Attendance & Survey

• The **UCD Sexual Violence Prevention Workshop** is **mandatory** for all new UC Davis students.
• **To ensure your attendance is recorded**, please take out a mobile device with a web browser and fill out the survey at this link:
  
  https://tinyurl.com/pre-svpt

• We will do a post-training survey at the end of the workshop.
• You **must complete both surveys** to receive credit for completing this training.
• If do not have internet access, **instructions for alternate ways to receive credit for attending** will be provided at the end of today's presentation.
Sexual Violence Prevention for Graduate and Professional School Students

Presented by HDAPP and CARE
2019
Your Trainers

- Danesha Nichols, Harassment & Discrimination Assistance and Prevention Program (HDAPP)
- Yolanda Henderson, (HDAPP)
- Katie Georgely, (HDAPP)
- Erik Fifer, (HDAPP)
Introduction

- **Harassment & Discrimination Assistance and Prevention Program (HDAPP)**
  - **UCD office designated for responding to reports** of sexual harassment and sexual violence.
  - hdapp.ucdavis.edu
  - Mainline: 530-747-3864 (Davis) & 916-734-3417 (Sac)
  - Anonymous Call Line: 530-747-3865 (Davis) & 916-734-2255 (Sac)

- **Center for Advocacy Resources and Education (CARE)**
  - **Confidential** resource center for sexual harassment and sexual violence
  - 24/7 crisis intervention and **support services for survivors**
  - care.ucdavis.edu, 530-752-3299
Agenda

• Why we’re here
• Resources
• Definitions and scenarios
• Options for reporting
• Your responsibilities
• Takeaways
What are we talking about?

• PPM 400-20 Sexual Harassment & Sexual Violence Policy
  • Sexual Harassment
  • Stalking
  • Relationship Violence
  • Sexual Assault

• Sensitive issues
• UCD takes these matters very seriously.
Laws & Policies

- Harassment and discrimination are against the law.
  - Federal Laws (VAWA Reauthorization, Executive Order 11246, Title VI, Title VII, Title IX)
  - California State Law
- UCOP and UCD policy
  - PPM 400-20—Sexual Harassment & Sexual Violence
  - UC Systemwide Policy on Sexual Harassment & Sexual Violence
  - Collective Bargaining Agreements
  - Student Code of Conduct
- Apply to your behavior on and off campus when it interferes with someone else’s ability to work or learn
Want something to refer to later?

- Locate these policies anytime:
  - [hdapp.ucdavis.edu](http://hdapp.ucdavis.edu)
  - Click “Policies and Procedures”

- Visit these websites:
  - [hdapp.ucdavis.edu](http://hdapp.ucdavis.edu)
  - [sexualviolence.ucdavis.edu](http://sexualviolence.ucdavis.edu)
  - [reporttheateandbias.ucdavis.edu](http://reporttheateandbias.ucdavis.edu)
Resources

• Crisis Resource Card

• Who can help?
  • Confidential Resources
    • Campus: CARE, WRRC, LGBTQIA RC, Counseling Services, ASAP
    • Ombuds Office (530-219-6750)
    • Community: Empower Yolo, WEAVE
  • Reporting Resources
    • University: HDAPP (Davis &Sac)
    • Crime: Police (campus or community)
DEFINING THE ISSUES

Scenarios and Group Discussion
Sexual Harassment

• You work in a lab with other graduate students in your department. The department is small and close-knit. Lately, especially on weekends and in the evening, you have noticed the atmosphere has become very informal. Lots of sexual innuendos and jokes about porn are made by the other grad students, and you’ve noticed the whole department has this attitude of “Work hard, play hard.” You’ve heard that past students who didn’t buy into the relaxed culture got labeled “uptight” and were left out of group events. When you’re stressed about a project one day, another student starts massaging your shoulders and tells you to “chill out.” Everyone else seems to be enjoying this atmosphere, but you feel uncomfortable.
• Which would NOT be a concern in this situation?
  A. How this behavior impacts the professionalism of the lab
  B. Whether the conversation is distracting or is impacting students’ abilities to do their work
  C. The department culture that may blame or label people if they speak up
  D. The relationship status of the student massaging your shoulders

CORRECT ANSWER: D
Discussion questions

- What would you be most likely to do?
  A. Nothing – I like a good massage when I’m stressed.
  B. Say something to the group like, “C’mon, this isn’t really the place for that.”
  C. Redirect the conversation, “Hey, what about those Giants?”
  D. Tell someone in authority – the PI, the Chair, HDAPP, etc.

