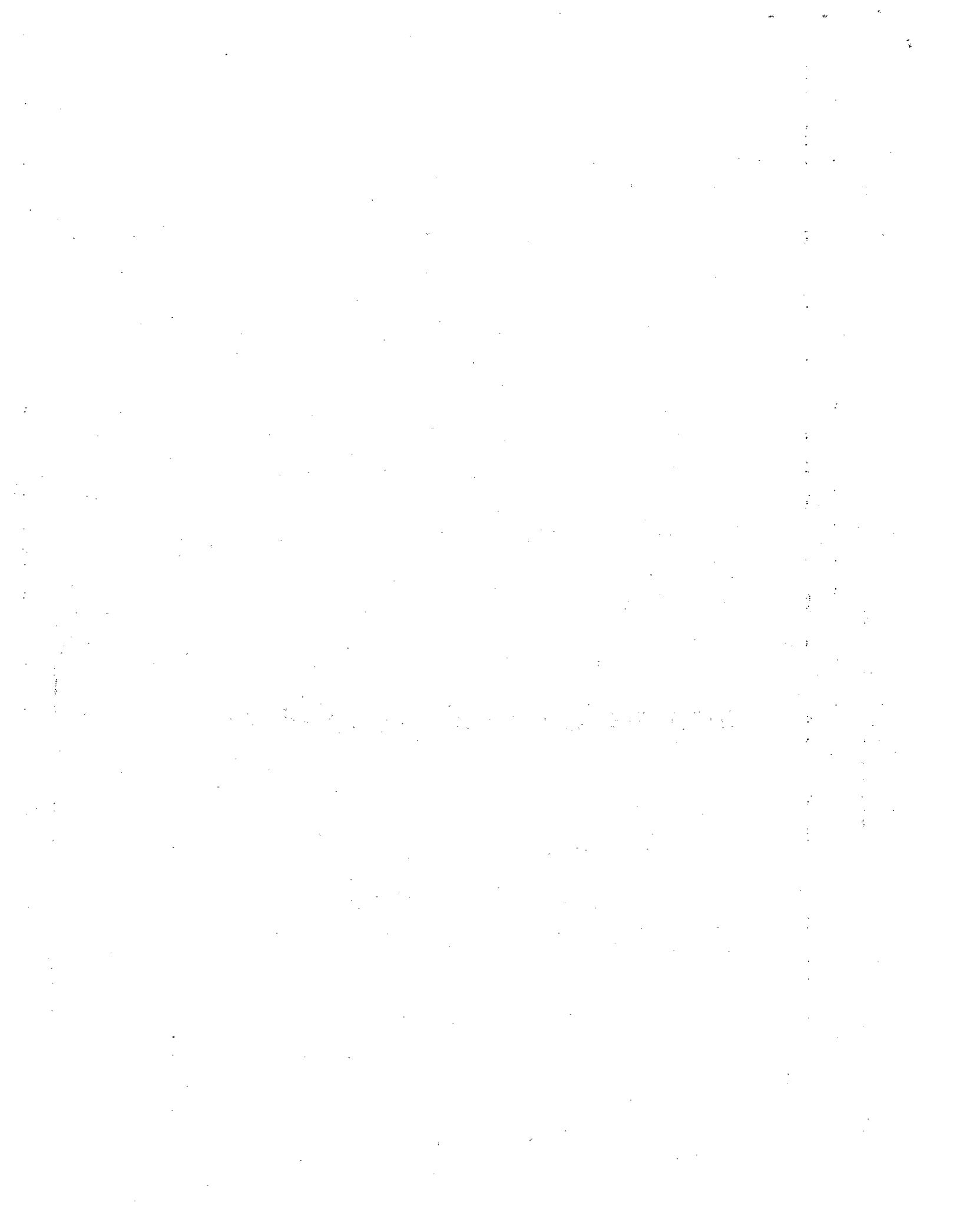


What Every College Student
Needs to Know About
Preventing Sexual
Harassment and Assault

Information for Men and Women.

