DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING

Students who have experienced dating violence, domestic violence, or stalking, have witnessed or have information about a case of dating violence, domestic violence, or stalking are urged to report the information to the Beloit College Security Office or the Office of Residential Life, and to the Beloit Police Department.

Dating violence, domestic violence, and stalking policy
Personal Harassment Policy
On Campus Resources and Reporting Options
Off Campus Resources and Reporting Options
Rights of the Complainant and Accused

POLICY SUMMARY

These policies are grouped together as they represent a collection of issues addressed in the Violence Against Women Act amendments to the Clery Act (2014).

Dating violence, domestic violence, and stalking seriously infringe on the rights of others, violate the standards of acceptable behavior at Beloit College and may be illegal in the State of Wisconsin. Beloit College expects all members of the college community and their guests to conduct themselves in a responsible manner, showing respect for others and for the community at large. Beloit College is subject to, abides by, and supports the Wisconsin State statutes and local ordinances regarding criminal sexual contact.

Students who have experienced dating violence, domestic violence, or stalking, or have witnessed or have information about a case of dating violence, domestic violence, or stalking are urged to report the information to the Beloit College Security Office or the Office of Residential Life and to the Beloit Police Department.

Beloit College will do all that is reasonably possible to offer safety, privacy, sensitivity, and support to persons reporting dating violence, domestic violence, and stalking, as well as offer educational programming to decrease the risk of dating violence, domestic violence, and stalking on campus. The college urges students to learn about the steps that can be taken to prevent domestic violence, and stalking. Should the college believe that a threat exists to the safety or security of a person filing a complaint, or to others, it will take reasonable steps to attempt to mitigate that threat.

DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING POLICY

Beloit College recognizes that dating violence, domestic violence, and stalking occur under a
variety of circumstances:
- On- and off-campus
- Between people of any gender or sexual identity
- Between students, faculty, staff, alumni, and visitors to campus
- Between family members or close relatives
- When impaired by drugs and/or alcohol

No matter what the circumstances, dating violence, domestic violence, and stalking violate the standards of acceptable behavior at Beloit College.

This policy applies regardless of
- sex, gender identity or expression or sexual orientation;
- sexual interaction, or lack thereof;
- understandings of (non) monogamy;
- drug or alcohol use.

If you are a victim of dating violence, domestic violence, or stalking, please refer to:
On Campus Resources and Reporting Options
Off Campus Resources and Reporting Options

STATE OR FEDERAL LAW

Beloit College students are subject to the Wisconsin State Statutes and federal laws regarding dating violence, domestic violence, and stalking, and violation of state or federal laws may be the laws of student discipline. Wisconsin law makes no reference to the gender of either the victim or assailant. Victims of dating violence, domestic violence, and stalking of any gender are protected by the law, and assailants of any gender can be prosecuted under the law. For more information, review the Wisconsin State Statutes 940.32 (stalking) and 968.075 (domestic abuse) at [http://www.legis.state.wi.us/rsb/stats.html](http://www.legis.state.wi.us/rsb/stats.html), and Title IV, Sec. 40002(a)(10) (dating violence) at [http://legcounsel.house.gov/Comps/DOMVIOL.PDF](http://legcounsel.house.gov/Comps/DOMVIOL.PDF).

DEFINITIONS OF DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING

Dating violence

Dating violence includes violence against a person with whom there has been a romantic or intimate relationship. Relationships are gauged by the length, type, and frequency of interaction.

Dating violence may include the following:
  1. Infliction of physical pain, physical injury or illness.
  2. Actions that cause impaired physical or mental condition.
  3. A violation of the [sexual assault policy](http://example.com/sexual-assault-policy), or the [sexual harassment policy](http://example.com/sexual-harassment-policy).
Domestic Violence

Domestic violence includes violence committed by a current or former spouse or domestic partner. This can include violence committed by someone who lived as a spouse or domestic partner of the victim; violence between individuals who share a child in common; violence between parents and children; or violence between current or former sexual or intimate partners.

