a general rule, evidence of the victim's prior sexual behavior is not admissible in court.

MINNESOTA CRIMINAL SEXUAL CONDUCT LAW

Criminal Sexual Conduct is defined as:

Any sexual *contact* which is *forced* on someone against her/his will.

Contact is defined as:

Intentional touching of a person's groin, inner thigh, buttock or breast *even over* clothing.

Penetration is defined as:

Insertion of a penis, fingers and/or objects into vaginal or anal openings

Force can include:

Intimidation, physical force, use of a weapon, use of authority, position, or other forms of *power*.

DEGREES OF CRIMINAL SEXUAL CONDUCT

Fifth degree is a gross misdemeanor and involves non-consensual non-violent sexual contact or intentional or attempted removal of clothing with sexual or aggressive intent. . . .

Fourth degree is a felony and involves forced sexual contact through the use of force, coercion or personal injury to the victim.

Third degree is a felony and involves sexual penetration through the use of force, coercion or personal injury to the victim.

Second degree is a felony and involves forced sexual contact; threat with a dangerous weapon; reasonable fear of victim, for self, or others; great bodily harm or personal injury to the "complainant" or others; the "actor" knows or has reason to know the "complainant" to be helpless against them. . . .

First degree is a felony and involves forced sexual penetration; threat with a dangerous weapon; reasonable fear of victim, for self, or others; great bodily harm or personal injury to the "complainant" or others; the "actor" knows or has reason to know the "complainant" to be helpless against them. . . .

* in any case involving minors, lack of knowledge by "actor" of "complainant's" age does not matter; minors are considered unable to give consent.

* a person who is mentally, physically, or through the use of chemicals, incapacitated is considered unable to give consent.

Your Sexual Rights and Responsibilities

Humans are all sexual beings by nature. But we may be confused about what this actually means; how we can apply this to our lives and relationships? We question what is right for us in our dealings with others. When and under what circumstances is sexual intimacy acceptable to *you*? To answer such questions, it may be helpful to be aware of some of our basic rights as sexual beings:

RIGHTS

- You have the right NOT to be sexually intimate unless you want to be.
- No one has the right to force you to do anything against your will. You have the right to say “No” to anyone—including a current partner or spouse.
- Just because someone ‘takes you out’ and pays for your movie, or dinner, or whatever, does not mean you owe that person anything: sex, contact or intimacy, at any level. They are not ‘buying’ you by their actions and you are not required to reimburse them for their gifts.
- In dating situations if you have said “No” and your date does not listen, it is okay to take a stand, be blunt, run, scream or even use physical force to resist, if necessary.
- If someone touches you in an uncomfortable manner or speaks or acts in a way that makes you uncomfortable, it is okay to ask them not to perform that behavior in your presence.

RESPONSIBILITIES

Along with the sexual ‘rights’ come some responsibilities which we all have as well. They require us to go beyond simple questions of safe sex and birth control, forcing us to be more in ‘touch’ with both ourselves and those we are with:

- It is important to know your own sexual desires and your own limits. Communicate them clearly. If you say “No,” mean “No.”
- Conversely, do not assume that a “No” answer is really a request for more persuasion. “No” should never be treated as a joke and should always be taken seriously. If in doubt, stop and clarify immediately.
- Be aware of social pressure. Being turned down is not necessarily a rejection of you as a person, but a statement that says the other person is not sexually interested in you at that time.
- Respect the other person’s wishes regarding his/her own sexual activity.
- Do not assume that previous permission for sexual contact applies to the current situation. When in doubt of a possibly ‘risky’ situation in which you feel unsure, *stop and clarify!*



WHAT'S THE TRUTH ABOUT SEXUAL VIOLENCE?

BELIEVING MYTHS WON'T HELP THE VICTIM OR YOU. PERHAPS YOU HAVE HEARD SOME OF THESE:

MYTH

- The victims are to blame in some way for the assault.
- Sexual violence is an expression of sexual desire.
- It won't happen to me.
- If someone is sexually aroused, they can't stop themselves.
- Sexual violence is usually committed by strangers.
- It's no big deal if a person is forced to have sex with someone they know: a friend, date, boyfriend, girlfriend or spouse, and it really isn't a sexual violence.
- Sexual violence does not occur between lesbians or between gays.
- Men are never victims of sexual assault.
- If the victim was drunk or drugged, he or she was asking for it.

FACT

- *The offender is always responsible for having committed the assault. Regardless of the victim's appearance, behavior, judgement, or previous actions, the victim is not responsible for the assault. Offenders are responsible for their own behaviors.*
- *Sexual violence is an abuse of power using sex as the vehicle in which one person acts without regard for the wishes of another or for the pain and trauma inflicted.*
- *One study found that one in four college women have been victims of sexual violence. About 10 percent of sexual violence victims are men. It could happen to anyone.*
- *Both men and women are just as capable of, and responsible for, controlling their minds and their bodies - whether aroused or not.*
- *College students are in far greater danger of being a victim of sexual violence by a friend or a fellow student than by a stranger. At BSU 77% of women and 88% of men who were victims knew their assailants beforehand.*
- *Sexual acts forced by an acquaintance is sexual violence. In some ways it is more traumatic than sexual violence by a stranger because the victim's trust in others and in their own judgement can be seriously damaged.*
- *Sexual violence does occur in same-sex relationships. Fear of homophobic responses, however, often prevents victims from seeking help.*
- *Both men and women may be perpetrators or victims of sexual violence. Although many victims do not seek help for fear they will be outcast or insulted because of what has happened, male victims, however, often do not seek help due to the fear that they will simply not be taken seriously.*
- *Inability to give consent because of intoxication is not "asking for it". In Minnesota, sexual contact with someone who is intoxicated is against the law since intoxicated people are legally considered unable to give consent.*

