



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)**. Obligations apply to new employees and incoming students regarding awareness and prevention methods of the following offenses.

Sexual Violence

Sexual Harassment

- Unwelcome, gender-based verbal or physical conduct that is sufficiently severe, pervasive and objectively offensive so that it, unreasonably interferes with the ability to participate in or benefit from the College's education program and/or activities, and is based on power differentials (quid pro quo).

- *Examples:* an attempt to coerce an unwilling person into a sexual relationship; to repeatedly compliment someone on their dress or body, to punish a refusal to comply with a sexual based request, sexual violence, intimate partner violence, stalking; gender-based bullying.

Sexual Assault: Any type of unwanted/unwilling sexual contact or behavior that lacks consent and/or capacity to give consent of the recipient.

- Attempted or act of sexual assault (sexual intercourse without consent or with a child under the age of thirteen, by a stranger, an acquaintance, or an intimate partner/spouse)
- Attempted/forced sodomy (forced oral or anal sex)
- Attempted/forced penetration by a foreign object, either animate or inanimate
- Touching an unwilling person's intimate parts such as genitalia, groin, breast, or buttocks directly, or the clothing covering these parts
- Forcing an unwilling person to touch/look at another's intimate parts.

Consent: Words or actions that show a knowing, active and voluntary agreement to engage in mutually agreed upon activity.

Consent is more than “No means No.” Consent is about making sure everyone involved in sexual activities is enjoying themselves and feeling safe. A verbal confirmation is ideal (“Yes!”), but clear non-verbal confirmation is also consent (e.g. nodding of the head or motioning with the hands). This is the common understanding around affirmative or enthusiastic consent – there is no question that everyone is ready and willing to move forward.

- Consent is **NEVER** implied and cannot be assumed – the absence of “no” does NOT mean “yes.”

- Consent **CANNOT** be given if there is pressure, intimidation, force, violence or the threat of violence.

- Consent CAN be withdrawn at any time.
- The above acts constitute sexual assault when they are committed against a person's will when:
 - The person is younger than 13 years old
 - The person is between 13 or 16 years old and the abuser is related to them by blood or acting as a guardian or parent.
 - There is a weapon or threat of a weapon.
 - The person has a developmental, cognitive, or physical disability.
 - The person is unconscious or incapacitated

Consent is active (spoken), enthusiastic and voluntary!

Domestic Violence: A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner committed by the victim's:

- Current or former spouse/partner
- Current or former cohabitant
- Current or former partner whom they share a child with
- Anyone else protected under domestic or family violence law

Types of Abuse

Verbal/Emotional Abuse: Coercion, threats, intimidation, name-calling, isolating, controlling time, money, dress, decisions, humiliation, insults

Physical Abuse: Pinching, hitting, kicking, hair pulling, strangling, restraining, shoving, punching, slapping etc.

Sexual Abuse: Unwanted touching, fondling and kissing

- Forcing him/her to have sex
- If partner is female, not letting her use birth control (condoms, pill)
- Forcing the person to do other sexual things they don't want to do

Economic Abuse: Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.

Dating Violence: Any type of physical, sexual, or psychological violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

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Stalking: The repetitive, intimidating pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community with the intent of annoying or alarming that person or placing that person in reasonable fear for his/her safety and suffer substantial emotional distress.

- Repeated unwanted phone calls, text messages, voicemails (home, work, cell)
- Showing up everywhere someone is (cafeteria, work, library, restaurant)
- Using friends, peers or family to gather information about the person's whereabouts
- Tracking or monitoring social media/networking sites- or using social media to display photos or gossip or rumors
- Giving unwanted gifts
- Breaking into someone's records
- Electronic monitoring (GPS, etc.)

If you or someone you know has experienced any type of violence, the **Violence Intervention Prevention Center (VIP) can support and assist in finding any services that someone might need.**

Located in [A 126 D](#)

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. **NOT** your name or identifying information.

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

A sexual assault can be reported ANYTIME! There is no statute of limitations on reporting. Whether it was five years ago or five minutes ago.