Domestic violence may include the following:
1. Infliction of physical pain, physical injury or illness.
2. Actions that cause impaired physical or mental condition.
3. A violation of the sexual assault policy, or sexual harassment policy.

Stalking

Stalking is defined as engaging in a course of conduct (a series of two or more acts toward another person), carried out over time, however short or long, which are not wanted by the victim, and/or that threaten or would cause a reasonable person to fear for their safety or the safety of others or cause them to suffer substantial emotional distress.

“Course of conduct” broadly captures the wide range of words, behaviors, and means that perpetrators use to stalk victims, and, as a result, cause their victims to fear for their personal safety or the safety of others or suffer substantial emotional distress.

Stalking may include, but is not limited to, the following acts:
- Following the person without proper authority or permission.
- Communicating in repeated, unwelcome ways, which can include communication by any electronic, written, verbal or third-party method.
- Leaving unwanted items for the person.
- Vandalizing a person’s property.
- Appearing at a person’s residence, classroom, or workplace without permission.

ON CAMPUS RESOURCES AND REPORTING OPTIONS

If you have experienced dating violence, domestic violence or stalking, the college urges you to report it.

A report is written documentation of dating violence, domestic violence, or stalking. It contains the name(s) of those involved, the date(s), time(s), and location(s) of the alleged event, and a short written summary of what is reported. The individual making the report has the right to give as much or as little information as they wish. When a student reports a violation of the
dating violence, domestic violence, and stalking policy, the college will investigate to the extent it can with the information provided. Responders will consult with the complainant about their wishes regarding how the investigation should proceed; the college may investigate even if the complainant decides not to participate.

The College will work with students to facilitate needed changes to living, academic, transportation, and working situations as requested and needed, regardless of whether campus security or local police authorities are involved and whether or not the offense happened on or off campus. The College will provide protective measures for the victim if requested and reasonably available.

There is no statute of limitations for college complaints, but potential complainants are reminded that the college’s ability to effectively investigate complaints can be impaired or negated as time passes.

All reports of dating violence, domestic violence, and stalking are kept on file in the Office of Residential Life and/or the Security Office for use in reports required by the Clery Act (http://www.beloit.edu/security/). Reported incidents will show up in campus crime statistics without identifying the person filing the report; in this way, a victim’s identify will be protected. Any accommodations or protective measures provided to the victim will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Beloit College will provide written notification to students and employees about existing services available for victims, both within the institution and in the community. This written notification will include, but is not limited to, the following existing information on services:

- Counseling and mental health services
- Current health services
- Victim advocacy
- Legal assistance
- Visa and immigration services
- Student financial aid
- Other services that may be available at the institution and in the community

This written notification will include information on how to request accommodations and protective measures regarding options for and the availability of changes to academic, living, transportation, and working situations.

**Who to call**

If the accused is a Beloit College student, the following individuals will ensure a report is filed when they are made aware of an alleged incident of dating violence, domestic violence, or stalking.
After hours, these individuals can be reached through campus security (608-363-2355).

**Title IX Coordinator as resource**

Beloit College’s Title IX Coordinator, Cecil Youngblood, can be used by any community member as a resource for understanding and navigating the investigative and judicial process. Faculty or staff supporters should consult the Coordinator with questions about how to best support students going through the reporting/investigation process. The Title IX Coordinator is not a confidential resource. You may contact Cecil at 608-363-2404 or youngblc@beloit.edu, or visit his office on 3rd floor Pearsons.

What happens after you report  This is the general framework for how an investigation is conducted:

- Initial meeting with complainant to review rights and options
- Written notification given to complainant of services available to them.
- No contact orders are issued by the college – additional orders of protection and restraining order may be issued by the court (college can assist students in this process)
- Complainant writes an account of the incident
- Initial meeting with accused party, review of rights and options
- Accused writes an account of the incident
- Meet with witness(es) and those with knowledge of events
- Clarify information from witness statements with complainant and accused
- Follow-up meeting with complainant to review process and outline thoughts about possible outcomes
- Follow-up meeting with accused to discuss the incident and possible outcomes
- Conclude investigation, issue written summary of findings and outcomes

**Preponderance of evidence as a standard**

Evidence and information collected during the investigation of dating violence, domestic violence, or stalking will be evaluated using the preponderance of evidence standard. In other words, if the evidence and information collected during the investigation suggest it was more likely than not dating violence, domestic violence, or stalking occurred, the hearing officer will
conclude the policy was violated and will find the accused student responsible.