Brooklyn College
The City University of New York



What Every College Student Needs to Know About Preventing Sexual Harassment and Assault

Information for Men and Women at Brooklyn College

This is a brochure about sexual harassment, including sexual assault. It describes what sexual harassment and assault are and how they can be prevented. It discusses the policies governing sexual harassment at Brooklyn College and the New York State laws concerning sexual assault crimes and the penalties for committing them. There is a list of resources for sexual harassment and sexual assault survivors who need counseling, medical and/or legal help, or just empathetic, understanding support:

Sexual Harassment Defined

Sexual harassment takes many forms, from constant joking to physical assault. It happens when a person with power abuse that power to intimidate, coerce, or humiliate someone because of gender or sexual preference. It may involve threats that you will lose your job, not be promoted or that you will fail in class. Sexual harassment creates confusion because the boundary between professional roles and personal relationships is blurred. Your co-workers, supervisors, professors or fellow students may make your work or learning environment uncomfortable because the harasser has introduced a sexual element into what should be a collegial situation.

According to guidelines issued by the U.S. Department of Education Office of Civil Rights and the Equal Employ-

ment Commission, the following behavior constitutes sexual harassment:

- submission to sexual advances is a condition of your employment or education;
- acceptance or rejection of these advances or comments affects your job status, your grades, or your professional advancement; or
- unwelcome sexual advances or comments interfere with your work or study.

Levels of Harassment

Gender harassment: Generalized sexist remarks and behavior which convey insulting, degrading, or sexist attitudes

Seductive Behavior: Unwanted, inappropriate, and offensive physical or verbal sexual advances

Sexual Bribery: Solicitation of sexual activity or other sex-linked behavior by promise of reward

Sexual Coercion: Coercion of sexual activity or other sex-linked behavior by threat of punishment

Sexual Assault: Assault or rape

What Are Common Forms of Harassment?

- Insistent invitations for drinks, dinner, dates
- Unwanted touching
- Obvious sexual gestures
- Uninvited visits to someone's hotel room during conferences
- Offensive graffiti
- Threats of physical assault
- Sending lewd cartoons, cards, presents, or letters
- Subtle or overt pressure for sexual interactions
- Assault and rape
- Sexist comments

What Are Common Reactions to Harassment?

- Changing college or graduate school major
- Leaving job, college, or city
- Depression, anxiety, loss of self-esteem
- Headaches, nausea, weight loss or gain, insomnia, high blood pressure, gastrointestinal disorders
- Stress in relationships with coworkers, friends and family

CUNY Board Policy Against Sexual Harassment

The Board of Trustees of the City University of New York has adopted the following policy (January 25, 1982, Cal. No. 5.A.):

It is the policy of The City University of New York to prohibit harassment of employees or students on the basis of sex. This policy is related to and is in conformity with the equal employment opportunity policy of the University to recruit, employ, retain and promote employees without regard to sex, age, race, color or creed. Prompt investigation of allegations will be made on a confidential basis to ascertain the veracity of complaints and appropriate corrective action will be taken.

It is a violation of policy for any member of the University community to engage in sexual harassment. It is a violation of policy for any member of the University community to take action against an individual for reporting sexual harassment.

POLICY GUIDELINES

A. Definition:

For purposes of this policy, unwelcome sexual advances, requests for sexual favors, and other verbal or written communications or physical conduct of a sexual nature constitute sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or academic standing,
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual, or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

B. Responsibilities:

- (1) The President of each college is responsible for overseeing compliance with the implementation of this policy.
- (2) Each dean, director, department chairperson, administrator or other person with supervisory responsibility is responsible within his/her area of jurisdiction for the implementation and dissemination of this policy.

C. Procedures:

1. Students claiming harassment on the basis of sex shall report such harassment to the Dean of Students. Upon

receipt of such complaint, the Dean shall make an informal confidential investigation and report his or her findings to the President with appropriate recommendations. The Dean shall consult with the Campus Title IX Coordinator in this process.

2. Employees covered by collective bargaining agreements which include gender discrimination as a ground for grievance, shall utilize the grievance procedure provided in their respective agreements.

3. Employees not covered by a collective bargaining agreement or covered by an agreement which does not include gender discrimination as a ground for grievance, shall utilize the following procedure:

- (a) Each college president shall appoint a panel of at least three persons to handle complaints arising in the college; an appropriate announcement of the formation of the panel and its membership should be disseminated to the college community.

