Student Resources and Reporting Options for Sexual Assault and Relationship Violence
What is sexual violence?
Sexual Violence is a broad term that refers to a continuum of conduct that includes sexual assault, non-consensual sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

- **Sexual assault** refers to an actual, attempted, or threatened sexual act with another person without that person’s affirmative consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law and can also result in discipline for students through the student conduct process or for employees through established procedures. It includes but isn’t limited to:
  - Involvement without consent in any sexual act in which there is force, expression or implied, or use of force or deception upon the victim, including forced sexual intercourse and acts commonly referred to as “date rape” or “acquaintance rape.” Also included is the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another.
  - Involvement in any sexual act when the victim is unable to give consent.
  - Intentional and unwelcome touching of a person’s intimate parts (defined as primary genital area, groin, inner thigh, buttocks, or breast), or coercing, forcing or attempting to coerce or force another to touch a person’s intimate parts.
  - Offensive sexual behavior directed at another such as indecent exposure or voyeurism.

- **Dating, intimate partner, and relationship violence** includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota law.

- **Stalking** is conduct directed at a specific person that is unwanted, unwelcome, or uninvited and that would cause a reasonable person to fear for their safety or the safety of others or to suffer substantial emotional distress.

- **Non-consensual acts** include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

Was there affirmative consent?
Consent is informed, freely given, and mutually understood willingness to participate in sexual activity that is expressed by clear, unambiguous, and affirmative words or actions. It is the responsibility of the person who wants to engage in sexual activity to ensure that the other person has consented to engage in the sexual activity. Consent must be present throughout the entire sexual activity and can be revoked at any time.

Consent is not present if:
- If coercion, intimidation, threat, or/and physical force is used.
- If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature, or extent of the sexual situation. This includes conditions due to alcohol or drug consumption or being asleep or unconscious.
- If there is a lack of protest, absence of resistance, or silence.
- If there was past consent to sexual activity. Past consent to sexual activities does not imply ongoing future consent. The existence of a dating relationship between the people involved or the existence of a past sexual relationship does not prove the presence of, or otherwise provide the basis for, an assumption of consent.

Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

Where can I go for help if I have experienced sexual violence?

**EMERGENCY/URGENT ASSISTANCE FOR MY SAFETY**
Call 911 if you have been the victim of a sexual assault, you should seek medical attention from the Sanford Bemidji Hospital or Bemidji State University Health Services at the Student Center for Health and Counseling immediately regardless of whether you report the matter to the police.

**TO GET MEDICAL HELP**
The Student Center for Health and Counseling provides STD screenings and pregnancy tests. If you wish to have an evidence collection kit (“rape kit”), you can do so at Sanford Hospital Bemidji. If possible, do not shower, brush your teeth, urinate, eat, drink or change clothes. Medical resources include:
- Examinations by a Sexual Assault Nurse Examiner – Sanford Bemidji Emergency Room, 218.333.5195, 1300 Anne Street NW, Bemidji, MN
- Ask questions of a Sexual Assault Nurse Examiner, Jennifer Fraik, 218.755.2053, Cedar Hall First Floor, BSU

**TO TALK**
Professional counselors in the Student Center for Health and Counseling can provide you with support while allowing you the time and space you need to process what has happened and can provide you with basic information about your options and available resources. Support Within Reach Sexual Violence Resource Center also provides services are available 24 hours a day to women, children, and men who have experienced sexual violence directly or indirectly and prevention education is provided for the community. Contact information for these resources:
- **Student Center for Health and Counseling** – 218.755.2053, Cedar Hall First Floor, BSU
- **Support Within Reach Sexual Violence Resource Center** – 218.444.9524 OR 800.708.2727, 1510 Bemidji Ave., Bemidji, MN

**TO UNDERSTAND THE UNIVERSITY’S TITLE IX INVESTIGATION PROCESSES:**
The Title IX Office investigates all reports of sexual assault and relationship violence and ensures the provision of interim measures and final administrative remedies. Contact information for the Title IX Coordinator can be found at the University’s Title IX website. The Title IX Coordinator can provide an individual to be present with you during the investigation and help you understand investigatory processes and procedures. Contact information for the Title IX Coordinator is as follows:
- **Travis Greene, Vice President for Student Life & Success, 218.755.2075, 313 Deputy Hall, BSU**

**What help is available for me if I have been accused of Sexual violence or relationship abuse?**

**TO TALK**
Professional counselors in the Student Center for Health and Counseling can provide you with confidential support and can provide you with basic information about your options and available resources. Here is contact information for the Center and resources for other mental health concerns.
- **Student Center for Health and Counseling** – 218.755.2053, Cedar Hall First Floor, BSU
- **Suicide Prevention – Local Counseling Crisis Line** – 1.800.422.0045
- **Text “MN” to 741741**

**How can I report a concern?**
Students who wish to report a concern may seek assistance from staff listed as “non-confidential.” These staff include Campus Safety Officers, Housing and Residence Life staff, the Vice President for Student Life and Success (Travis Greene), advisors to recognized student organizations, athletic coaches. These individuals will protect your privacy by limiting the people with whom they share what you tell them; however, they cannot guarantee your confidentiality, as they must notify the Title IX Coordinator. They will also explain your options and resources and attend to your immediate needs for safety and interim measures (e.g., no contact orders, housing and academic accommodations, counseling, escort). Here is contact information for these resources:
- **Department of Public Safety – 218.755.3888, Walnut Hall, BSU**
- **Bemidji Police Department – 218.333.9111, 613 Minnesota Avenue, Bemidji, MN**
- **Housing and Residence Life – 218.755.3750, Walnut Hall, BSU**
- **Dr. Randy Ludeman, Director of Housing and Residential Life – 218.755.3750, Walnut Hall, BSU**
- **Travis Greene, Vice President for Student Life & Success, 218.755.2075, 313 Deputy Hall, BSU**

As a reminder, persons who report sexual assault and relationship violence or who cooperate with investigations of such reports are protected from retaliation under the university’s Title IX Sexual Violence policy.

Sexual assault and relationship violence also are crimes and if you are on campus, contact the Department of Public Safety, Bemidji Police Department a Campus Security Authority, or Title IX Coordinator as soon as possible after the offense. If you are off campus, you may file a police report with the appropriate law enforcement agency. A criminal investigation does not relieve the university of its obligation to respond under Title IX, and both a criminal and university investigation may proceed at the same time.