A WORD ABOUT DATING FACULTY OR STAFF:

CONFLICT OF INTEREST

In a relationship where there is a power differential, the person in authority has the power of evaluation, grade and/or recommendation over a student or other staff or faculty. When sexual relations or dating occurs between faculty, advisors, and supervisors, and their students, advisees or subordinate staff, objectivity of grade, evaluation or status is destroyed and is likely to be questioned by both the involved student or staff and other students and staff as well. A role which is imbued with a sense of authority and greater knowledge is also in direct conflict with the true equality necessary for mutual consent in a romantic or sexual relationship. If such a relationship ends badly, a student's future could be jeopardized in both academia and career or a staff member's evaluation, performance, position or career could be jeopardized. In all cases the person of authority is at extreme risk of an allegation of sexual harassment.

For purposes of this policy, a conflict of interest occurs when a person is placed in a position of authority or decision over someone with whom they have a sexual or romantic relationship, or, when a person in a position of authority enters into a romantic or sexual relationship with a person over whom they have the power of evaluation, grade or recommendation. *This policy does not intend to include circumstances regarding immediate family members being placed in positions of supervision over each other, refer to Minnesota Statute 43A.38 subd.5.*

A CONFLICT OF INTEREST IS AVOIDED WHEN INDIVIDUALS IN AUTHORITY DO NOT INITIATE OR ACQUIESCE TO A ROMANTIC OR SEXUAL RELATIONSHIP WITH THOSE OVER WHOM THEY HAVE AUTHORITATIVE POWER.

When a conflict of interest occurs, it is the responsibility of the person in the authoritative position to report the conflict to his or her immediate supervisor. The supervisor is responsible to investigate possible alternative arrangements for supervision or evaluation. If no alternative arrangements can be made, the individuals involved may proceed with the arrangement remaining in contact with the supervisor in case difficulties arise.

Should dating or sexual relations occur within relationships of power differential, there are tremendous risks incurred. Almost without exception, the person in the authoritative role is vulnerable to allegations of sexual harassment. The issue of 'consenting adults' is likely to be moot in any legal proceedings or Affirmative Action investigations.

WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED:

1. Go to a safe place.
2. Call University Security, 755-3888 or the Bemidji Police Department, 751-9111.
3. Ask or call for a Sexual Assault Advocate. Dialing 444-9524 or 1-800-708-2727 will put you in immediate contact with Crisis Staff.
4. Do not shower, bathe, douche or change clothes.
5. Do not touch *any* possible evidence or straighten up the area where the assault occurred.
6. Go to the hospital emergency room for medical attention. Security or the Police will provide transportation if you ask. See *“What can I do if my privacy rights are violated” for more information on securing a medical exam, page 21.*
7. Do not blame yourself. The person who assaulted you is responsible. Sexual intercourse without consent (even with a date) is a crime.



VICTIMS' BILL OF RIGHTS

Provisions addressing the rights of victims of sexual violence or assault were added to the existing university policy on September 30, 1992. The Victims' Bill of Rights applies to all students, faculty and staff.

Victims of sexual violence occurring on property owned by the Minnesota State Colleges and Universities will be informed of their rights under Minnesota State Statutes section 135A.15.

These rights include the following:

1. The victim has the right to file criminal charges with local law enforcement officials.
2. Local university authorities, at the request of the victim, will provide assistance in notifying the appropriate law enforcement officials and disciplinary authorities of any incident of sexual assault.
3. At the direction of law enforcement authorities, the campus security office will provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with an incident of sexual assault.
4. University authorities will provide assistance to the sexual assault victim or complainant in preserving materials relevant to a campus disciplinary proceeding.
5. All sexual assault complaints will be investigated and resolved by the appropriate campus disciplinary authorities.
6. The victim may be accompanied by an attorney or other support person at, and may participate in, any disciplinary proceeding concerning the sexual assault complaint.
7. The victim will be informed of the outcome of any campus disciplinary proceeding concerning the sexual assault complaint consistent with laws relating to data practices.
8. At the request of the sexual assault victim, University authorities in cooperation with appropriate law enforcement authorities will provide assistance in shielding the victim from unwanted contact with the alleged assailant including transferring the victim to alternative classes or alternative university-owned housing, if alternative classes or housing are available and feasible.
9. University authorities will inform sexual assault victims of their rights to assistance from the Office of Crime Victim Ombudsman and the Crime Victim Reparations Board and will provide assistance in contacting these offices.



RIGHTS OF THE ACCUSED:

1. The right to an explanation of the charges.
2. The right to an explanation of the campus judiciary process.
3. The right to request and, subject to the approval of the University, voluntarily agree or disagree to mediation as a process for resolving the complaint.
4. The right to request whether a campus hearing will be held by judicial panel or administrative staff. The student affairs officer will have final determination as to the type of hearing to be held.
5. The right to be presumed innocent.
6. The right to a fair, impartial, and speedy resolution process.
7. The right to have someone accompany them through the hearing. All participants will be bound by the rules of confidentiality governing the hearing.
8. The right to know ahead of time the names of witnesses to be called at the hearing.
9. The right to remain silent.
10. The right to speak on their own behalf.
11. The right to be free from a second campus judicial hearing on the same charge after the student's actions have been found not to be in violation of the code of conduct.
12. The right to be informed in a timely manner of the outcome of the hearing.
13. The right to appeal the decision of the judicial hearing board.

