



Bergen Community College VAWA Required Education

Bergen Community College is committed to providing an institutional environment where all persons may pursue their studies, careers, duties, and activities in an atmosphere free of threat of unwelcome and unwanted sexual actions. It strongly condemns sexual offenses, will not tolerate sexual offenders, and supports those who have been victimized.

Sexual assaults are serious violations of the college's student judicial code, faculty standards and college employee policies. They are crimes under state law and punishable by fines and/or imprisonment. In addition, these actions are subject to civil suit for damages.

Bergen Community College is compliant with the VAWA Act (Violence Against Women Reauthorization Act) and the obligations on all post-secondary institutions under its SAVE Act (Campus Sexual Violence Act). Those obligations, as they pertain to new employees and incoming students require that the college promotes awareness and prevention methods of the following offenses:

“Sexual Assault” includes:

- the attempt or act of rape (sexual intercourse without consent or with a child under the age of thirteen, by a stranger, an acquaintance, or an intimate)
- forced sodomy (forced oral or anal sex)
- forced penetration by a foreign object either animate such as a finger, or inanimate

“Non-Penetration Sexual Assault” includes the act of touching an unwilling person’s intimate parts such as genitalia, anus, groin, breast, or buttocks, or the clothing covering these parts, or forcing an unwilling person to touch another’s intimate parts.

The above acts constitute sexual assault when they are committed against a person’s will as evidenced by refusal of consent or through the use of force, threat, manipulation, or intimidation, or against a person who, by virtue of mental incapacity or physical helplessness, is unable to give or withhold **“consent”** (to give assent, acceptance or approval as to the proposal of another). This includes, but is not limited to, incapacity or helplessness caused by alcohol or other drugs. Intoxication of the assailant shall not diminish the assailant’s responsibility for the sexual assault.

“Domestic Violence” includes violent misdemeanor and felony offenses committed by the victim’s:

- current or former spouse
- current or former cohabitant
- anyone else protected under domestic or family violence law

“Dating Violence” means violence by a person who has been in a romantic or intimate relationship with the victim.

“Stalking” means a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for her, his, or other’s safety, or
- suffer substantial emotional distress

Bergen Community College Sexual Assault Response System

If you or someone you know is a victim of sexual assault:

A). You have the right to privacy: *All information you share about the incident **must and will be kept confidential**. Bergen Community College officials cannot talk about your experiences without your permission. Public Safety has an obligation, however, under the Clery Act, to report to the state only the date of the incident.*

B). You have the right to make decisions about who can be contacted and if and how any intervention will proceed. *You have the option, or not, to notify and seek assistance from law enforcement and campus authorities. You have the option of seeking assistance from any of the services mentioned in the preceding pages.*

C). You have the right to institutional implementation of no-contact, restraining and protective orders.

D). You have the right to obtain the following documents located in the Office of Human Resources:

- *New Jersey Campus Sexual Assault Victim's Bill of Rights*
- *Bergen Community College Sexual Assault Protocols and Procedures*

Be an Active Bystander

What is a Bystander?

Bystanders are the largest group of people involved in violence (sexual, dating and domestic). They greatly outnumber both the perpetrators and the victims. Some bystanders know that a *specific* assault is happening or *will* happen. Some bystanders *see* an assault or a potential assault in progress. ***Bystanders have the power to stop assaults from occurring and to get help for people who have been victimized.***

Take for example, the typical perpetrator of college sexual assaults. Most are men who are outwardly charming, have a lot of friends, and do not consider their actions to be wrong (Lisak, 2002). People who know this person (*bystanders*) and who might be friends with this person, often do not want women they care about (sisters, friends, etc.) to date or hang around this man. But when his behavior is directed at other women whom they are not close to, they often do not think they need to get involved. Bystanders often know that this person's behavior is inappropriate and potentially illegal, but they do not know what they can do to make a difference.

As opposed to being the bystander who stands by and does nothing, we want to create a culture of bystanders who are actively engaged in the prevention of violence.

Safe and Positive options for Bystander Interventions:

- ***Believe someone*** who discloses a sexual assault, abusive relationship, or experience with stalking.
- ***Be respectful*** of yourself and others. Make sure any sexual act is OK with your partner if you initiate.
- ***Watch out for your colleagues, students and friends.*** If you see someone on or off campus who looks like they are in trouble, ask if they are okay. If you are afraid to interfere with the situation, call that person over for something very general (“Can I speak to you about the homework from the other day?”). If you see a colleague, student, or friend doing something shady, say something.
- ***Speak up.*** If someone says something offensive, derogatory, or abusive, let them know that behavior is wrong and you don't want to be around it. Don't laugh at sexist, racist, or homophobic jokes.

Ways to Reduce Your Risk of Sexual Assault

Sexual abuse is a form of physical abuse. Any situation in which you are forced to participate in unwanted, unsafe or degrading sexual activity is sexual abuse. Forced sex, even by a spouse or intimate partner with whom you also have consensual sex, is an act of aggression and violence. Furthermore, people whose partners abuse them physically and sexually are at a higher risk of being seriously injured or killed.

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- *Be aware of your surroundings.*
- *Try to avoid isolated areas.*
- *Walk with purpose. Even if you don't know where you are going, act like you do.*
- *Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.*
- *Try not to load yourself down with packages or bags as this can make you appear more vulnerable.*
- *Don't allow yourself to be isolated with someone you do not trust or someone you don't know.*
- *Avoid putting music headphones in both ears so that you can be more aware of your surroundings.*

If someone is pressuring you and you need to get out of an uncomfortable situation:

- *Remember that being in this situation is not your fault.*
- *Don't feel obligated to do anything you do not want to do.*
- *Have a code word with your friends or family so that you can call them and communicate your discomfort without the person you are with knowing.*
- *Try to think of an escape route. How would you get out of the room? Where are the doors? Windows?*

If you see someone in danger of being assaulted:

- *Step in and offer assistance.*
- *Don't leave. Remain at the scene.*

**For additional information on educational opportunities
and/or workshops on VAWA, please contact
[Shari Franschman.](#)**