Consent is about communication and respect. Sexual activity without consent is sexual misconduct.

**University Definition of Consent:**
Consent is an agreement expressed through affirmative, voluntary words or actions, and mutually understandable to all parties involved, to engage in a specific sexual act at a specific time.

- Consent can be withdrawn at any time, as long as it is clearly communicated.
- Consent cannot be coerced or compelled by force, threat, deception or intimidation.
- Consent cannot be given by someone who is incapacitated, as defined below.
- Consent cannot be assumed based on silence, the absence of “no” or “stop,” the existence of a prior or current relationship, or prior sexual activity.

Incapacitated
A person is incapable of consent if they are unable to understand the fact, nature, extent, or implications of the situation due to drugs, alcohol, a mental disability, being asleep or unconscious, or based on their age (pursuant to Indiana law).

**Consent does not exist when the individual initiating sexual activity knew or should have known of the other person’s incapacitation.**

**Confidentiality & Privacy**

**Information Confidentiality**
The University is committed to protecting your privacy by engaging in sexual misconduct will be sanctioned. Sanctions for sexual misconduct violations may include, but are not limited to, separation from the university, including suspension, expulsion or termination. Other protective measures may include separating the parties, placing limitations on contact between the parties, or making alternative living, class placement, or workplace arrangements.

Sexual assault, domestic violence, dating violence, and stalking may also be found to be criminal acts following a law enforcement investigation, which may also subject the respondent to criminal penalties under federal and state law.

**Retaliation**
Retaliation against anyone who has reported an incident of sexual misconduct, provided information, or participated in procedures or an investigation into a report of sexual misconduct, is prohibited by the University and will not be tolerated. Concerns about potential retaliation in connection with a report of sexual misconduct should be reported to the Title IX Coordinator.

**Protective Measures**
In addition to the interim and remedial measures available through the University (see Resources), IU recognizes all valid orders of protection, no contact orders, restraining orders, or similar lawful orders. If you have a valid order, please inform IUPD so the order can be enforced on campus, if necessary. To learn more about protection orders contact the Indiana Coalition Against Domestic Violence (ICADV) hotline at 1-800-332-7385.

**INDIANA STATE RIGHTS FOR VICTIMS OF DOMESTIC AND FAMILY VIOLENCE**
Alleged victims of domestic and family violence are provided the additional rights under Indiana IC-35-4-5, if they choose to proceed with criminal prosecution.

1. You have the right to be treated with fairness, dignity and respect; and free from intimidation, harassment and abuse.
2. You have the right to be informed, upon request, when a person who is accused of committing, or convicted of committing, a crime perpetrated directly against you is released from custody or has escaped.
3. You have the right to confer with a representative of the prosecuting attorney’s office:
   (a) after a crime allegedly committed has been charged;
   (b) before the trial of a crime allegedly committed;
   (c) before any disposition of a criminal case. This right does not include the authority to direct the prosecution of a criminal case.
4. You have the right to your safety considered when decisions are made concerning pre-trial release from custody of a person accused of committing a crime against you.
5. You have the right to be heard at any proceeding involving sentencing, a post-conviction release decision, or a pre-conviction release decision under a forensic diversion program.
6. If the accused criminal is convicted, you have the right to make a written or oral statement to be used in a pre-sentence report.
   (a) You have a right to read a Victim’s Pre-sentence Report
   (b) You have a right to respond to the material included in the pre-sentence report.
7. You have a right to pursue restitution and other civil remedies against the perpetrator.
8. You have a right to information, upon request, about the disposition of a case, the conviction or sentence on a case, and release of a perpetrator from custody.
9. You have a right to be informed of your constitutional and statutory rights.

If you wish to exercise these rights, you must provide a current address and telephone number to the local county Prosecutor’s Office. If charges are filed in your case, it is likely that the judge will have a hearing on the defendant’s bond within days of the arrest. It is important to stay in contact with the prosecutor’s office to determine when this hearing, and other hearings will be held.
For additional information on available resources on your campus and in the community, as well as a link to the University Sexual Misconduct Policy and Procedures, please visit the Stop Sexual Violence website: http://stopsexualviolence.iu.edu/

**MEDICAL SERVICES**

**Reid Hospital**
Services available include: collection of evidence (rape kit) for report to the police, infection and injury evaluation and treatment.

1100 Reid Parkway
765-983-3000

**CONFIDENTIAL COUNSELING SERVICES**

**Center for Health Promotion**
Provides quality mental health services to students, faculty, and staff.

Hayes Hall 004
765-973-8216

**Genesis**
Genesis of the YWCA services Wayne, Fayette, and Union Counties. All services are offered to the victims of domestic violence, sexual assault and homelessness. All services that Genesis provides are free of charge.

15 South 11th Street
765-966-4538

**Employee Assistance Program**
Provides professional and confidential counseling to full-time employees, medical residents, and graduate appointees and their household members.

888-234-8327

**Other Campus Resources**

**Interim & Remedial Measures**
Upon request, interim and remedial measures may be provided if appropriate and reasonable. These measures could include no contact orders; assistance in changing academic, living, transportation, and/or work situations; counseling services; victim advocacy services; financial aid information; and assistance in obtaining protective orders. Other advocate services may be available. For more information contact:

Dean of Students 765-973-8252
Office of Affirmative Action 765-973-8402

**Office of International Services**
The Office of International Services can assist students with visa and immigration advising and other support services for international students.

812-855-9086 or osi@iu.edu

**COMMUNITY RESOURCES**

**Legal Services**
Legal assistance and representation information can also be obtained by contacting the Wayne County Bar Association.

https://inbar.site-ym.com/?page=local_bars

**Protection Orders**
If you need to file a Petition for an Order of Protection, you can do so at the Wayne County Clerk’s Office.

Wayne County Clerk’s Office
301 East Main Street
Richmond, IN 47374
765-973-9220

**Help is Available: Rights & Options**
Below is important information to consider. Please see contact options under the “Resources” section.

**Find a safe place**
Most importantly, call 911 if you or anyone else is in immediate danger and try to get to a safe place. Once you are safe, contact someone you trust to be with you for support. This could be a friend, family member, a resident assistant or even a trained sexual assault advocate.

**Seek medical attention**
Medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted diseases or pregnancy and to treat any physical injury.

**Preserve evidence of the incident(s)**
If you have experienced any form of sexual misconduct, it is important to preserve any evidence that may be helpful should you decide to pursue a university or criminal complaint, or obtain a protective order. Physical evidence is best collected as soon as possible or at least within 96 hours of the assault. Do not do any of the following things until you’ve gotten medical attention and/or contacted the police.

- Bathe or shower
- Use the restroom
- Change clothes or comb hair
- Clean up the crime scene
- Move anything the offender may have touched
- Move anything the offender may have touched

It is best not to try to collect this physical evidence yourself, but to seek assistance from medical and/or law enforcement personnel. Consider also preserving any electronic and other types of physical evidence (e.g., text messages, social media posts, receipts, photos).

**Counseling support is available**
Counseling is recommended during this difficult time. Whether services are sought on campus or in the community, remember that self-care is an important part in coping with the event. Confidential employees are available on your campus (see “Confidentiality & Privacy”).

**Consider reporting the incident**
There are several reporting options including reporting to campus or local law enforcement, reporting to a campus Deputy Title IX Coordinator, going through the student conduct system, and/or reporting online at StopSexualViolence.iu.edu. Campus authorities can assist in notifying law enforcement if requested, however, you may also decline to notify law enforcement.