SEXUAL HARASSMENT

Sexual Harassment as defined by Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972 and Minnesota State Law, section 363, is prohibited behavior at BSU and will not be tolerated.

Sexual Harassment is a form of sexual discrimination in that it interferes with a person's ability to obtain an education or a job and it is based on that person's sex or gender. Sexual Harassment is a civil offense unless it involves unwanted sexual contact as defined by the Minnesota Criminal Sexual Conduct Law; it then becomes a criminal offense. This form of harassment is defined more specifically as unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's performance, or a term or evaluation of a student's academic performance, or a term or condition of participation in student activities or in other events sanctioned by the University; or
- b. Submission to or rejection of such conduct by an individual is used as a basis for employment, academic decisions about that person or other decisions about participation in student activities or other events and activities sanctioned by the University; or
- c. Such conduct has the purpose or effect of threatening an individual's employment, interfering with an individual's work or academic performance or it creates an intimidating, hostile, or offensive work or educational environment.



WHAT ARE SOME EXAMPLES OF SEXUAL HARASSMENT?

Susan is planning a major in biology, to one day be a doctor. She finds that she is often one of the only women in her class. One professor who teaches many of the important, required courses in her area of specialization makes suggestive comments about female students, claiming their unsuitability for the profession. Knowing his attitude, Susan doesn't feel she could be treated fairly so she drops his course and changes majors.

Bruce is a non-traditional student who returned to school. Having had a hard time adjusting after almost ten years away, he visits one of his professors to discuss ways to improve his grade. She suggests that he visit her in her office after his four o'clock class so they can discuss the situation. When he arrives, she suggests they have dinner together so they can get to know each other better and find ways to help him get better grades. He declines. Following this, the professor will not see Bruce during office hours. He receives a "D" for the course.

Joanne works at the periodicals desk in the library for the night shift. Her supervisor often makes comments about her physical appearance. One evening when she is working alone her supervisor puts his arms around her and asks that she let him take her home. She refuses. He asks this several times; always to be refused. The supervisor has become overly critical of her work and Joanne is concerned about losing her job.

Sally is in a student organization and is annoyed by one of her fellow members who is constantly giving her unwanted attention. She tells him to stop. After the confrontation, however, the other members of the organization she is in begin making harassing comments to her, both on and off campus.

A group of male residents shout obnoxious sexual comments from a dorm window to passerby on the street below, and most of them are geared toward women and having sex with them. People report seeking alternative routes to their rooms or hurrying past to avoid being embarrassed or insulted.

A student reports being woken up by obscene phone calls in the middle of the night from an erotic female voice that are sometimes so disgusting it makes him feel sick to his stomach to have to hear such things. Afterwards he is often so angry he can't get back to sleep for at least an hour.

Students report finding unwanted, sexually explicit messages on their computer accounts and answering machines.

SEXUAL ORIENTATION HARASSMENT

Sexual Orientation Harassment is a form of sexual orientation discrimination that is prohibited by state law. Sexual orientation harassment is defined as verbal or physical conduct that is directed at an individual because of his/her sexual orientation and that is sufficiently severe, pervasive or persistent to create a hostile work, living, or learning environment.

WHAT CAN YOU DO?

1. Say “No,” firmly!

If a person’s behavior makes you uncomfortable, say so without delay. Tell the harasser that the advances are unwanted and you want them stopped. Also, the harasser may be unaware of the effects of this behavior on other people.

2. Keep Records.

Write a journal, record the facts on a tape recorder, or tell a friend. Record dates, times, places, witnesses, and the nature of the harassment.

3. Tell Someone.

Being quiet or stoic about sexual harassment enables it to continue. Talk to other students or coworkers; you are probably not this harasser’s only victim.

4. Report the Harassment.

Go to the office of Affirmative Action or the Department of Security & Safety to officially report what happened. You may also talk to the resource persons listed in this booklet. You need not come alone - anyone you wish may accompany you.

WHAT SHOULD YOU NOT DO?

1. Don’t blame yourself.

No one brings sexual harassment on themselves. It is the action of another person trying to exercise or gain power over you. It is not your fault.

2. Don’t delay.

Harassment is likely to continue if you delay. Timely action or reporting is more likely to result in a favorable outcome.

3. Don’t keep it to yourself.

Unless you let someone know you are being harassed, the harassment will continue. You are most likely not the only victim, and in rare instances the harasser may not realize what they are doing. You will help others as well as yourself by speaking up.

SAFE RELATIONSHIPS

SAFE RELATIONSHIPS

- Allow people involved to “be who they are”.
- Energize and enhance each person’s self-image.

RESPONSIBLE PEOPLE

- Clarify and keep their own values, feelings, beliefs and ideals.
- Allow themselves to be vulnerable as well as competent.
- Stay emotionally connected without trying to change the other person.
- Talk freely about what they care about.
- Have a strong and positive self image.

QUALITIES OF SAFE RELATIONSHIPS

Personal Authenticity - an ability to be fully and honestly yourself - to freely know each other’s true feelings and opinions. Freedom from violence, deception or manipulation.

