

West Virginia Northern Community College

Sexual Assault Rule

Rule Number: NC-1004

Effective Date: April 1, 2008

Date Approved by WVNCC Board of Governors: March 27, 2008

Authority Reference: Title VII of the Civil Rights Act of 1964; West Virginia Human Rights Act

Replaces previous rule dated: NA

Rule:

The College is committed to providing a safe learning and working environment. This safe environment includes all campus locations and all off-campus, college-related activities and sites. Sexual assault is a violation of college rules and of state law. Sexual assault is broadly defined as being any unwanted attempted or actual sexual activity, including forcible and non-forcible sexual offenses.

Sexual harassment and discrimination are addressed by the College in separate rules for students and faculty and staff. Copies of the current sexual harassment and discrimination rules are available in the Student Handbook, College Catalog, and Personnel Manual.

Definition of types of assault covered under guidelines

A forcible sexual offense is any sexual act directed against another person, including unwanted touching, that is against that person's will or which involves the use of force, violence or the threat of force or violence, or a sexual act against a person incapable of giving consent. Forcible sexual offenses include rape, sodomy, sexual assault with an object, and all forms of nonconsensual touching such as fondling.

Non-forcible sexual offenses are acts of unlawful sexual activity against persons incapable of giving consent, such as statutory rape. Acts which are commonly expressive of familiar or friendly affection and accepted medical purposes are not included.

Disciplinary Actions:

Persons found guilty of sexual assault will be disciplined in accordance with disciplinary policy or rules, which include expulsion from the college or termination of employment. These sanctions will be in addition to criminal or civil penalties imposed by federal or state courts. Any person found guilty of filing a false accusation of sexual assault will be subject to appropriate disciplinary action as well.

Each campus will develop an educational and informational campaign to assist with the prevention of sexual assaults and sexual harassment.