



Sexual Misconduct Q & A

Get Informed. Be Safe. Find Support.

Bellevue University is here to provide you resources and support to encourage a safe and healthy culture which values the dignity and worth of all its members. Visit the [Center for Health and Safety](#) for more information and policy documentation.

What is Discrimination?

Discrimination is conduct based upon an individual's characteristics (see full policy statement) which excludes, denies, or treats an individual differently in regard to academic programs, activities, housing, or employment.

What is Harassment?

Harassment is conduct based on an individual's characteristics which may be threatening, intimidating, harmful, or humiliating. Harassment can be verbal, physical, written, electronic, graphic, or any other means of communication or behavior.

What is Sexual Misconduct?

Sexual Misconduct is an umbrella term to include all forms of unwanted behaviors which are sex-based, sexual in nature, or between intimate partners:

Sexual Harassment- can include unwanted sexual advances, sexual innuendos, inappropriate jokes or humor, sexually explicit visual images, gestures, or language, sending sexually explicit communications, requesting of sexual favors, or pressuring for sexual activity.

Sexual Assault/Rape- actual or attempted sexual contact or intercourse with another person without their consent. Sexual Assault can include unwanted touching of, or attempting to coerce or force another to touch, a person's intimate parts (genital area, groin, inner thigh, buttocks, or breast).

Sexual Exploitation- when a person takes non-consensual or abusive sexual advantage of another outside of sexual harassment or assault. Sexual

Be an Active Bystander:

- If you see something inappropriate, harmful, or illegal say something.
- Don't joke about sexual misconduct and call out those who do.
- Safely intervene, if possible, when conflicts arise to separate or remove the individuals.
- Redirect uncomfortable conversations with humor or by changing the subject.
- Ask someone in duress if they're ok and need help.

Exploitation can include prostituting of another person, non-consensual video or audio recording of sexual activity, non-consensual distribution of intimate photographs, non-consensual voyeurism, knowingly transmitting Sexually Transmitted Infections, exposing one's genitals in non-consensual circumstances, or viewing or forcing others to view pornography.

Dating and Domestic Violence- violence or abuse of a verbal or physical nature between current or former intimate partners or spouses. Relationship violence can be perpetrated through emotional abuse with the intent to intimidate, terrify, harass, or threaten. All types of Sexual Misconduct can be committed against an intimate or sexual partner.

Stalking- includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

Why is consent for sexual encounters important?

Without consent, a sexual encounter can be classified as sexual misconduct. *Consent* is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired to where they can't understand the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. Inducing incapacitation for sexual purposes falls within the bounds of sexual misconduct.

Can victims of sexual misconduct be responsible for bringing it upon themselves?

Never. No one deserves or asks to be harmed by another person. The victim is never at fault.

Take Precautions for Safety:

- Be responsible about your partying.
- Make a plan with friends to stick together when you go out.
- Don't be pressured into drinking or taking drugs.
- Never leave your drink unattended or accept drinks from people you don't know well.
- Follow your gut instincts about people's aggressive or concerning behaviors.
- Be aware of your surroundings.
- Don't engage in sexual activity with someone who cannot give consent.

What do I do if I'm sexually assaulted, raped, or abused?

If you or someone else is in immediate danger or needs immediate medical attention, the first place to report is 911. You may also report to the Campus Safety Department (402-557-5000), and/or to the Bellevue Police Department (402-293-3100).

If you are the victim of sexual assault, domestic violence, or dating violence, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. *Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order.* Victims of sexual violence, domestic violence, or dating violence should not bathe, urinate, douche, brush teeth, or drink liquids until after they are examined and, if necessary, a rape examination is

completed. Clothes should not be changed. When necessary, seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.

How can I report sexual misconduct?

All reports and complaints regarding sexual misconduct are processed through the Title IX Office. Filling out the online Title IX Reporting Form will be the first step to filing a report. The Title IX Coordinator can also assist if you are uncertain about reporting.

