

**SEXUAL VIOLENCE**

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**POLICY**

Ridgewater College is committed to maintaining a campus community free from sexual violence. The College acknowledges and adheres to the definitions and processes described in [Minnesota State Policy 1B.3 – “Sexual Violence Policy”](#) and the related procedure document [1B.3.1 – “Sexual Violence Procedure”](#). This policy applies to all Ridgewater College students and employees and to others, as appropriate, where alleged incidents of sexual violence have occurred on Ridgewater College property.

Allegations of discrimination or harassment are governed by [Minnesota State Policy 1B.1](#).

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*History:*

*05.19.09 Adopted*

*06.22.20 Link Updates*

*03.15.23 Proposed; Reviewed for Equity Compliance*

*07.14.23 Revised*

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**PROCEDURES**

Ridgewater College does not have a campus security department but encourages individuals alleging sexual violence to promptly report any concerns to the College's designated officer, Jay Morrison. He can be reached by phone at 320-222-8040 or by email at [jay.morrison@ridgewater.edu](mailto:jay.morrison@ridgewater.edu). Individuals alleging sexual violence will be strongly encouraged to report incidents to local law enforcement as promptly as possible in order to preserve evidence for a potential legal or disciplinary proceeding. Individuals with questions or in need of additional information, resources and/or support are also encouraged to visit with a College Counselor or any of the local victim/survivor services and/or other health care providers listed on the following pages of this document. When appropriate, Ridgewater College may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee standard.

This procedure is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

**Notice of Complainant Options:**

Following a report of sexual violence, the complainant must be promptly notified of:

- a. Where and how to obtain immediate medical assistance. Complainants will be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants will also be told that they may report incidents of sexual assault at any time.
- b. Where and how to report incidents of sexual violence to local law enforcement officials and/or any other appropriate contacts and referrals.
- c. Resources for where and how complainants may obtain on-campus or off-campus counseling, mental health or other support services.

**Notice of Complainant Rights:**

Following a report of sexual violence, the complainant must be notified of the following:

- a. Their right to file criminal charges with local law enforcement officials.
- b. Rights under the crime victim's bill of rights, Minnesota Statutes Sections 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the Commissioner of Public Safety.
- c. Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing and maintaining any evidence in connection with a sexual violence incident.
- d. Assistance available from campus authorities in preserving, for a sexual violence complaint, materials relating to a campus disciplinary proceeding.
- e. That complaints of incidents of sexual violence made to campus authorities shall be promptly and appropriately investigated and resolved.

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- f. That, at a sexual assault complainant's request, the college may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site, if such alternatives are available and feasible.

**General Principles:**

Ridgewater College shall follow and adhere to the process and definitions within [Minnesota State Procedure 1B.1.1 – "Report/Complaint of Discrimination/Harassment Investigation and Resolution"](#) to investigate and resolve such issues for employees and students. Procedures used in response to a complaint of sexual violence shall avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. Mediation or other negotiated dispute resolution processes between the complainant and the respondent concerning allegations of sexual violence shall be used only if both parties voluntarily consent. No party shall be required to participate.

Ridgewater College investigation and disciplinary procedures concerning allegations of sexual violence against employees or students must:

- a. Be respectful of the needs and rights of individuals involved and treat them with dignity;
- b. Not suggest to the complainant that they were at fault for the sexual assault or should have behaved differently to prevent the assault;
- c. Proceed as promptly as possible;
- d. Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;
- e. Allow employees the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
- f. Be conducted in accordance with applicable due process standards and privacy laws;
- g. Immediately inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law;
- h. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy, procedure, or code has been violated.

The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly related to the incident being considered.

A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

Ridgewater College continues to provide information and resources to our students and employees through the posting of our policy online, in our employee and student handbooks, and by working with student life and health promotions to offer educational speakers on this topic. Also, in 2014 we began, and continue to, offer training on awareness of sexual violence prevention measures and procedures for responding to incidents to all new employees and incoming students.

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### **Resources:**

#### **Local Assistance**

Ridgewater College Counselors, 320-234-8504 (Hutchinson), 320-222-5983 (Willmar)  
State Employee Assistance Program, 651-259-3840 or 1-800-657-3719

#### **Community Assistance**

##### **Hutchinson**

Hutchinson Community Hospital  
1095 Highway 15 South Hutchinson, MN 55350  
320-234-4600

Hutchinson Police Department, 320-587-2242 (non-emergency calls), 911 for emergencies

##### **Willmar**

CentraCare-Rice Memorial Hospital  
301 Becker Avenue SW, Willmar, MN 56201  
320-235-4543

Willmar Police Department, 320-235-2244 (non-emergency calls), 911 for emergencies

Safe Avenues – Serving Kandiyohi, McLeod, Renville, Swift, Meeker, Chippewa, Lac Qui Parle and Yellow  
Medicine Counties

PO Box 568, Willmar, MN 56201

Business Phone: 320-235-0962, 24-Hour Toll-Free Crisis Phone: 1-800-792-4210

Website: [www.willmarshelter.com](http://www.willmarshelter.com)

#### **State/National Assistance**

Minnesota Coalition Against Sexual Assault (<http://www.mncasa.org/>), 651-209-9993

Email: [info@mncasa.org](mailto:info@mncasa.org)

National Sexual Violence Resource Center (<http://www.nsvrc.org/>), 717-909-0715

Toll-Free: 1-877-739-3895; Email: [resources@nsvrc.org](mailto:resources@nsvrc.org)

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