- (b) Individuals who believe that they have been harassed on the basis of sex should communicate with a member of the panel. The panel member should be available for consultation and assistance and should attempt to resolve the problem in a manner which is fair and equitable and which is consistent with this University policy.

The initial effort by a panel member in response to a complaint shall be made on an informal basis and every effort shall be made to insure the privacy of both the complainant and the accused.

- (c) If no informal resolution of the allegations is achieved, the panel member shall promptly submit a written report with recommendations to the President.

- (d) Following receipt of the report, the President may take such further action as he/she deems necessary, including the initiation of disciplinary proceedings.

4. Allegations of sexual harassment under C.1 and C.3 above should be made within 130 days of the date of alleged occurrence, except for extenuating circumstances.

5. The University Offices of Faculty and Staff Relations and Legal Affairs are available to assist the colleges in the implementation of these procedures.

EXPLANATION: The policy is in accordance with guidelines of the United States Equal Employment Opportunity Commission, which recommend that employers adopt policy guidelines expressing strong disapproval of sexual harassment and develop appropriate investigative procedures and sanctions for improper conduct. These guidelines make such principles applicable to all members of the University community.

First Things First about Sexual Assault

Sexual assault is a crime punishable by imprisonment in New York State.

Sexual assault does not happen because of uncontrolled lust or sexual passion. Sexual assault is a crime of aggression and violence.

There is never an excuse or a reason for one person to rape, assault or even touch another person without permission. No one has this "right" no matter how someone else behaves or dresses. No woman causes herself to be raped.

What Is Sexual Assault?

- Any sexual act committed or attempted against a person's will
- Forced sexual contact by dates, spouses, family members, acquaintances or strangers
- Includes a range of acts, from obscene phone calls to forced sexual intercourse

Any sexual contact you don't want

What Is Rape?

Rape is defined as sexual intercourse, sodomy or oral copulation accomplished against a person's will:

- Through use of force or fear
- Whether the person is male or female
- When the person is prevented from resisting by alcohol or drugs administered by or with the knowledge of the offender
- When the person is unaware of the nature of the act

What Are the Two Kinds of Rape?

Most people think of rape as a sudden attack perpetrated by a vicious stranger on a dark, deserted street. This is one form of rape. In fact, however, as many as eighty percent of all rapes are perpetrated by dates, colleagues or other acquaintances. This is called date or acquaintance rape. Research shows that women in college are in much greater danger of date rape than assault by a stranger.

Preventing date rape is very different from preventing stranger rape.

Preventing Date Rape

Talk clearly about sexual expectations with your date. Make it clear before you get into a sexual situation what your limits are. If you mean no, say it clearly and firmly.

Don't go to a secluded place with someone you've just met or don't know well. Suggest meeting at public places. Drive your own car, use public transportation or have enough money for a taxi. Especially don't go to your date's apartment or invite him to yours if you are just getting to know him. Date rape occurs most often in the rapist's home.

Beware of the impact of alcohol and other drugs on your judgment and that of your date. These drugs often play a role in sexual assault.

Beware of attitudes in a man that you are thinking of dating which could signal the potential for sexual violence: hostility toward women, a domineering personality, jealousy, condescending or judgmental viewpoints about women, or unrealistic expectations.

Don't rely on a charming, pleasant presentation in a man you've just met. Many date rape victims report that their assailant seemed "like a really nice guy" at first. Get to know a man before you place your trust in him.

Preventing Stranger Rape

Be alert and aware of your surroundings, both inside and outside. Notice people, the lighting, and access to phones and exits.

Use elevators, stairs and restrooms in well-trafficked areas. Don't study alone in an empty classroom.

Learn to be willing to make a scene by speaking up or drawing attention to yourself if you feel threatened, frightened or uncomfortable. Listen to and act upon your gut feelings and instincts.

If anything makes you uncomfortable, run to an open office, store, etc. On campus call security for an escort.

Avoid deserted parking lots, empty laundry rooms and other poorly lit or poorly populated locations.