Balance and Mutuality - shared power, shared resources, equal involvement in the relationship activities and processes.

Acceptance and Humility - a recognition that each person is their own best expert about themselves. An ability to support each other non-judgmentally.

Personal Responsibility - Knowing that we ourselves are responsible for all our own thoughts, feelings, behaviors and beliefs. They originate within us and are not caused by the people or events that may trigger them.

Civility - Recognizing the precious quality in both oneself and others and approaching all interactions with them from a perspective of deep courtesy and a willingness to be honest about both yourself and about your perceptions of them.

HEALTHY SEXUALITY

- Seeks sexual pleasure in the context of tenderness and affection both to give and receive.
- Is not motivated by needs for reassurance; to prove your love, your femininity, or your masculinity; or to gain relief from non-sexual tensions.
- Is discriminating in choice of partner.
- Has no secrets or jealousy.
- Is an expression of current feelings and not an attempt to improve or keep a poor relationship.
- Allows clear discussion of contraception, and prevention of STIs and AIDS and clear agreement of what will happen if pregnancy occurs.
- Has NO implications of manipulation, obligation or subtle pressure from either partner, rather is freely and mutually chosen.

RESPONSIBLE SEXUALITY

RESPONSIBLE SEXUALITY

- Know your own sexual limits and talk openly about them with an intimate partner. Say what you mean clearly and with respect - no means no.
- Listen to and respect your partner's sexual limits and don't assume what their desires are. Each encounter is new and previous consent does not apply.
- Pay attention to both your verbal and non-verbal communication - be clear.
- Stop and ask when you are receiving unclear or mixed signals from your partner.
- Stop when you hear your partner say no or you sense non-verbal resistance. "No" always means "No".
- Resist the urge to talk your partner into giving in to sexual activities - to do so could become an assault.
- Resist peer and social pressure. Don't have sex to "score". Resist pressure to engage in activities you don't feel comfortable with. Know that you are not obligated to be sexual with anyone for any reason.
- Pay attention to your surroundings, trust your instincts, take protective action when you don't feel safe.

COMMUNICATE CLEARLY

Know what you want to say - Get Clear. It is hard to say what you don't know.

Take ownership of your statements, Use "I" messages. "I want to...", "I don't want to...", "I like...", "I don't like..."

Be specific and honest about what you want to say. Don't soften assertive communication with apologies - they can give a double message.

When communicating about personal limits, you don't need to explain or justify, just be respectful and clear.

Speak clearly, listen carefully. People sometimes have difficulty saying "NO" to pressure for sexual activity for a variety of reasons.

- Fear of hurting another's feelings
- Fear of ridicule
- Fear of not being liked
- Fear of violence
- Self-doubt
- Ambivalence

Saying YES when you want to say NO can lead to:

- Feeling used
- Feeling de-valued
- Loss of pleasure
- Feeling trapped
- Confusion

KNOW WHAT YOU MEAN AND SAY IT.

VIOLATIONS OF PRIVACY

Personal space is a sphere of privacy encompassing a person's body, material possessions, electronic communication devices and living space. **Violations of privacy** include those actions which constitute forcible entry into or use of the personal space of another person without that person's invitation or consent.

Violations of privacy - such as sexual violence, physical violence, theft, damage to someone's property, unauthorized entry into another's living space, electronic harassment, arson, threatening behavior, stalking and harassment - are all prohibited at Bemidji State University. **They all do injury to both victims and the university community and will not be tolerated.** In addition to violating university rules, they also may be in violation of Minnesota human rights laws or are criminal behaviors. These acts will be promptly investigated and appropriate remedies that repair the harm done to the victim and the university will be sought. This may include sanctions under the University Grievance Procedure or University Student Conduct Code up to and including dismissal and referral to outside enforcement agencies when appropriate.

DEFINITIONS:

Invitation: to request or ask permission of another person - implicit in this definition is the right of the other person to refuse without fear of negative consequences.

Consent: to give assent to or approval of what is proposed by another - to give consent in this way implies that one is clearly informed of what is being proposed by the other.

Coercion: to restrain, dominate, or bring about by force or threat. Consent gained by coercion is not considered consent.

Refusal: an attempt to stop the escalation of an activity, stop the activity altogether or to restore safety.



YOUR RIGHTS TO PRIVACY

1. You have the right to engage only in sexual conduct that is mutually consented to at all times.
2. You have the right to be free of physical violence and unwanted touch.
3. You have the right to have your property free of theft or vandalism.
4. You have the right for your electronic equipment and accounts to be free of obscene, harassing, or threatening messages.
5. You have the right to a living space that can only be entered with your consent, or compliance with Residential Life Policies and Contracts, or a legal warrant.
6. You have the right to be free of unwanted and unwelcome derogatory language and discrimination that interferes with your ability to work or learn, relating to your gender, race, religion, age, ability, marital status, or sexual preference.



COMMON REACTIONS TO VIOLATIONS OF PRIVACY:

Whether you are the victim of violence or whether you know someone who is, it helps to be aware of some common reactions to such victimization as sexual violence, assault, harassment, stalking or other infringements on your privacy.

