Sexual Misconduct: Information and Resources

University Statement On Sexual Misconduct
Oklahoma State University Institute of Technology is committed to providing a productive living and learning community in which students can pursue their educational goals. Sexual misconduct undermines this commitment and affects the ability of students to focus on their educational goals. Therefore, OSUIT will not tolerate nor condone any form of sexual misconduct. Where it is determined that sexual misconduct is more likely than not to have occurred, University disciplinary sanctions can include suspension from the University.

What Is Sexual Misconduct?
Due to the sensitive and sometimes violent nature of incidents involving sexual misconduct, the following definitions are provided for informational use by students and for guidance in the investigation and processing of alleged cases of sexual misconduct. It is possible that a particular action may constitute sexual misconduct even if not specifically mentioned in these examples:

Sexual Intercourse: The vaginal, anal, or oral penetration, however slight, with any object accomplished without effective consent and with a male or female who may be an acquaintance or a stranger. These behaviors are also known as rape, acquaintance rape, date rape and gang rape.

Other Sexual Contact: The attempt or actual touching of a person’s genitalia, buttocks, breasts or clothing covering them without effective consent.

Effective Consent: Effective consent is informed, freely and actively given in mutually understandable words or actions, which indicate a willingness to participate in a mutually agreed upon sexual activity.

• Initiators of sexual activity are responsible for obtaining effective consent.
• Silence or passivity is not effective consent.
• The use of intimidation, coercion, threats, force or violence negates any consent obtained.
• Consent is not considered effective if obtained from an individual who is incapable of giving consent due to the following:
  a mental, developmental or physical disability; or
  s/he is under the legal age to give consent; or
  s/he is intoxicated by alcohol, beer or under the influence of drugs.

What To Do If You Are A Victim Of Sexual Violence
Do what you need to do to feel safe: Call “0” immediately if you believe you are in danger and ask for police assistance. Get to a safe place or call a supportive friend or advocate;
Call CALL RAPE, a local 24 hour Rape Crisis Line (918-744-7273) or the Okmulgee Rape Response team (918-756-2545). Advocates are available to give advice, discuss options, and accompany you to the hospital and/or police station.
Do not shower, bathe, douche, change or destroy clothes; do not eat, drink, smoke or chew gum; do not take any medications. Preserving evidence for possible criminal prosecution is important. Seek medical help, to gather evidence for possible criminal prosecution and for treatment of any possible injuries. Decide whether to file a report with police (Call “0” and ask for Campus Police) and/or to file a complaint in the Student Conduct Office (918-293-5206). OSUIT strongly supports victims reporting Seek support and counseling. On campus resources include Counseling Services (918-293-4988). Community resources include the Okmulgee Rape Response team (918-756-2545) and CALL RAPE (918-744-7273).

**Reporting Sexual Violence**

It is strongly encouraged that you report sexual violence to police. This does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence maintain future options regarding criminal prosecution, university disciplinary actions and/or civil actions against the perpetrator.

Your information can be helpful in supporting other reports and/or preventing further incidents (even anonymous reports are somewhat useful).

It is also strongly encouraged that you report the sexual violence to the University. You can file a complaint through the university discipline process. The Office of Student Conduct, North end of the OSUIT Police Building will assist you through this process.

To report sexual misconduct of any kind, contact the Office of Student Conduct, 918-293-4944. The Office of Student Conduct’s primary concern is student safety. The use of alcohol and drugs should not deter a victim from reporting. You can also file a report with the Title IX Coordinator, Covelle Hall, 918-293-5456.

**Once You Have Filed a Complaint with Student Conduct**

You will be notified of receipt of your complaint and the actions the University official will take.

An investigation will be conducted by a University official. This investigation will include:

- meeting personally with the complainant,
- meeting personally with the student(s) accused of sexual misconduct,
- meeting personally with any witnesses, and
- reviewing any documentary evidence.