CORRECT ANSWER: ANY BUT A 😊
Sexual Harassment DEFINED

• Unwelcome behavior of a sexual nature WHEN
  • A person’s submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program, activity, or service; *(quid pro quo)*

  OR

• Conduct is sufficiently severe, persistent or pervasive that it unreasonably denies, adversely limits, or interferes with a person’s participation in or benefit from the education, employment or other programs, activities or services of the University, *and* creates an environment that a reasonable person would find to be intimidating or offensive. *(hostile environment)*
Sexual Harassment CONT.

• Unwelcome behavior can include:
  • unwelcome sexual advances
  • unwelcome requests for sexual favors
  • other unwelcome verbal, nonverbal, or physical conduct

• Form of gender discrimination
APM 015, Faculty Code of Conduct: 
Consensual Relationships

• As a TA, you are considered an academic appointee, and are consequently covered by APM 015, which states:
  • “Whenever a faculty member is responsible for academic supervision of a student, a personal relationship between them of a romantic or sexual nature, even if consensual, is inappropriate. Any such relationship jeopardizes the integrity of the educational process.”

• The following is prohibited under APM 015
  • Entering into a romantic or sexual relationship with any student for whom a faculty member has, or should reasonably expect to have in the future, academic responsibility (instructional, evaluative, or supervisory)
  • Exercising academic responsibility (instructional, evaluative, or supervisory) for any student with whom a faculty member has a romantic or sexual relationship

For more information on (consensual) romantic relationships and the potential to cause other students to feel disadvantaged or otherwise negatively affected, go to the Teaching Handbook: 
https://www.ece.ucdavis.edu/graduate/ta-handbook/interact/
A colleague asks you out on a date. You politely decline. The colleague asks you again the next day, and again you say no. Later that day you check your phone and see that the colleague has sent you 12 texts about how great you are. The next day, you see the colleague outside your apartment building looking at your window. You have never given the colleague your address.
Discussion questions

• This situation is NOT stalking because you know the person.
  • Agree
  • Disagree

CORRECT ANSWER: DISAGREE
Discussion questions

• **What would you be most likely to do?**
  A. Worry about what will happen next
  B. Tell the person to “knock it off”
  C. Move
  D. Reach out to campus or community resources

  **BEST OPTION: D**

• Other options:
  • Report
    • Get accommodations
  • Stay with a friend

• **If a friend told you this was happening to them, what could you do?**
Stalking DEFINED

- **Repeated** conduct directed at a Complainant, of a sexual or romantic nature or motivation, that would **cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress**.
  - Stalking of a non-sexual nature is addressed by other University policies.

- **Repeated** = more than once
- Conduct can include following, monitoring, observing, surveilling, threatening, communicating, or interfering with property

- Criminal offense
One day you notice another student in your program has scratches and bruises all over their face. When you ask if they’re ok, they tell you that their partner hit them last night and they are afraid to go home after class.
Discussion questions

• Should you call the police for your fellow student?
  • Yes
  • No
  BEST ANSWER: NO

• What are the warning signs of Relationship Violence?
  • Isolation
  • Extreme jealousy or controlling behavior
  • Unexplained bruises or injuries
  • Low self-esteem or self-confidence
    • Abuser insults, demeans, shames, blames partner
Relationship Violence DEFINED

Relationship Violence is:

- **Physical violence** toward the Complainant or a person who has a close relationship with the Complainant, or
- **intentional or reckless physical or non-physical conduct** toward the Complainant or someone who has a close relationship with the Complainant that would make a reasonable person in the Complainant’s position **fear physical violence toward themselves or toward the person with whom they have the close relationship**, 

that is by a person

- **Who is or has been** in a spousal, romantic, or intimate relationship with the Complainant, or
- **Who shares** a child with the Complainant,

**AND** that is **part of a pattern of abusive behavior** by the person toward the Complainant.

- Criminal offense
Relationship Violence CONT.

• Someone who has a close relationship with the Complainant is
  • a current or former spouse
  • a current or former intimate partner
  • a child or other relative

• Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.