Whether the sexual assault occurred on campus or off, the Violence Intervention Prevention Center (VIP) can support and assist in finding any services that someone might need.

Located in A 126 D

*For any questions, concerns or services please feel free to visit <http://www.bergen.edu/vip> or contact Shari Franschman sfranschman@bergen.edu or Jessica Peacock at jpeacock@bergen.edu.

Why is it Important for Members of the Bergen Community College?

- In 21% of college dating relationships, one of the partners is being abused.
- 60% of acquaintance rapes on college campuses occur in casual or steady dating relationships.
- 20-25% of college women experience a completed or attempted rape over the course of their college career; a majority of women know the person who attempted or committed the assault (NJCASA, 2014).
- 78% of sexual assaults are committed by a person known to the victim.
- Alcohol is a common facilitator of sexual assaults. In one study 72% of rapes that occurred in a seven-month period were facilitated when the victim was intoxicated and unable to refuse or give consent (NJCASA, 2014).
- The *National College Women Sexual Victimization Study* found that over 13 percent of college women had been stalked in the academic year prior to the study.
- Persons ages 18 to 24 (average age of college students) experienced the highest rates of stalking victimization.
- Dating violence occurs in same-sex couples at about the same rate as it occurs in heterosexual couples.
- 1 in 10 rape reports are made by men.
- Based on the U.S. Census, projections for the Hispanic female population in the future, and the one-in-six victimization calculation, by the year 2050, the number of females of Hispanic origin who have experienced some form of sexual violence could reach **10.8 million** (U.S. Census, 2014).
- Almost 1 in 8 women who identify as lesbian and 46% of women who identify as bisexual have been raped in their lifetime (NJCASA, 2014).
- 40% of men who identify as gay and almost half of men who identify as bisexual experienced sexual violence other than rape in their lifetime (NJCASA,2014).

You CAN Be an Active Bystander

Who is a Bystander?

A bystander includes anyone who is aware violence is present in his/her community. 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.

Barriers for Intervention

Barriers prevent someone from intervening when they witness an act of violence.

Personal: shyness, fear, uncertainty, “I don’t want to be embarrassed, I’m not sure if the situation is high risk.”

Relationship: “I don’t want friends or colleagues to be upset, don’t want to be a snitch or party-police, don’t want to break an unwritten code in my group, peer pressure to go along or I don’t want to break family silence.”

General: someone else will do something, it’s not my business, if no one else is concerned about it, it’s probably not a big deal.

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.

Safe and Positive options for Bystander Intervention

- **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 or tell someone like a professor .
- **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.

The Three D’s of Intervention

Direct: This approach just means you are directly interacting with the people involved in the situation and addressing that you are concerned. It may be a confrontation “Hey, what are you doing?” Or it may be just checking in with a friend “Are you OK?”

Delegate: When you recognize an act of potential act of violence you may be uncomfortable saying something yourself or you feel like someone else is better suited to handle it (i.e. a friend, police, professor), delegate is a solid option. Here you are asking someone else to help in the situation. This also additionally makes someone else aware of what it going on and something needs to be done.

Distract: This approach’s focus is diversion. If you see a situation and can think of a way to divert the attention of the people in the situation, distract is the perfect option. Sometimes all a situation needs to diffuse a bad situation is a little diversion. (e.g. spill a pile of papers/books by a couple who presents signs of an escalating or threatening situation).

Interested in learning more or taking action?

Schedule a training for a class!

Want to be trained and receive a certification in Bystander Intervention?

Contact Jessica Peacock at 201-879-8994 or email at jpeacock@bergen.edu

Green Dot: Bystander Intervention

What is the Green Dot Violence Prevention Strategy?

The permanent reduction of power-based personal violence- including (but not limited to) sexual assault, dating/domestic violence and stalking.

In order to reach that goal, the Green Dot Violence Prevention Strategy is designed to accomplish the following objectives:

Establish two cultural norms within communities:

1. Power-based personal violence will not be tolerated
2. Everyone does his/her part to maintain a safe community

How is this done?