This process can take up to 60 days. The university official will determine if a discipline hearing is possible.

+ If it is determined that the University will proceed with a formal disciplinary proceeding, the complainant and the accused student(s) will be notified of the hearing date.
+ The University official will be available to explain the hearing process individually to the complainant and the accused student(s).
+ The standard of proof used in all university disciplinary cases is preponderance of the evidence, which means the determination to be made is whether it is more likely than not a
violation occurred. This is significantly different than proof beyond all reasonable doubt which is required for a criminal prosecution.

**What Student Conduct Can Do For You**

We can assist you in filing a complaint with the university disciplinary process and the appropriate law enforcement agencies against the student(s) who caused harm.

We can assist you in completing a No Contact Order between you and the accused. This would prohibit contact between you and the accused through any means of communication. This would also prohibit having others contacting you on behalf of the accused.

We can assist you in filing for an Emergency Order of Protection in court. This is a court ordered petition which prohibits contact between the complainant and accused.

We can coordinate any reasonable arrangements which are necessary for your ongoing safety. This includes changing your living arrangements or that of the accused, changing your class schedule or that of the accused, or similar action.

We can coordinate any reasonable arrangements to address the effects of the sexual violence on you. This includes connecting you with counseling, health care or academic support resources.

We complete a thorough and impartial investigation, separate from any inquiry conducted by law enforcement. This includes talking to the complainant, the accused student(s) and any witnesses, and reviewing any documentary evidence.

We are here for you. We will meet with you, answer any questions you have, provide appropriate resources and assist you throughout the entire process. Please contact us if you have questions or need assistance.

**Your Rights in the OSU Disciplinary Process as a Victim of Sexual Misconduct**

- You are permitted to have a person of your own choosing to accompany you throughout the disciplinary hearing.
- You are permitted to be present during the disciplinary hearing (except during deliberations of the panel).
- You are permitted to present witnesses and other evidence during the disciplinary hearing.
- You have the right to be informed of the outcome of the disciplinary hearing upon written request.
- You have the right to appeal the decisions reached through the hearing proceedings.

Note: The accused is also afforded all of the above listed rights.

**What Is Sexual Harassment?**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors or unwelcome verbal or physical contact of a sexual nature when:
• submission to such conduct is made explicitly or implicitly a term or condition of leadership, membership in an organization, student/faculty social events, academic standing or participation in any University activity;

• submission to or rejection of such conduct by an individual is used as a basis for evaluation, particularly in making employment or academic decisions affecting the individual; or

• such conduct has the purpose or effect of unreasonably interfering or creating an intimidating, hostile or offensive educational and University environment.

The following are examples of conduct that may constitute sexual harassment if they are found to be objectively and subjectively persistent, severe and/or pervasive:
• Whistles, cat calls, insulting sounds
• Inappropriate touching, patting, pinching
• Sexy looks, comments or gestures that bother you
• Sexually suggestive jokes, innuendos
• Rating a person’s sexuality

(See OSU Institute of Technology Policy and Procedure Letter 4-006, entitled “Sexual Misconduct, including Sexual Assault and Sexual Harassment”, and Appendix C.)

**Resources For Counseling**

Sexual violence can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to support that may be found in family and friends, the following agencies have professional counselors who can be of assistance, provide further information on the subject of sexual violence and make referrals to private clinicians in the community.

**OSUIT Counseling Services**
**Grady Clack Center, Suite 123**
918-293-4988

Okmulgee Rape Response team
918-756-2545

CALL RAPE
918-744-7273

OSUIT Police Department
918- 293- 4678

Student Conduct Office
918-293-4944
**Awareness Education**
OSUIT educates the campus community about sexual assaults and date rape through orientations and classes. The OSUIT Police Department offers sexual assault education and information programs to students and employees upon request. Literature on date rape education, risk reduction, and University response is available through the Residential Life Office and the Student Conduct Office.