Preserving evidence

It is important to preserve any evidence that might be used during an investigation of an alleged case of dating violence, domestic violence, or stalking. Electronic evidence is often helpful, including texts, emails, Facebook posts, chats, pictures, and other electronic communication and should be downloaded and preserved. Any record or log of interaction(s) with the accused will also be helpful in an investigation. Physical evidence on your body or clothing can be documented with photos. Medical staff at the hospital can collect other evidence and provide appropriate follow up care.

RIGHTS OF STUDENTS ACCUSED OF VIOLATING COLLEGE POLICY

- To receive notification of the behavior which has allegedly violated college policy.
- To have an opportunity to respond to the claim that college policy has been violated.
- To supply the investigative team with information or witnesses.
- To receive an impartial decision about the alleged policy violation, and be notified of the outcome.
- To have the option to appeal the decision or outcome.

RIGHTS OF STUDENTS INVOLVED IN DATING VIOLENCE, DOMESTIC VIOLENCE, AND STALKING INVESTIGATIONS

Rights of the complainant in a dating violence, domestic violence, or stalking investigation

1. To have complaints of dating violence, domestic violence, or stalking investigated by the college.
2. To report the violation directly to the police, with or without assistance from campus personnel.
3. To consult with the Title IX Coordinator, Cecil Youngblood, as a resource for understanding these rights and the investigation process.
4. To be notified in writing of available counseling, mental health or student services for students reporting dating violence, domestic violence, or stalking, both on and off campus.
5. To have a judicial proceeding be conducted by officials who at a minimum receive annual training on the issues related to dating violence, domestic violence, and stalking and on how to consider the results of an investigation in light of a student appeal that protects the rights of all involved and promotes accountability.
6. To be notified that at any point during the complaint/investigation/Judicial Board process, the complainant has the right to have the support of any willing member of the Beloit College community, friend, faculty or staff of their choice. The support person has the right to attend any function at which the complainant’s presence is required. The support person may be a licensed attorney. Any person attending meetings or hearings
in support of the complainant may advise the complainant but may not participate directly in the proceedings. (Note: Beloit College is represented by counsel in most dating and domestic violence, and stalking matters.)*

7. To not have prior sexual, dating, and/or intimate relationship history admitted during any disciplinary hearing. History of prior complaints, investigations, and cases may be admitted in an investigation and/or appeal.

8. To be notified in writing of the outcomes, if any, in the case, of the institution’s procedures to appeal the result of the disciplinary proceeding as outlined in the appeals section of the Student Handbook, and of any change to the result when such results become final.**

9. To appeal a disciplinary decision by a hearing officer(s) as outlined in the judicial appeal board section of the Student Handbook.

Rights of the accused in a sexual harassment, dating violence, domestic violence, or stalking investigation

1. To be informed in writing of the accusations/complaints that were filed.

2. To be informed that complaints of dating violence, domestic violence, or stalking will be investigated by the college, and possibly by the police.

3. To consult with the Title IX Coordinator, Cecil Youngblood, as a resource for understanding these rights and the investigation process.

4. To be notified of available counseling, mental health or student services for students accused of dating violence, domestic violence, or stalking, both on and off campus.

5. To have a judicial proceeding be conducted by officials who at a minimum receive annual training on the issues related to dating violence, domestic violence, and stalking and on how to consider the results of an investigation in light of a student appeal that protects the rights of all involved and promotes accountability.