By engaging the majority of the community in new behaviors through awareness, programming and education regarding the following:

- warning signs of violence
- personal obstacles for intervention
- multiple options for intervention that are realistic and manageable
- bystander skills

Don't Cancel That Class! A program for faculty

Are you a faculty member who's going to be away on a conference? Invite V.I.P.. to facilitate your class for you as part of the "Don't Cancel That Class!" program. V.I.P will work with you to finalize a topic and work it into your curriculum, whether it relates to sexual assault, dating violence and stalking, or if you would like to introduce Green Dot to your students.

*** Certification upon completion ***

To schedule a training for a class, club etc. contact Jessica Peacock at jpeacock@bergen.edu or 201-879-8994

Ways to Reduce Your Risk of Sexual Assault

A sexual assault is **NEVER** the fault of the person targeted. Bystander Intervention aims to change the culture of people perpetrating by saying violence is NOT tolerated on campus.

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.*

Bergen Community College Employees

Bergen Community College is compliant with the **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act)** which requires all post-secondary institutions to publish and distribute certain information regarding campus crimes, including reports of campus sexual assault, sexual assault policies and security programming to all current students, employees and to any applicant who so requests.

According to the Clery Act, certain **Campus Security Authorities (CSA)** have a duty to report criminal misconduct to enable campus officials to accurately complete the college's Annual Security Report for federal statistical reporting. Criminal misconduct includes:

- √ Criminal homicide
- √ Sex offenses
- √ Robbery
- √ Aggravated assault
- √ Burglary
- √ Motor vehicle theft
- √ Arson
- √ Domestic violence
- √ Dating violence
- √ Stalking
- √ Hate crimes (including national origin and gender identity)

Who is considered a CSA? A person's function determines if they are a CSA. A person's title does not matter. **A CSA is anyone with responsibility for student/campus activities outside of the classroom.**

CSA functional areas include:

- √ Student affairs/Student conduct officers
- √ Campus law enforcement
- √ Student activities staff (athletic teams)
- √ Advisors to student organizations (student clubs)
- √ Human resources staff
- √ Any other official with significant responsibility for student and campus activities

Who is NOT considered a CSA?

- * Faculty without responsibility for student or campus activities outside the classroom
- * Support staff (clerical, maintenance, food service workers)
- * Nurse and counselors (including mental health counselors) responsible for student care

CSA's primary responsibility is to report allegations made in good faith to the Director of Public Safety.

Employees who are not CSA's are obligated to report sex offenses and hate crimes to the Title IX/EO Coordinator.

RESOURCES:

SAFE PLACES FOR REPORTING ALLEGATIONS OF SEXUAL ASSAULT ON BERGEN COMMUNITY COLLEGE CAMPUS

If a student would like to report a sexual assault, they can report to:

The Title IX Coordinator for students: Vice President of Student Affairs Naydeen Gonzalez-DeJesus Ph.D., (201) 301-1577

If staff or faculty would like to report a sexual assault, they can report to:

The Title IX coordinator for faculty and staff: Patti Bonomolo, Director of Human Resources, (201) 689-7736

Public Safety: Room L-154 (201) 447-7215

The Center of Health Wellness and Personal Counseling: Room G-208 (201) 447-7215

Office of Judicial Affairs: (201) 447-7215

Violence Intervention Prevention Center at B.C.C. (201) 879-8911

YWCA HealingS.P.A.C.E. Hotline (201) 487-2227 TTY: (201) 487-0916 or
healingspace@ywcabergen.org

Center for Hope and Safety Hotline (201) 944-9600 TTY: 201-836-3071

Alternatives to Domestic Violence (ADV) 201-336-7575 TTY: 201-336-7525

***If you or someone you know is in immediate danger please call 911.**

For more information regarding Bystander Intervention, to get help or get involved please contact Shari Franschman at sfranschman@bergen.edu or Jessica Peacock at jpeacock@bergen.edu