• Patterns of abusive behavior may consist of or include non-physical tactics such as
  • Threats,
  • Isolation,
  • Property destruction,
  • Abuse of pets,
  • Economic control,
  • Displaying weapons,
  • Degradation, or;
  • Exploitation of a power imbalance.
Sexual Assault

• **What is TRUE about consent?**
  A. It is irrevocable. Once consent is given, it cannot be retracted.
  B. Consent must be voluntary and affirmative.
  C. Consent is presumed to be given, until someone says “no.”
  D. A person’s ability to give consent is NOT affected by their being drunk.

• **CORRECT ANSWER: B**
Sexual Assault DEFINED

Penetration:
• Without the consent of the Complainant, penetration, no matter how slight, of:
  • the Complainant’s mouth by a penis or other genitalia; OR
  • the Complainant’s vagina or anus by any body part or object.

Contact:
• Without the consent of the Complainant, intentionally:
  • touching Complainant’s intimate body part;
  • making the Complainant touch another or themselves on any intimate body part; or
  • touching the Complainant with one’s intimate body part whether the intimate body part is clothed or unclothed.
Sexual Assault CONT.

- **Consent** is affirmative, conscious, voluntary and revocable.
  - Consent not possible when incapacitated:
    - Drunk or high to the point decision-making is affected,
    - Asleep or unconscious, or
    - Unable to communicate due to mental/physical condition.

- **Intimate body parts** include genitals, anus, groin, breast, or buttocks.

- Perpetrator is OFTEN someone the victim knows

- Resources:
  - sexualviolence.ucdavis.edu
  - CARE: advocacy and resources. On call response 24/7
  - HDAPP: reporting to UCD
Other Prohibited Behavior

Other Prohibited Behavior:

- Invasions of Sexual Privacy.
- Sexual intercourse with a person under the age of 18.
- Exposing one’s genitals in a public place for the purpose of sexual gratification.
- Failing to comply with the terms of a no-contact order, a suspension of any length, or any order of exclusion issued under this Policy.
- Engaging in Retaliation.
Retaliation DEFINED

An adverse action against a person based on their:
- report or other disclosure of alleged Prohibited Conduct to a University employee or
- their participation in the
  - investigation,
  - reporting,
  - remedial, or
  - disciplinary processes provided for in this Policy.

- An adverse action is conduct that would discourage a reasonable person from reporting Prohibited Conduct or participating in a process provided for in this Policy, such as threats, intimidation, harassment and coercion.
- Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.
PREVENTION & REPORTING

#UCDavisUpstander

ACT
GIVE SUPPORT
GET HELP
END SEXUAL VIOLENCE
INTERVENE SAFELY
PUT AN END TO SEXUAL VIOLENCE

sexualviolence.ucdavis.edu
Sexual Assault: Risk Reduction vs. Prevention

• How can you reduce the risk of sexual assault?
  • Lock windows & doors.
  • Be aware of people who don’t respect your boundaries.
  • Walk with another person at night.
  • Trust your gut instincts.
  • Understand that perpetrators look for someone in a vulnerable position.

• How can you prevent sexual assault?
  • The only person responsible for a sexual assault is the perpetrator.
  • If another person is not giving consent for sexual activity, stop yourself.
  • If safe and possible, find a way to intervene if you witness something concerning.
What are my options?

- For dealing with sexual harassment:
  - Talk to a Confidential Resource.
    - Report it to HDAPP.
    - Or, report it to a supervisor, faculty member or other Responsible Employee who is required by policy to work with HDAPP to address the situation.
  - Opt not to report. Handle it on your own.
What are my options?

- For Relationship Violence, Stalking or Sexual Assault:
  - Report to law enforcement.
  - Report to UCD via HDAPP.
  - Or, report it to a supervisor, faculty member or other Responsible Employee who is required by policy to work with HDAPP to address the situation.
  - Report to both law enforcement and UCD.
  - Opt not to report.
  - Talk to a Confidential Resource to get support in exploring options.

To find out more about how to preserve the evidence in a sexual assault, go to sexualviolence.ucdavis.edu
RESPONSIBILITIES FOR EMPLOYEES

Understanding Your Role
When we say “Responsible Employee…”

• We’re referring to this definition in the SV & SH Policy:
  
  • “Any University employee who is not a Confidential Resource. If a Responsible Employee learns, in the course of employment, that a student may have experienced Prohibited Conduct, they must promptly notify the Title IX Officer or designee. “(p. 7, #7)

• HDAPP is the “designee” office at UCD.
Who are Responsible Employees?