If you are a victim, you may be initially overwhelmed. This may last for hours, days or longer. You may need some help meeting emergency needs and some assurances that your feelings are normal given what you experienced. You may feel a variety of confusing feelings in varying degrees of intensity, such as:

- Denial: *"It couldn't have happened to me."*
- Grief: *"Life will never be the same for me again."*
- Helplessness: *"I didn't have any control."*
- Confusion: *"Why me?"*
- Self-blame: *"How could I have been so stupid?"*
- Guilt: *"What did I do to deserve this?"*
- Shame: *"It was so humiliating. How can I even face people now?"*
- Anger: *"How dare that creep do that to me."*
- Concern: *"S/he must be sick. I hope s/he gets some help."*
- Fear: *"It could happen to me again - Am I seen as a target? Can I trust you...or anyone?"*
- Loneliness: *"No one knows how I feel. I really am alone in this."*

Depending on the severity of the violation and your response to it, you may soon return to your usual routine with minimal impact. If the violation is more traumatic to you, you are likely to experience a period of shock or numbness which may protect you from being completely overwhelmed by your feelings. You may return to your usual routine, and friends will appear relieved that you have been able to forget the "unpleasantness".

After a period of time, that shock will wear off and you may begin to feel confused, fearful, anxious again, and experience the other feelings listed above. You are likely to have a need to talk. Family and friends may try to tell you to put it out of your mind. They are uncomfortable and don't know how to help you. These are all normal reactions and this may be a critical time to seek some outside assistance. You will need understanding and reassurances that your feelings are normal as well as assistance in sorting out those feelings and attitudes. You will need to learn alternative ways of coping with life.

WHAT CAN I DO IF MY PRIVACY RIGHTS ARE VIOLATED?

*Call Campus Security @ 3888 Immediately
or call Law Enforcement @ 9-751-9111*

We urge you to talk with someone you trust and establish a psychologically and physically supportive environment as soon as possible. If you have been sexually violated, a call to the Sexual Assault Program (444-9524) will provide you with a sexual assault advocate who will be immediately available to you to assist you with the questions and decisions to be made and provide the emotional support needed. A variety of other community resources are also available. See the list of supportive services that follow on pages 29-30.

The choices you may face include (but are not limited to) the following:

- **Reporting the violation.** We strongly recommend doing this.
- **Having a medical examination** for treating injuries, or for gathering evidence in the case of a sexual violation.
- **Participating in prosecution...**this means pressing criminal charges.
- **Making a university conduct complaint.**
- **Request a campus mediation process.**
- **Any combination of the above.**

Whatever you choose to do, having as much information as possible will help you. Following are some specifics concerning the major decisions that you will need to make.

Reporting... When reporting, call the Law Enforcement Center at 751-9111 or BSU Security at 755-3888. Tell them you have experienced a crime and tell them where you are. They will come and provide any immediately needed assistance. They will explain that you have the right to make a formal statement regarding the incident. Reporting does not mean you have to press charges and participate in prosecution.

Third Party Reporting... If you report a crime to an employee of the university other than designated confidential resources, that person is required to convey your report to the Department of Security and Safety, who will contact Law Enforcement. Security (or Law Enforcement) personnel will follow up on the information and contact you for an interview.

Our Department of Security and Safety is required to report campus crime statistics. They can report only crimes they have been able to investigate and document. We encourage crime victims to report so that action can be taken to protect the campus in the future.

SECURING A MEDICAL EXAM IN CASES OF SEXUAL ASSAULT AND/OR PHYSICAL INJURY ... It is generally considered advisable to have a medical exam. The medical exam is a way of collecting evidence in the event you decide to participate in prosecution. (You may have a medical exam without being obligated to go any further with the criminal process.) Do not wash, douche, or change clothing if you plan to have a medical exam or make a formal statement and have experienced some form of sexual violence. Your clothing and body provide physical evidence that bathing or washing could destroy. If possible, bring an extra set of clothing with you to the exam. Evidence needs to be collected within 24 hours. The medical staff at the emergency room of Bemidji's North Country Regional Hospital have been trained to deal sensitively with sexual assault victims and you may have your sexual assault advocate or other support person with you if you desire. During the exam, treatment for any injuries and/or check for STI's or pregnancy can be provided. Because of the risk of AIDS today in our society, we urge you to follow through with this testing. If you are given any medication or drugs to prevent pregnancy, make sure you ask questions about side effects and follow-up treatment. **Emergency room treatment for victims of sexual violence is paid for by the county.**

PARTICIPATING IN PROSECUTION... If you decide to participate in the prosecution of the assailant, a police officer will take a formal statement from you. The officer may do this immediately or wait a day or two until there is less trauma. The officer will need to know details of the incident, any facts you remember about the assailant, and the names of any other persons who may have witnessed the crime. When the investigation is complete, it is transmitted to the county attorney who then decides whether or not to press charges. If the county attorney does not feel it is a strong enough case, s/he may choose not to prosecute. Legal and personal advice will be provided. The legal process can vary in length, depending on if it is settled with plea bargaining or if there is a jury trial.

It is important to know that many offenders are repeat offenders. Each time a complaint is not filed, there is a likelihood of another victim by the same assailant. Participation in prosecution can also be a way for some victims to regain a feeling of control in their lives again. It is a difficult decision, but there are community people and resources to help you in that decision. It will also help you to know that using the criminal justice system does not prevent you from using the University Conduct System and vice versa.