When possible walk with a friend instead of walking alone in secluded areas or at night.

Always keep your apartment door and your car doors

locked. If you live in an apartment with a fire escape outside a back window, you must secure the window with a fire department-approved gate, an alarm, or some barrier system. A window lock is not enough.

When riding the subways during less traveled times of day, ride in the middle car with the conductor or the first car with the engineer.

Always close your blinds/shades/curtains at night.

Check identification of strangers before opening your apartment door.

Rape, 1st degree	8-1/3- 25 yrs prison
Sodomy, 3rd degree	1-1/2 - 4 yrs prison
Sodomy, 2nd degree	2-1/3 - 7 yrs prison
Sexual abuse, 3rd degree	Up to 3 months prison
Sexual abuse, 2nd degree	1 yr prison and/or \$1,000 fine
Sexual abuse, 1st degree	2-1/3- 7 yrs prison
Aggravated sexual abuse	8-1/3-25 yrs prison

Safety and Security Information on Campus

Information about safety and security on campus (including statistical information) is available from the Office of Safety and Security, 1433 Boylan Hall, 951-5511. Campus advisories on safety and security topics are issued in conjunction with the Office of Public Relations, 2118 Boylan Hall, 951-5882.

Information about related workshops, discussion forums, video films, written materials, etc., is available from several campus offices, including the Office of Safety and Security, 1433 Boylan Hall, 951-5511; Personal Counseling, 1303 James Hall, 951-5363; the Women's Center, 227 Ingersoll Hall Extension, 951-5777; and the Vice President for Student Life, 2113 Boylan Hall, 951-5352.

Policy information is published in the College Bulletins.

Campus Security Escort Service

A security escort service is provided by Brooklyn College Safety and Security. If you are concerned about entering or leaving any part of the campus area alone, call 951-5111 to request a security escort.

Sexual Assault Is a Crime

Sexual assault is a crime punishable in New York by the following penalties:

Crime	Penalty
Sexual misconduct	1 yr prison and/or \$1,000 fine
Rape, 3rd degree	1-1/3 - 4 yrs prison
Rape, 2nd degree	2-1/3 - 7 yrs prison

Legal Definitions

Sexual misconduct

A person is guilty of sexual misconduct when:

1. Being a male, he engages in sexual intercourse with a female without her consent; or
2. He engages in deviate sexual intercourse with another person without the latter's consent; or
3. He engages in sexual conduct with an animal or a dead human body.

Sexual misconduct is a class A misdemeanor.

Rape in the third degree

A person is guilty of rape in the third degree when:

1. He or she engages in sexual intercourse with another person to whom the actor is not married who is incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Being twenty-one years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than seventeen years old.

Rape in the third degree is a class E felony.

Rape in the second degree

A person is guilty of rape in the second degree when, being eighteen years old or more, he or she engages in sexual intercourse with another person to whom the actor is not married less than fourteen years old.

Rape in the second degree is a class D felony.

Rape in the first degree

A male is guilty of rape in the first degree when he engages in sexual intercourse with a female:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being

physically helpless; or

3. Who is less than eleven years old.

Rape in the first degree is a class B felony.

Sodomy in the third degree

A person is guilty of sodomy in the third degree when:

1. He engages in deviate sexual intercourse with a person who is incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Being twenty-one years old or more, he engages in deviate sexual intercourse with a person less than seventeen years old.

Sodomy in the third degree is a class E felony.

Sodomy in the second degree

A person is guilty of sodomy in the second degree when, being eighteen years old or more, he engages in deviate sexual intercourse with another person less than fourteen years old.

Sodomy in the second degree is a class D felony. :

Sodomy in the first degree

A person is guilty of sodomy in the first degree when he engages in deviate sexual intercourse with another person:

1. By forcible compulsion; or
2. Who is incapable of consent by reason of being physically helpless; or
3. Who is less than eleven years old.

Sodomy in the first degree is a class B felony.

Sexual abuse in the third degree

A person is guilty of sexual abuse in the third degree when he subjects another person to sexual contact without the latter's consent; except that in any prosecution under this section, it is an affirmative defense that (a) such other person's lack of consent was due solely to incapacity to consent by reason of being less than seventeen years old, and (b) such other person was more than fourteen years old, and (c) the defendant was less than five years older than such other person.