- For **student** concerns:
  - **Includes:**
    - Undergraduate and Graduate Advisors
    - Student employees when disclosures are made to them in their capacities as employees.
      - Resident Assistants
      - Graduate Teaching Assistants, and
      - All other student employees (i.e., Peer Advisors)

- ALL EMPLOYEES are NOW responsible for consulting with HDAPP about any student report of Prohibited Conduct.

- For **staff & faculty** concerns:
  - Campus Police
  - Human Resource Administrators, Academic Personnel, and Title IX Professionals
  - Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units (ORU)
  - Faculty members
• “You’re welcome to tell me about your concerns. Before you tell me specifics, you should know that, in my role, I have an obligation to report concerns about sexual harassment or sexual violence to UCD.”

• “If you’d rather speak first with a Confidential Resource—who doesn’t have the same responsibility to report—I can help get you connected. Talking with a CARE advocate is a great place to start. Would you like to call an advocate together?”
CONFIDENTIAL RESOURCES

• CARE (Center for Advocacy, Resources and Education)
  • 24/7 service
  • Confidential advocacy = assist with police reports/court proceedings, attend medical appts., assist with housing needs, assist with class changes or accommodations

• Counseling Services

• Academic & Staff Assistance Program (ASAP)

• Women’s Resource and Research Center (WRRC)

• Lesbian Gay Bisexual Transgender Queer Intersex Asexual Resource Center (LGBTQIA RC)

• Ombuds Office

Get a printable list of Harassment & Discrimination Resources at UCD from hdapp.ucdavis.edu under the Resources tab.
Responsibilities of Employees:

If you are a “Responsible Employee” and you learn that a student may have experienced Prohibited Conduct (i.e., sexual harassment or sexual violence), what should you do?

• Call 911 if there’s an emergency situation.
• Be supportive and empathetic.
• Give the student resource information:
  • CARE contact info
  • sexualviolence.ucdavis.edu
  • Confidential Resources list
• Make a report to HDAPP.
As a RE, Please Do Not:

If you a “Responsible Employee,” please DO NOT:

1. Try to fix or address the situation yourself.
2. Launch your own investigation.
3. Promise confidentiality. You are not a confidential resource.
4. Discuss with others who don’t need to know.
5. Ignore it and do nothing.

When in doubt, call HDAPP to consult!
What happens when I call or email HDAPP?

- HDAPP will ask for:
  - Names of the complainants or identified parties
  - Contact info for those parties
  - The allegations you heard (who/what/when/where/how)
  - Any remedy requested
  - Whether resource information has been shared
  - Any other info that you think is relevant
What happens next?

- HDAPP/Title IX reaches out to complainants with resource info.
- Interim measures may be put in place.
- An appropriate intervention will be determined based on the situation.
  - Alternative resolution (not typical in sexual violence cases)
  - Formal investigation
    - More egregious=more likely to be investigated
    - Will be fair, prompt and impartial
    - Conducted by trained officials
    - Will use the “preponderance of the evidence” standard
    - Complainant can choose whether and how much to participate in the Title IX process.
Protections and Sanctions

• If you make a report to UCD, certain protections can be put in place, based on your specific situation, which can include:
  • Separating you and the other person
  • Assistance with changing a class, class accommodations, etc.
  • No Contact Order

• If you make a report to UCD that is investigated and substantiated, sanctions will be applied to the respondent. Sanctions may include:
  • Suspension
  • Dismissal from all UCs
  • Termination of employment
Takeaways

- UCD policies prohibit sexual harassment & sexual violence in all forms.
- There are resources to provide help and support.
- You have responsibilities to assist others if you are also a UC employee.
- You have options!
- For more info:
  - sexualviolence.ucdavis.edu
  - hdapp.ucdavis.edu
To ensure your attendance at this workshop is recorded, please take out a mobile device with a web browser, and fill out the survey at this link:

https://tinyurl.com/gunrock

You must complete both the pre- and post-training surveys for your attendance to be counted.

If do not have internet access, please send an email to svpt@ucdavis.edu by midnight tonight with a selfie that includes this slide.

You will also need to send in the email (1) your name, (2) UCD email address, and (3) Student ID number.

If you do not have a smart phone, have a neighbor take your photo and email it to you.
Wrap-up

- Any questions?