

## What is Sexual Misconduct?

**UH Executive Policy 1.204** (<http://go.hawaii.edu/ca>) addresses sexual misconduct which include sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

**Sexual Harassment** is any verbal or non-verbal behavior that includes a sexual message that is inappropriate, unwelcomed, and/or offensive in nature.

**Examples include situations in which someone:**

- promises you information about an exam in exchange for sex
- threatens to share your private life with others if you don't agree to do something sexual
- shares sexual images of you or another student via social media

**Sexual Assault** is when someone *knowingly* or *recklessly* forces someone else into an act of non-consensual sexual penetration or sexual contact.

**Examples include situations in which someone:**

- commits statutory rape (having sex with a person younger than 14 years of age)
- publicly displays his or her private parts
- watches you without your knowledge and permission
- has physical contact that is sexual in nature or intercourse without your clear and sober consent
- takes advantage of you when you might be:
  - ◊ too young to give legal consent
  - ◊ impaired due to drugs, alcohol, or physical or mental disability
  - ◊ unconscious
- uses any device to record video, pictures, and/or audio of your private body parts or private sexual activity without your knowledge or permission

**Stalking** is behaving in such a way that would cause a reasonable person to suffer substantial emotional distress or fear for his or her safety or the safety of others.

**Examples include situations in which someone:**

- follows you around without your okay
- appears at your home or workplace
- harasses you with phone calls
- leaves written messages or objects
- cyberstalks you
- vandalizes your property



**Domestic Violence** is a felony or misdemeanor crime of violence committed by an intimate partner, family, or household member. Domestic violence includes physical, sexual, emotional, economic, or psychological acts or threats used to force someone to do something against his or her will.

**Examples include situations in which someone:**

- uses jealousy to cut you off from your family and friends
- humiliates you in front of friends or makes you feel guilty when you tell him or her to stop
- makes you afraid by using threats, abusing animals, or destroying property
- threatens to find someone else if you don't do everything he or she wants you to do
- threatens to harm himself or herself if you want to end the relationship
- hits, shoves, grabs, slaps, beats, and kicks you or your loved ones
- touches you or forces you to have sex when you don't want it

**Dating Violence** is controlling, abusive, and aggressive behavior in any romantic or intimate relationship. It can include verbal, emotional, physical, or sexual abuse, or a combination of these behaviors. **Refer to domestic violence for examples of dating violence.**

## What is Retaliation?

Retaliation is causing harm to any participant in the process – the accused, the victim, witnesses, and reporting individuals. Retaliation is prohibited by law. **Kapi'olani CC does not tolerate this and will take measures to address any form of retaliation.**

## What Does Consent Look Like?

Consent involves words or actions that show a knowing and mutually voluntary agreement to participate in sexual activity. This includes participating in recordings like pictures and videos.

## What Does “Not Okay” Look Like?

- Past consent does not imply future consent
- Silence or an absence of resistance does not mean consent
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another
- Consent can be withdrawn **AT ANY TIME**

*Constant respectful communication is key*

## What is TITLE IX and VAWA?

Title IX of the Education Amendments of 1972 and the Violence Against Women Act (VAWA) are laws that address **sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation**. The College is committed to address and prevent unlawful sexual discrimination and misconduct in the educational and work environment.

## What do you do if you witness or have experienced sexual misconduct or violence?

Students are strongly encouraged to report to the College incidents of sexual misconduct as soon as possible.

The College will work to:

- protect people in danger
- treat everyone fairly
- prevent the situation from getting worse
- investigate and collect evidence if necessary

The College has the right to proceed with an administrative investigation at any time; it does not need to wait for any related criminal investigation or prosecution. The College may use procedures to enforce its **Student Code of Conduct** (<http://www.kapiolani.hawaii.edu/regulations-policies-and-data/student-conduct/>).

Students and employees can file criminal complaints with local law enforcement.

College employees are **required** to report incidents of sexual misconduct, involving a Kapi'olani CC student or employee. The incident could be on or off campus in the current or past semesters.

Confidential counseling services are also available at Kapi'olani CC.

All members of the College must comply with Title IX and VAWA, including:

- Students
- Faculty, staff, and administrators
- Visitors and anyone doing business with the College

**Kapi'olani Community College** is committed to creating and maintaining a campus culture, environment, and community that promotes the academic success of its students and the work success of its employees. As such, discrimination on the basis of race, color, creed, age, gender, sexual orientation, religion, national origin, veteran status, physical or mental disabilities, or any other form of prohibited discrimination is unacceptable and will not be tolerated.

## How to file a report at Kapi'olani Community College and the University of Hawai'i:

**Students, faculty, and staff** can file a Title IX complaint and VAWA report to the **Title IX Coordinators**:

### Dr. Brenda Ivelisse

*Title IX Coordinator*

**Phone:** (808) 734-9522

**Email:** kapvcsa@hawaii.edu

**Office:** 'Ilima 205

### Brandon Chun

*Deputy Title IX Coordinator for Students*

**Phone:** (808) 734-9553

**Email:** btchun@hawaii.edu

**Office:** 'Iliahi 113

### Kelli Brandvold

*Deputy Title IX Coordinator for Employees*

**Phone:** (808) 734-9575

**Email:** kellib@hawaii.edu

**Office:** 'Ilima 209

**Online:** <http://bit.ly/titleixkapcc>

## Whom else can you contact?

### Emergency Responders:

Kapi'olani CC Campus Security: (808) 734-9900

Community Police, Fire, Ambulance: 911

### Kapi'olani CC Confidential Counseling:

**Dr. Lori Ferreira**, *Mental Health Counselor*:

(808) 734-9585 • lori.ferreira@hawaii.edu • 'Iliahi 113

**Cathy Wehrman**, *Student Affairs Counselor*:

(808) 734-9504 • cwehrman@hawaii.edu • 'Iliahi 201

### Call Centers:

Sex Abuse Treatment Center: (808) 535-7600

National Sexual Assault Hotline: (800) 656-4673

Domestic Violence Action Center: (808) 531-3771

*Let's Keep The College Safe!!*

For more information on UH EP 1.204  
addressing Sexual Misconduct:  
<http://go.hawaii.edu/ca>

Rev 7/15



UNIVERSITY of HAWAII®  
**KAPI'OLANI**  
COMMUNITY COLLEGE

What you need to know about  
UH Executive Policy 1.204

## Sexual Misconduct: Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking



*Kapi'olani Community College does not condone or tolerate acts of sexual misconduct perpetrated by or against members of its student, staff, and faculty community.*