6. To be notified that at any point during the complaint/investigation/Judicial Board process, the accused has the right to have the support of any willing member of the Beloit College community, friend, faculty or staff of their choice. The support person has the right to attend any function at which the accused’s presence is required. The support person may be a licensed attorney. Any person attending meetings or hearings in support of the complainant may advise the complainant but may not participate directly in the proceedings. (Note: Beloit College is represented by counsel in most dating violence, domestic violence, and stalking matters.)*

7. History of prior complaints, investigations, and cases may be admitted in an investigation and/or appeal.

8. To refuse to answer some or all questions. The investigation will proceed with or without the participation of the accused.

9. To be notified in writing of the outcomes, if any, in the case, of the institution’s procedures to appeal the result of the disciplinary proceeding as outlined in the appeals section of the Student Handbook, and of any change to the result when such results become final.**

10. To appeal a disciplinary decision by a hearing officer(s) as outlined in the judicial appeals board section of the Student Handbook.
*Typically students seek support from a faculty or staff member who knows them well, such as an advisor or mentor. Faculty or staff who agree to serve in this role may wish to consult with others who have supported students in previous judicial situations. Consult with Title IX Coordinator, Cecil Youngblood, for more information.

**Require simultaneous notification, in writing, to both the accuser and the accused.

**Possible sanctions and outcomes**
If it is more likely than not dating violence, domestic violence, or stalking has happened (in other words, if the preponderance of the evidence suggests that an offense occurred), a student will be found responsible for violating college policy and the investigating officer will consider a range of sanctions and outcomes.

Disciplinary sanctions possible for a person found responsible of violating the dating violence, domestic violence, and stalking policies include but are not limited to:
Suspension, expulsion, probation, counseling, deferred suspension, removal from campus, and/or any combination of the previous.

When determining appropriate disciplinary action, the investigating officers will consider the dating violence, domestic violence, or stalking complaint as a whole, the disciplinary background of the accused individual(s), and the totality of the circumstances, including the nature of the conduct and the context in which it occurred.

Any retaliation against a person who reports alleged dating violence, domestic violence or stalking or against a witness or other participant in an investigation, is strictly prohibited and will be considered a violation of this policy. It is also a violation of this policy to make a false accusation of dating violence, domestic violence, or stalking or knowingly provide false information pertaining to a dating violence, domestic violence, or stalking complaint.

A broader explanation of the college’s judicial system can be found on pages 109-114.

**If the accused is a faculty or staff member**

In cases of personal harassment, sexual assault or sexual misconduct by staff or faculty members towards students, there exists a Personal Harassment Committee. The contact for this committee is Heather McLean, Director of Human Resources. **(See Harassment Policy)**. To file a complaint off-campu, please contact the Beloit Police Department.

**OFF CAMPUS RESOURCES AND REPORTING OPTIONS**

**LEGAL OPTIONS**
Report incident to the Beloit Police Department

Dating violence, domestic violence, and stalking are criminal matters and may be reported to the Beloit Police Department. Beloit College strongly recommends that students filing a complaint have a staff member or a friend with them when a report is made to the police. There are trained counselors on campus and off campus that can assist students with their decision to report an assault to the police.

File a civil suit against the assailant

A civil suit against the accused is another legal option. Consultation with a lawyer is the best way to learn about this option.

SUPPORT RESOURCES

Seek medical treatment
If you have experienced dating violence, domestic violence, or stalking, you may need medical treatment for any injuries occurring in such offenses and may wish to have potential physical evidence collected. The Janesville Mercy Hospital can request an advocate from the Sexual Assault Recovery Program (SARP) to be with you at the hospital. Transportation to the hospital can be provided by security or by any member of the RA staff.

Contact the Sexual Assault Recovery Program (SARP). SARP is a community based program whose trained advocates respond to the emergency room to support the victim. They will assist and guide the victim through the legal system as well as provide free sexual assault crisis counseling. The 24 hour crisis hotline is 1-866-666-4576.

Contact the National Domestic Violence Hotline at 1-800-799-7233, or visit http://www.thehotline.org/.

Contact the Stalking Resources Center in the National Center for Victims of Crime at https://www.victimsofcrime.org/our-programs/stalking-resource-center.


Revised July 2017