[Title IX Reporting Form](#)

Title IX Coordinator

Bellevue University

1000 Galvin Road South

Bellevue, Nebraska 68005

402-557-5299

TitleIX@bellevue.edu

What will I be asked to provide in a report?

The initial report form will require your contact information, the nature of the incident, your account of the incident, the date/time/location of the incident, all individuals involved, any documentation you may have,

Know the Signs of Trauma and Duress:

- Depression.
- Isolation and avoidance.
- Flashbacks, nightmares, or insomnia.
- Angry outbursts.
- Anxiety.
- Sudden substance abuse.
- Self harm.
- Suicidal thoughts.

and whether or not you reported to the police.

Can I report anonymously?

You can choose to remain anonymous; however, anonymous reporting may limit the ability to fully investigate and respond to the reported incident. The University strongly encourages providing as much detail and information as possible to ensure thorough investigation. University Officials will keep the information received private, subject to the limited exception when necessary to protect health, welfare or safety.

Can I report misconduct that did not involve me or on behalf of someone else?

Yes. The University accepts third-party reporting of misconduct. Third-party reporting will follow the same process.

Do I have to report to the police?

No. The University recommends that criminal reports be made to law enforcement, even if it is uncertain whether the particular conduct is a crime, and University staff will assist individuals in notifying law enforcement if requested. Calling local law enforcement can help you obtain emergency and nonemergency medical care, get immediate law enforcement response for your protection, understand how to provide assistance in a situation that may escalate to more severe criminal behavior, arrange a meeting with victim advocate services, find counseling and support, initiate a criminal investigation, and answer questions about the criminal process. However, a victim may decline to notify such authorities.

Will everyone find out?

University Officials will only disclose information to the parties involved, as necessary to give fair notice of the allegations and to conduct the investigation; to law enforcement consistent with state and federal law; to others involved with the University as necessary for coordinating measures or for health, welfare and safety

reasons, and to government agencies who review the University's compliance with federal laws.

Who can I talk to in confidence?

All University employees must report any and all incidents of sexual misconduct to which they are aware, or should reasonably be aware. If you want strictly confidential support, *which will not be reported to the University or law enforcement*, please contact a local community organization with victim services. National organizations can also help you find local support:

The National Sexual Assault Hotline

1-800-656-HOPE

The National Domestic Violence Hotline

1-800-799-SAFE

What happens after I file a report?

The Title IX Coordinator will assign a trained Investigator to conduct the necessary interviews and information gathering for an investigation. The need for temporary measures during the grievance process will also be assessed. All parties will be informed of the complaint, have the same rights to respond and provide information, and have equal access to investigation documents.

Will I get in trouble if I was under the influence?

Students who report sexual misconduct involving students *will not* be disciplined by the University for any violation of the University's drug or alcohol possession or consumption policies connected to the reported incident. However, the University cannot guarantee that, if the misconduct is reported to local law enforcement, the police will not take action against the individual. The University strongly encourages reporting regardless of whether or not drugs or alcohol are involved.

Ask for Help:

- Call the Police and/or Victim Services.
- Go to the hospital after an incident.
- Tell a friend and ask for their support.
- Contact the Title IX Office at BU.

Or Offer Support:

- Listen and be patient.
- Encourage reporting.
- Provide support information.
- Contact the Title IX Office at BU.

What will happen to the person I complain about?

If a violation of a University policy is found during the investigation, the University will impose appropriate sanctions. Sanctions and Corrective Action could include: a requirement not to repeat or continue the conduct, a reprimand, a no-contact directive, reassignment, suspension or termination, any of the sanctions identified in the Student Code of Conduct, or any of the disciplinary actions identified in the Bellevue University Employee Handbook.

What if the person I make a complaint about retaliates against me?

The law prohibits retaliation against an individual for bringing a complaint of discrimination or harassment, for assisting someone with a complaint, for attempting to stop discrimination or harassment, or for participating in any manner in an investigation or resolution of a complaint. Retaliation should be reported to the Title IX Coordinator, which will be treated as an additional complaint/report.