Sexual abuse in the second degree

A person is guilty of sexual abuse in the second degree when he subjects another person to sexual contact and when such other person is:

1. Incapable of consent by reason of some factor other than being less than seventeen years old; or
2. Less than fourteen years old.

Sexual abuse in the second degree is a class A misde-

meaner.

Sexual abuse in the first degree

A person is guilty of sexual abuse in the first degree when he subjects another person to sexual contact:

1. By forcible compulsion; or
2. When the other person is incapable of consent by reason of being physically helpless; or
3. When the other person is less than eleven years old.

Sexual abuse in the first degree is a class D felony.

Aggravated sexual abuse in the second degree

1. A person is guilty of aggravated sexual abuse in the second degree when he inserts a finger in the vagina, urethra, penis, or rectum of another person causing physical injury to such person:

- (a) By forcible compulsion; or
- (b) When the other person is incapable of consent by reason of being physically helpless; or
- (c) When the other person is less than eleven years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the second degree is a class C felony.

Aggravated sexual abuse in the first degree .

1. A person is guilty of aggravated sexual abuse in the first degree when he inserts a foreign object in the vagina, urethra, penis or rectum of another person causing physical injury to such person:

- (a) By forcible compulsion; or
- (b) When the other person is incapable of consent by reason of being physically helpless; or
- (c) When the other person is less than eleven years old.

2. Conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the first degree is a class B felony.

If You Have Been Sexually Assaulted:

Do not suffer through this experience by yourself.

Seek emotional support from friends or a rape crisis hotline

Seek medical treatment at once for testing and treatment of injuries. Don't shower, douche or change clothes before you go. This is important legal evidence should you decide to press charges against your attacker.

Whether or not you report the assault to the police is up to you, but the College strongly encourages you to do so.

Your report may result in the rapist's arrest and stop him from attacking someone else.

Seek counseling from a trained mental health professional. It is very common for a rape survivor to experience a wide range of painful feelings. You may talk confidentially to a personal counselor in 1303 James Hall at no cost.

Help for Sexual Assault Survivors on Campus

Sexual assault survivors can get help on campus through Personal Counseling in 1303 James Hall or the Women's Center in 227 New Ingersoll Hall. We can refer you to off-campus support services.

Remember that even if the assault occurred in the past (including your childhood), you probably continue to suffer from its impact and can benefit from professional help. Many people who were assaulted or abused as children do not remember the actual events, but do have a feeling that something was 'wrong'. A special information sheet for adult survivors of child abuse is available in the personal counseling reception area (1303 James Hall).

If you believe you are being (or have been) sexually harassed, coerced or threatened by a professor or anyone else at Brooklyn college or elsewhere, report it at once to the office of the Vice President for Student Life or seek assistance from Personal Counseling or the Women's Center.

You have the right to an education here that is free from intimidation and fear.

Resources at Brooklyn College:

Safety and Security Office	951-5511
Personal Counseling	951-5363
Women's Center	951-5777
Vice President for Student Life	951-5352

Off-Campus Resources:

Child Abuse Report Line
(Use this number to report all suspected incest, other child abuse/neglect cases) 1-800-342-3720

Queens District Attorney's Office 718-286-6000
Special Victims Bureau

Brooklyn

Brooklyn Women's Anti-Rape Exchange
30 Third Ave.
Brooklyn 11217 718-330-0310

Multi-racial group of women who provide telephone counseling and referral services for rape survivors. A more sensitive response to rape survivors among medical, legal and social service institutions. Membership, library.

Crime Victims Counseling Unit
King's County District Attorney's Office
210 Joralemon St.
Brooklyn 11201 718-802-2712

Offers crisis intervention, short-term counseling, advocacy and court information for victims of sexual assault and domestic violence. Referrals, publications.

People Against Sexual Abuse, Inc.
1012 Eighth Ave.
Brooklyn 11215 718-834-9467
To aid those who have been sexually abused. Conducts workshops on risk reduction for adults and youth, participates in the NYC Police Department's sensitivity training for patrol personnel, investigates existing services and groups. Referrals, newsletter, publications.

