



**Written
Explanation of
Rights & Options**

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One of the highest priorities at the University of Florida is maintaining a warm and welcoming campus environment that not only allows everyone the right to be safe, but also to feel safe.

Our goal is to cultivate campus environments that allow everyone at UF to safely study, live and work as they strive to reach their full potential. UF's goal is ensuring that as a survivor of sexual assault, dating violence, domestic violence, or stalking, we may provide you with information regarding resources that can help you in your time of need.

UF's intention when a survivor of a VAWA crime comes forward is to initiate a process that ensures that we are able to provide a full institutional response.

If a report of sexual assault, dating violence, domestic violence, or stalking is reported to a CSA or an "official with authority" at the University of Florida, you have rights and options. Continue reading to review them.

Rights and Options Explained



Medical Care

- You have the right to medical care and UF will provide this access.

Law Enforcement & Safety

- You will be provided written information on how to preserve evidence.
- UF will assess the immediate safety needs of both you and the UF community and will offer appropriate safety precautions.

- You have the right to contact and report to local law enforcement and UF will provide the contact information for local law enforcement.

- You will be provided written instructions on how to apply for a Protective Order.

Mental Health

- You will be provided with a list of on and off campus mental health providers.

Institutional Responses

- UF will assess the need to implement interim or longer term protective measures and will accommodate reasonable requests of such measures as housing changes, change in class schedule, and “No Contact” directives.

- If appropriate, UF will provide a “No Trespass” (PNG) directive to the respondent.

- You will be provided a copy of the Guidelines for Addressing Sexual Misconduct and will be informed of the time frames for inquiry, investigation, and resolution.

- You will be informed of the outcome of the investigation, whether or not the respondent will be charged with a violation of the Student Conduct Code and what the outcome of the hearing is.

- You have the right to select an advisor of choice for the Title IX grievance process, and if you do not have an advisor UF will provide one for you.



- UF will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against an individual for reporting of sex-based discrimination or for assisting in the investigation



RESOURCES

Gainesville Campus Resources

University of FL Police Department

352-392-1111

Office of Victim Services

352-392-5648

UF Counseling and Wellness Center

352-392-1575

UF Health Hospital Emergency Department

352-265-8000

UF Student Health Care Center

352-392-1161

Title IX Coordinator

352-275-1242

National Resources

National Domestic Violence Hotline

1-800-799-7233 (SAFE)

National Sexual Assault Hotline

1-800-656-4673 (HOPE)

National Suicide Prevention Lifeline

1-800-273-8255 (TALK)

As the scope of resources available to you is vast, this brochure offers a portion of the resources available to you. For more resources specific to UF and other UF campuses, local, national, and international please visit our website:

<https://police.ufl.edu/clery/victim-resources/>

If you would like to talk to a Victim Advocate to discuss your needs and next steps, you can contact the Office of Victim Services.

Available 24/7 at:

(352) 392-5648 (Monday-Friday 8AM-5PM)

(352) 392-1111 (after business hours and on week-ends)



Definitions

What is Consent?

At UF, the Student Code and Student Conduct Code Section 2 defines consent as an act or statement that is knowing, freely given, and mutually understood to communicate a willingness to engage in the activity. It is the responsibility of each person involved in any sexual act to ensure that they have the Consent of the other(s)

- The existence of a dating or sexual relationship between the people involved, or the existence of a past sexual encounter, is not by itself an indication of Consent for any current or future sexual encounter.
- Consent cannot be obtained by force,



threat, Coercion, or by causing a reasonable fear of imminent injury.

- For sexual activity to be consensual, Consent must be ongoing throughout the sexual encounter. A person can withdraw Consent at any time. Consent to one sexual act does not automatically constitute Consent to another sexual act.
- A person withdraws Consent by clearly communicating withdrawal through words or actions.
- Consent to engage in sexual activity with one person does not automatically constitute Consent to engage in sexual activity with another person.
- Lack of protest or resistance, alone, is not Consent.
- A person who is Incapacitated cannot give Consent

In the state of Florida, “Consent” means intelligent, knowing, and voluntary consent and does not include coerced submission. “Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the the offender. (F.S.S. 794.011(a))



What is Sexual Battery/Sexual Assault?

“Sexual assault” means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, fondling, incest, and statutory rape.

- Rape: Penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent

mental incapacity.

- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- Statutory rape: Sexual intercourse with a person who is under the statutory age of consent.

In the state of Florida, “Sexual battery” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose. (F.S.S. 794.011)

Definitions



What is Dating Violence?

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- This includes but is not limited to, sexual or physical abuse or the threat of such abuse
- This does not include acts

covered under the definition of domestic violence

In the state of Florida, “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

- A dating relationship must have existed within the past 6 months;
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and

- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

In the state of Florida, “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:(F.S.S. 784.046(d))



What is Domestic Violence?

“Domestic violence” means felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a partner similarly situated to a spouse of the victim under the domestic or family

violence laws of the jurisdiction in which the crime of violence occurred;

- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

In the state of Florida, “Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. (F.S.S. 741.28)



Definitions

What is Stalking?

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- Fear for the person’s safety or the safety of others;
- Suffer substantial emotional distress

In the state of Florida, “Stalking” occurs if a person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person. (F.S.S. 784.048)

What is Sexual Harassment?

Under Title IX, “Sexual Harassment” means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit or service of the recipient on an individual’s participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity;
- Sexual assault, dating violence, domestic violence, or stalking as defined in the Clery Act and VAWA statutes.

For more resources specific to UF and other UF campuses, local, national, and international please visit our website:

