

HOWARD UNIVERSITY POLICY

Policy Number: 400-011: Governance, Risk and Compliance
Policy Title: RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING POLICY
Responsible Officer: Provost and Chief Academic Officer
Director, Howard University Interpersonal Violence Prevention Program
Responsible Offices: Office of the Provost and Chief Academic Officer
Howard University Interpersonal Violence Prevention Program
Effective Date: June 30, 2015

I. POLICY STATEMENT

It is the policy of Howard University (“the University”) to maintain a safe and healthy living, learning and working environment for students, faculty and staff free of harassment, exploitation, or intimidation. In furtherance of this policy, it is incumbent upon all members of the University community to be aware that the University does not tolerate dating violence, domestic violence, sexual assault and stalking and that such behaviors are prohibited both by University policy and by law. The University responds promptly and effectively to reports of dating violence, domestic violence, sexual assault and stalking and takes appropriate action commensurate to the violation and in accordance with University policy and pertinent federal and local laws.

The purpose of this policy is to provide guidance to the University community in responding to incidences of dating violence, domestic violence, sexual assault and stalking. It is informed by the collaborative and comprehensive report developed by multiple University offices under the Howard University Interpersonal Violence Prevention Program (IVPP).

II. RATIONALE

The Campus Sexual Violence Elimination Act (SaVE) was passed with the 2013 *Violence Against Women Act* in March 2013. It requires that universities: have policies and procedures on domestic violence, dating violence, sexual assault and stalking; provide mandatory orientation on all four areas to incoming students and employees annually; provide bystander intervention training to incoming students, faculty and staff annually; provide ongoing education and awareness programs for students and faculty in the four areas throughout the academic year; provide annual training for law enforcement and judicial officers in each area; have policies and procedures for each of the four areas and judicial policies and processes that align with required federal requirements; and provide advocacy for victims.

III. ENTITIES AFFECTED

This policy pertains to the University in its entirety. All Howard constituents, including students, faculty, staff, alumni, visitors, independent contractors and other members of the University community are affected by and required to abide by this policy.

IV. DEFINITIONS

When used in this policy, the following terms have the designated meaning:

- A. **Consent** - When a person *clearly and decisively* gives voluntary permission to engage in a specific sexual act without fear of reprisal or as a result of threats. A person can *withdraw consent at any time* during a sexual activity. A person *cannot* give consent to engage in a sexual activity if she or he is:
1. Under the age of consent.
 2. Mentally or physically incapacitated.
 3. Sleeping.
 4. Being threatened or coerced.
 5. Intoxicated by alcohol or drugs.
- B. **Dating and Domestic Violence** - A pattern of controlling behaviors used by one partner to control the other partner. There are many forms of dating and domestic violence:
1. Physical Abuse – Dating and domestic violence that includes, but is not limited to, hitting, shoving, slapping, pushing, punching, burning, and stabbing. It can also include withholding someone from receiving needed medical care or medication.
 2. Sexual Abuse - Dating and domestic violence that includes, but is not limited to, forced sex, and forcing someone to have sex without protection, with an object, or with another person.
 3. Psychological and Emotional Abuse - Dating and domestic violence that includes, but is not limited to, controlling someone's behavior or actions, isolating a person from friends and family; making threats against a person, his/her family, friends and pets; using social media to make threats; and verbal abuse.
 4. Economic Abuse - Dating and domestic violence that includes, but is not limited to, taking a partner's money, and not allowing a person or disrupting a person's ability to work or go to school.
- C. **Sexual Assault** – Rape, attempted rape, forced sexual intercourse including forcible sodomy, sexual assault with an object and/or sexual battery; any unwanted sexual contact or threats; and any non-consensual sexual contact, including unwanted touching or forcible fondling.

- D. **Sexual Misconduct** - Sexual assault, sexual harassment, sexual exploitation and sexual intimidation.
- E. **Stalking** - A course of conduct that is unwanted, unwelcome and unreciprocated directed at a specific person that would cause a reasonable person to feel fear. Examples of stalking behaviors include, but are not limited to:
1. Waiting outside a person's class or residence.
 2. Sending unwanted letters, phone calls, emails, texts, posts to a person.
 3. Following the person.
 4. Sending gifts.
 5. Sending information to others about the person.
 6. Threatening the person.
 7. Vandalizing the person's property
 8. Tracking the person's computer and internet use.
 9. Posting improper messages on social media about the person.
- F. **University Community** - all members of Howard University including, but not limited to, members of the Howard University Board of Trustees, students, faculty, administrative personnel and those who are conducting any type of business on any of the University premises, i.e., independent contractors and individuals engaged and/or participating in educational or other activities hosted by the University.

V. **POLICY PROCEDURES**

Howard University encourages all members of the University community to report incidents of dating and domestic violence, sexual assault, and stalking. There is no time limit on filing a complaint; however, it may be difficult to substantiate allegations made in a complaint brought after significant time has passed. Therefore, prompt reporting of incidences is encouraged.

In responding to reports of dating and domestic violence, sexual assault and stalking, the Responsible Office, in coordination with other offices within the University, assures a comprehensive service response that includes, but is not limited to, counseling and referral; investigation of allegations; health care; campus housing; and/or coordination with the Metropolitan Police Department and other external law enforcement.

The University's response is informed by other University policies, e.g., the *Student Code of Conduct*, *Personnel Guidelines and Statement of Current Benefits*, policies promulgated under Title IX and VII, and pertinent federal and local laws.

Under this policy, the Responsible Office coordinates with other offices within the University to ensure that:

1. A list is maintained on the University's website of on-campus and off-campus contacts in the Department of Public Safety, Office of Student Services, Student Counseling Service, Student Health Center, and other University and community resources.

2. Procedures and processes under this policy are promulgated, posted on the University's website, and reviewed periodically to assure compliance with the intent of University policy and federal requirements.
3. Annual and periodic training is provided to students, faculty, staff, Department of Public Safety officers, judicial officers, and others as required by federal law.
4. Incident and other requisite reports are provided to the Clery Act Compliance Accreditation Officer in the Department of Public Safety and others, as determined by the Responsible Office, in compliance with federal requirements.

Procedures are delineated in the *Howard University Interpersonal Violence Prevention Program (IVPP) Policy and Procedures Manual*.

VI. SANCTIONS

Sanctions applied to individuals are delineated in the *Howard University Interpersonal Violence Prevention Program Policy and Procedures Manual*.

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or having participated in an investigation of a sexual assault. Any individual employee who engages in retaliation may be subject to disciplinary action up to and including termination of employment (employees) or expulsion (students). Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

VII. HYPERLINKS

www.howard.edu/policy

[400-005 Title IX \(Student\) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities](#)

HU Interpersonal Violence Prevention Program Resources and Options: <http://campussafetyfirst.howard.edu>

For Students:

The Student Code of Conduct

<http://www.howard.edu/secretary/documents/StudentCodeofConductApprovedApril182015.pdf>

For Faculty:

Howard University Faculty Handbook

<http://www.howard.edu/secretary/documents/HowardUniversityFacultyHandbook.pdf>

For Staff:

Office of Human Resources: <http://www.hr.howard.edu>

[Howard University Emergencies and Alerts](#)

Campus, Off-Campus and Online Resources

* For all Howard University emergencies where you are unable to reach one of the offices below, call 202-806-1100 or 202-806-7777. The Student Health Center also has an emergency number (202) 806-6870, which is available 24 hours a day. Additionally students have the right to request emergency contraception and sexually transmitted infection services.

Resource	Phone #	Website
On Campus		
Department of Public Safety	206-806-1100	http://www.howard.edu/publicsafety/
Office of Student Services	202-238-2420	http://www.howard.edu/specialstudentservices/
University Counseling Service	202-806-6870 Emergency Numbers: 202-345-6709 or 202-714-7471	http://www.howard.edu/services/counseling/
Deputy Title IX Coordinator	202-806-2550	Candi Smiley: candi.smiley@howard.edu
Division of Student Affairs	202-806-2100	http://www.howard.edu/studentaffairs/default.htm
Office of Residence Life	202-806-6131	http://www.howard.edu/residencelife/
Office of the Provost and Chief Academic Officer	202-806-2550	http://www.provost.howard.edu/
Howard University Hospital	202-865-6100	http://huhealthcare.com/healthcare/hospital
Student Health Center	202-806-7540	http://www.howard.edu/studenthealth/
Office of International Student Services	202-806-7517	https://www.howard.edu/internationalservices/default.htm
Office of Student Life & Activities	202-806-5990	http://www.howard.edu/currentstudents/studentlifeactivities/
Off-Campus Resources		
DC Coalition Against Domestic Violence	202-299-1181	http://dccadv.org/
DC Rape Crisis Center	202-232-0789 202-333-7273	http://dcrapecrisiscenter.org/
Metropolitan Police Department	202-727-9099	http://mpdc.dc.gov/
My Sister's Place DC	202-529-5991	http://www.mysistersplacedc.org/
Men Can Stop Rape (MCSR)	202-265-6530	http://www.mencanstoprape.org/
House of Ruth	202-667-7047	http://www.houseofruth.org/
Sexual Assault Nurse Examiner (SANE) at Washington Hospital Center	202-742-1720	http://www.whcenter.org/
DC Office of Victim's Services	202-727-3934	http://ovs.dc.gov/
DC Office of the Attorney General	202-727-3400	http://oag.dc.gov/DC/OAG
Domestic Violence Intake Center	202-879-0157	http://mpdc.dc.gov/page/domestic-violence-intake-center

Online Resources		
National Domestic Violence Hotline	800-799-7233	www.thehotline.org
National Sexual Assault Hotline	800-656-HOPE	http://www.rainn.org/get-help/national-sexual-assault-hotline
National Teen Dating Abuse Hotline	866-331-9474	http://www.loveisrespect.org/about-national-dating-abuse-helpline
National Stalking Resource Center	202-467-8700	http://www.victimsofcrime.org/our-programs/stalking-resource-center
National Sexual Violence Resource Center	717-909-0710	http://www.nsvrc.org/
Office on Violence Against Women (OVW)	202-307-6026	www.ovw.usdoj.gov/
Futures Without Violence	202-595-7382	www.futureswithoutviolence.org
National Network to End Domestic Violence	202-543-5566	www.nnedv.org
Institute on Domestic Violence for the African American Community (IDVAAC)	612-624-5357	www.idvaac.org/
National Coalition of Anti-Violence Programs	212-714-1184	http://www.ncavp.org/about/default.aspx