MAKING A CONDUCT COMPLAINT... If the assailant was a student, you can also use the Student Conduct System to deal with the behavior. With a conduct complaint you may ask that the person stay away from you while you are on campus. In addition the procedure and amount of proof needed are different than in the criminal courts in that the assailant doesn't have to be "guilty beyond a reasonable doubt". The Student Handbook has specific details about how you can proceed. You can also contact the Residential Life Conduct Officer (755-3750) or call the office of Student Affairs (755-2075).

If you decide to do none of the above, at least make sure you talk to someone about your experience.

PERSONAL SAFETY MEASURES

Awareness is integral to personal safety. There are many practical things you can do to protect yourself both passively and actively.

While these options are available to you, we would like to say that we support you whether or not you practice them. We shouldn't have to take precautions. We should have a right to be out in the world at any time, day or night, without being violated.

None of us really knows what we might do in a situation of violence, so we should be careful not to judge ourselves or others too harshly if they do not do things "according to the book". We all forget. None of us can be completely aware all the time. How you choose to handle the situation must be decided by using your own best judgement. The following are some common safety and prevention measures designed to lessen your vulnerability:

IN GENERAL

- Be Aware.
- Get away from questionable or dangerous situations.
- Avoid engaging in high risk behaviors, such as the use of alcohol in new social settings.

IN YOUR CAR

- Keep doors locked. Before getting in, make sure no one is hiding in the car. Be sure it is as you left it.
- Have your keys ready before you get to your car. Sound the horn if there is trouble. Short bursts on the horn will attract more attention than "leaning" on the horn. Get away if possible.
- Keep your windows rolled up and doors locked when driving.
- Try not to park in dark, uninhabited areas.
- Don't let strangers in your car and use caution when talking to strangers outside your car.
- Keep your car in good working condition and learn how to change your own tires and perform other routine or general maintenance tasks.
- If you are followed by another car, try to note the license plate number and drive to the nearest Law Enforcement Center. Do not go home.
- If necessary, have someone walk with you to your car.

ON CAMPUS

- Familiarize yourself with security services available to you— the escort service provided through campus security and availability of telephones.
- Avoid short cuts through deserted places.
- Walk with a friend—leaving night class, walking through parking lots, or walking around campus at night.
- Be careful in giving your address, telephone number or name to someone you don't know or to friends in public places where you might be overheard. Remember: that information is listed on your check blanks.
- Use your intuition. If you sense something suspicious, take appropriate precautions.
- Report any suspicious people or activities you might encounter to campus security, a building manager, or law enforcement.
- Take self-defense courses that stress physical resistance tactics—kicking and blocking.
- Avoid the use of headphones and use of flash lights while walking alone at night because they reduce your awareness of your surroundings.

AT HOME

- There should be lights in all entrances and halls where you live.
- Always find out who is at your door before opening it. Consider having a peephole installed. If the person claims to be a service person, put on your chain lock and ask for identification through the crack or ask him/her to slide his/her card under the door. If you are alone and not expecting anyone, answer the door calling, "I'll get it, Bill."
- If there is a suspicious person on an elevator, push all the floor buttons and get off as soon as the elevator stops at a floor. If you're concerned at all, don't get on.
- Lock your door.
- Have your keys ready before you get to the door.
- Dial 911 if someone is attempting to break in.
- Keep windows locked or shut at all times if you live in a dangerous area.

ON THE STREET

- Be aware of possible troublesome areas and plan ahead what you might do in case of attack.
- Try to walk with others or take public transportation, especially after dark. Walk with purpose and confidence. Be aware.
- While waiting for a bus or light to change, notice how you stand. Try to be balanced, with your feet apart and hands out of your pockets. Be aware of people and cars around you.
- If you fear danger yell “FIRE” rather than “RAPE” or “HELP”. People are more likely to respond.
- When walking on the street it is wise to wear good walking/running shoes - high heels, bare feet, untied shoes, sandals, etc. are difficult to run in if danger occurs.
- If someone orders you to drive to a deserted area, you should run your car into something, preferably in a well traveled area. This is one sure way to create a scene. If you drive to a secluded area, or are driven there, your chances of escaping assault are slim.

IN RELATIONSHIPS

Sadly, statistics tell us that most violence and violations of privacy occur between people who are already known to each other. However, for those we don't know well, there are certain traits that can give us clues that a person is more likely to, or is at a higher risk to, become violent or violate your privacy. Those to “be aware of “ include those who:

- ...do not listen to you, ignore what you say, talk over you, or pretend not to hear you. These are men and women who have little respect for you and will say your “No” really means “Yes” or “Convince Me.”
- ...ignore your need for personal space and time alone.
- ...get too personal too fast.
- ...express anger or aggression toward others, especially your gender. Hostile feelings may lead to hostile actions.
- ...do what they want regardless of others' feelings.
- ...are excessively jealous or possessive and highly critical.
- ...have a strong need to dominate situations and people.
- ...have unhealthy ideas about the opposite sex. These ideas may include beliefs that one gender is second to another, that one sex exists to please the other, etc.
- ...drink excessively or abuse drugs which can be used as an excuse or break down inhibitions.

DEVELOP YOUR OWN COMFORT LEVEL

Practice being assertive. Suppose someone you know is constantly throwing their arms around you and it makes you uncomfortable. Tell him or her simply, “I’m not comfortable with that. Would you please stop?”

Another way to establish distance between yourself and others is to reach out and shake hands. It gives you physical distance from the other person and is assign of equality. Perhaps the best way to begin developing your sense of personal space is to share your ideas and opinions. People who say: “I think...”, “I believe...” are seen as independent and assertive— in charge of their ideas and their lives.