Women's Survival Space
POB279
Brooklyn 11220 718-439-4612

Center for battered women and their children. Services include a shelter; Brooklyn and Manhattan working women's support group; 24-hour hotline; crisis intervention counseling; self-help groups; medical, legal and welfare referral and advocacy; and special programs for children residing in the shelter.

Manhattan

Rape Crisis Intervention Program
Presbyterian hospital
Social Service Department
622 West 168 St.
New York, N.Y. 10032 212-305-9060

24-hour emergency room support to the survivors of sexual assault. A volunteer advocate or professional social worker stays with the woman, offers support and helps her begin to cope with the aftermath of the assault. Follow-up counseling and medical care are arranged. Membership.

Rape Crisis Intervention Program of
Mount Sinai Medical Center
Department of Obstetrics and Gynecology, KP-2
1 Gustave Levy Place
New York, N.Y. 212-241-5461

Counseling and medical service for survivors of sexual assault (rape and incest) and their family and friends. Volunteer advocates and trained staff provide support to people who report to the emergency room or who can about past incidents. Community outreach and public education with police, schools, tenant associations and other community organizations.

Rape Crisis Program
St. Vincent's Hospital and Medical Center
Department of Community Medicine
153 West 111 St.
New York, N.Y. 10011 212 604-8068

Emergency and follow-up care, rape crisis intervention counseling; information and referrals; counseling for couples, family members and friends; court and police advocacy. Support groups, counselor training and community education.

Sanctuary for Families, Inc.
Box 413
Times Sq Station
New York, N.Y. 10118 212-349-6009

Provides shelter and support services to abused women and their children. Services include individual and group counseling; legal, health and social service referrals, advocacy, support and public education.

Sexual Assault Victim Assistance Program 212 562-4388
Bellevue Hospital Center
Victims of Violent Assault Program
First Ave. and 27th St. Rm. MW3
New York, N.Y. 10016 212-562-3755

Emergency room medical treatment for female and male rape victims over 16; follow-up crisis and short-term counseling to individuals, families and couples; medical evaluation; information and referral; advocacy; training and public education. Follow-up services are free of charge.

Support for Orthodox Victims of Rape and Incest 54
54 Nagle Ave.
New York, N.Y. 10040

Dedicated to helping Orthodox Jewish women and their families overcome the trauma of rape and incest. Provides short-term crisis counseling, public education and referrals. Membership.

Victim Services Agency
2 Lafayette St.
New York, N.Y. 10007 212-577-7700
Hotline 212-577-7777

Court-based operations, a crime victims' hotline. Services include: emergency assistance, referrals to shelters and safe homes, court information and advocacy. Has staff in emergency rooms of four hospitals to assist victims of sexual violence; conducts the Domestic Violence Prevention Program in collaboration with Police Department.

Witness Aid Services Unit
New York County District Attorney's Office
1 Hogan Place
New York, N.Y. 10013 212-335-9040

Short- and long-term social services and therapeutic counseling for Victims of domestic violence and sexual assault. Provides necessary protection for victims, assistance in obtaining temporary and permanent housing and financial assistance.

Queens

Elmhurst Hospital 718-334-4000
Borough Crisis Center
79-01 Broadway
Elmhurst, N.Y. 11373 Emergency Rm. 830-1302

Queens Hospital Center 718-883-4208
82-68 164th Street
Jamaica, N.Y. 11432 Emergency Rm. 830-3090

St. Johns Episcopal 718-868-7000
327 Beach 19th Street
Far Rockaway, N.Y. Emergency Rm. 868-7755

Bronx

Crime Victims Assistance Unit
Bronx District Attorney's Office
215 East 161 St., 4th Fl.
Bronx 10451 718-590-2115

Offers crisis intervention, short-term counseling, advocacy and assistance to victims of sexual assault and domestic violence. Referrals, publications;

Revised June, 1995

Direct comments, corrections, suggestions to:

Prof. Gregory A. Kuhlman, Director
Personal Counseling and Career Services Center
1303 James Hall 718-951-5174

. Against
her will is
against
the law.