Women have been traditionally conditioned to be pleasant, non-confrontational and to not hurt other people’s feelings. Remember, you don’t always have to be nice to everyone. It’s hard to be assertive all the time, but you don’t always have to be nice to everyone. It’s hard to be assertive all the time, but you are not responsible for always making everyone else comfortable. If they have misinterpreted a situation, assumed something or made demands, tell them clearly; bring it to their attention. If you are worried about hurting someone else’s feelings, think about the fact that they are ignoring *your* feelings. Be firm— not apologetic. You never have to defend or explain your reasons for saying “No.”



ALCOHOL AND DRUG USE

ALCOHOL AND DRUGS

The most widespread health and safety problem on university campuses today is high-risk alcohol use and related consequences. The heavy, episodic use of alcohol that nearly half of college students engage in results in numerous consequences for both drinkers and nondrinkers.

The consequences of excessive and underage drinking affect virtually all parts of the college campus and can have significant adverse effects on the surrounding community.

Primary effects of alcohol use may include assault, injury, death, sexual abuse, unsafe sex, academic problems, health problems, drunk driving, police involvement, alcohol abuse and dependence. Researchers have linked college drinking to at least 1,400 student deaths annually, 600,000 assaults, and 500,000 accidental injuries.

Harm experienced by those students who are not heavy drinkers is referred to as “secondary effects”. Secondary effects of high risk drinking may include damaged property, vandalism, messes, interrupted study time, and sleep loss. Excessive drinking is also a contributor to fights and interpersonal and sexual violence. It is estimated that each year 600,000 college students age 18 to 24 are assaulted by another student who has been drinking and 70,000 college students age 18 to 24 are victims of alcohol related sexual assault or date rape.

Alcohol use may have a significant impact on student retention as well. Campus administrators recognize that approximately 27 percent of all dropouts are related to alcohol and other drug use.

ALCOHOL POISONING

Too much alcohol too quickly can slow down vital bodily functions including blood pressure, breathing, and heart rate. If large amounts of alcohol are consumed the results could lead to unconsciousness and death. Alcohol poisoning is a medical emergency.

If someone is exhibiting some of these signs and symptoms and you suspect alcohol poisoning, take action by calling 911 immediately.

- Extreme confusion
- Seizures
- Can't be awakened
- Vomiting while sleeping
- Breathing too slowly (less than 12 breaths per minute)
- Doesn't breathe for more than 10 seconds

Unfortunately many college students don't get a second chance at life because of bad choices made during an intoxicating night out with friends.

IMPAIRED DRIVING

Alcohol interferes with the ability to drive safely. It's almost impossible to convince someone who has been drinking that his or her driving ability is impaired because of the effect that alcohol has on judgement.

Impaired concentration and judgement and lack of hand-eye coordination are a couple of reasons why drinking and driving are dangerous. People must keep themselves and their friends safe.

- Make the commitment not to drink and drive
- Never ride with a driver who has been drinking
- Plan a safe ride home before going out
- Take turns being a designated driver
- Always wear a seatbelt

ABSTINENCE FROM ALCOHOL

Most students use alcohol moderately and safely and drink at low risk levels or they don't drink at all. Most students are smart about their choices with alcohol. Most college students have not driven a car while under the influence of alcohol. Most college students have not been arrested for DWI. On all campuses there are students who are equally comfortable in social settings without alcohol. Clearly, there is support for students who choose not to drink. Alcohol free lifestyles allow people of all ages the freedom to grow in their ability to manage stress and develop life skills without the interference of alcohol. It is important to note that abstaining from alcohol has benefits.

The benefits of abstaining from alcohol include freedom from alcoholism, alcohol related legal problems, poor grades and relationship problems due to alcohol abuse. Not purchasing alcohol means having more money to do or buy other things. There is a lower risk of alcohol related long-term health problems and no risk of short-term health problems like hangovers or threat of alcohol poisoning.

If you choose to use alcohol, know when to abstain. Abstain from alcohol if you are recovering from chemical dependency, when under the legal drinking age, pregnant or breastfeeding, during work or class time, when driving, exercising or taking medication.

Peer Education Program

At Bemidji State University peer educators are trained to give accurate and current information about health related topics to their peers. Peer educators encourage other students to make healthier choices by providing information, challenging incorrect attitudes, and referring students for professional help. Peer educators attend weekly meetings and are actively involved in developing and promoting healthy events on campus. To learn more about healthy lifestyle choices or for information about joining the Lifestyle Educators Organization call 755-2080 or check out their web site at www.bemidjistate.edu/HealthServices/a.lifestyle.

SUPPORTIVE SERVICES

ON Campus

Security Services 755-3888 Walnut Hall
24 Hour Dispatch and Emergency Services Lower Level
Escort Service 4 pm-7 am
Investigates all sexual assault and student
to student sexual harassment.

Counseling Center 755-2024 Birch Hall
Victim Counseling, Supportive and A Wing
Referral Services - a confidential resource
to process assault or harassment.

Student Health Services 755-2053 Birch Hall
Emergency Services, STI Testing and A Wing
Treatment, Pregnancy Testing - a confidential
resource to process assault or harassment.

Office of Student Affairs 755-2075 Sanford Hall
Support and Referral Service, Initiate, Room 101
and process conduct complaints.

Residential Life 755-3750 Walnut Hall
R.A. Staff, Hall Directors and Lower Level
Central Office
Intake, Support and Referral.

Affirmative Action Office 755-2900 Deputy 307
Handling sexual harassment/
discrimination matters involving
faculty and staff.

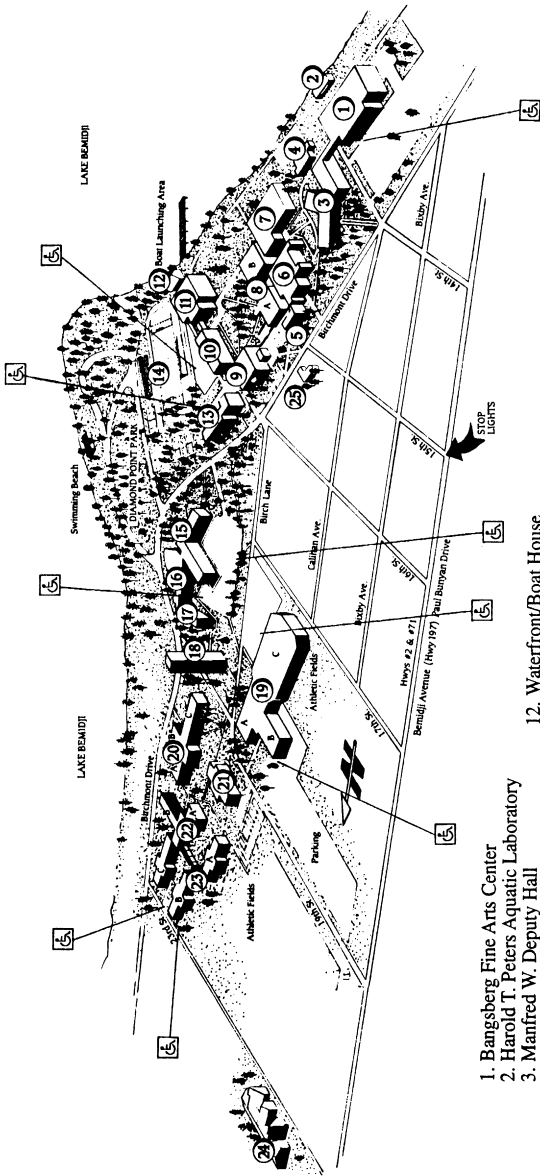
Women's Center 755-3771 HMU
Support and referral.

IN THE COMMUNITY

Law Enforcement Center 751-9111 613 MINNESOTA AVE.
Police and Sheriff's assistance in (24 HOUR)
Bemidji/Beltrami County.

<p>Sexual Assault Program <i>Serves Beltrami, Cass and Hubbard Counties. Provides advocacy, support and referral services related to sexual assault. Speakers available.</i></p>	<p>Office: 444-9524 800-708-2727</p>	<p>217 4th St (24 Hr. Crisis Line)</p>
<p>Bemidji Clinic</p>	<p>333-5000</p>	<p>1300 Anne St.</p>
<p>North Country Regional Hospital <i>Emergency Room Treatment</i></p>	<p>751-5430 (24 Hour)</p>	<p>1300 Anne St.</p>
<p>Planned Parenthood <i>Pregnancy and STI Testing and Treatment. Referrals.</i></p>	<p>751-8683</p>	<p>Suite 202, 4 West Bldg 4th and Irvine</p>
<p>Northwoods Coalition For Battered Women <i>Shelter, Support Services for Battered Women.</i></p>	<p>751-0211</p>	
<p>Crime Victims Reparations Board <i>Provides compensation for lost wages and medical expenses. Person must report assault within 5 days. Also must cooperate with police and prosecutor.</i></p>	<p>612-642-0395 N465 800-652-9747 (MN) <i>(State Operator will connect you.)</i></p>	<p>Griggs Midway Bldg. 1821 University Ave. St. Paul, MN 55104</p>
<p>Minnesota Human Rights Commission</p>	<p>612-296-5663 800-657-3704 (MN) <i>(State Operator will connect you.)</i></p>	<p>500 Bremer Tower 7th Place and MN St. St. Paul, MN 55101</p>
<p>Fire Department</p>	<p>911 <i>(on campus dial 9)</i></p>	
<p>Ambulance</p>	<p>911 <i>(on campus dial 9)</i></p>	





1. Bangsberg Fine Arts Center
2. Harold T. Peters Aquatic Laboratory
3. Manfred W. Deputy Hall
4. Heating Plant
5. Maria Sanford Hall
6. Memorial Hall
7. Charles K. Sattgast Hall of Science
8. Hobson Memorial Student Union
 - (A) Upper Union
 - (B) Lower Union
9. A.C. Clark Library
10. Harry A. Bridgeman Hall
11. Hagg-Sauer Hall

12. Waterfront/Boat House
13. Education/Art Building
14. BSU Stadium
15. Birch Hall
16. Decker Hall
17. Linden Hall
18. Tamarack Hall
19. Physical Education Complex
 - (A) BSU Gymnasium
 - (B) John Glas Fieldhouse
 - (C) Gillett Recreation-Fitness Center

20. (A) Pine Hall
- (B) Child Care
- (C) Cedar Apartments
21. Walnut Hall
22. Oak Hall
23. Maple Hall
24. Central Receiving
25. David Park House

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