

CSCU Institution: Gateway Community College
Reporting Office/Department: Gender Equity Center and Dean of Students
Institution Contact: Jennifer Wenderoth-Holster and Wilson Luna
Year: 2014

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Section 1 Narrative

Section 1

Narrative for Gateway Community College

**DISCIPLINARY CASES AND FINAL OUTCOMES OF DISCIPLINARY CASES
RELATING TO SEXUAL VIOLENCE:**

- Gateway Community College listed 1 incident of sexual assault, 3 incidents of stalking, and 1 incidents of Intimate Partner Violence.
- In the case of the sexual assault it fell under Gateway's definition of sexual contact. The complainant student asked that the accused student not be expelled or suspended. The accused student was issued a Written Probation, an example of Gateway's Written Probation has been included in section 8. The accused student had to attend personal counseling though Gateway's counseling center, and also received referrals to outside counseling agencies.
- In the cases of the stalking the first incident, the accused student was issued a Written Warning, an example of Gateway's Written Warning has been included in section 9. The second incident, the accused student received a Developmental Conversation, a verbal warning. The third incident, the accused student was issued a No Contact Order, an example of Gateway's No Contact Order has been included in section 11, as well as a Prohibition of Retaliation, and an example of Gateway's Prohibition of Retaliation has been included in section 10. The accused was required to attend a Sexual misconduct Educational Program put on at Gateway Community College, and was also issued a Written Warning, an example of Gateway's Written Warning has been included in section 9.
- In the case of Intimate Personal Violence the accused student was expelled, an example of the Expulsion Letters has been included in sections 13 & 14.

UPDATES:

- In August 2015, Gateway opened the Gender Equity Center located in their downtown campus. The Gender Equity Center is a place where students and staff can come and feel safe and know they are all welcomed. The center is overseen by the center's Coordinator who provides fully confidential victim centered counseling and advocacy for those who are effected by sexual assault, intimate partner violence, stalking, and have dealt with LBGT and gender related issues. The coordinator will provide awareness and prevention programs for these topics as well as ensure compliance of training mandates for students

and employees including campus security authorities, responsibility employees, response training, Title IX and Clery.

- Gateway developed a booklet called You Are Not Alone: Seeking help in the cases of sexual or interpersonal violence. The booklet was created to offer definitions, information on someone to talk to, disclosure vs. reporting, on campus crisis counseling, fully confidential counseling, medical attention, reporting options, law enforcement and legal action, helpful tips, rights, how to help stop violence and a getting help flow chart. This booklet was created prior to the Board of Regents distribution of their official language. Gateway is currently editing this booklet and updating the language, definitions, on campus resources, confidential recourses as well as the flow chart. The new booklet should be ready next month for distribution.
- Gateway has designed a Campus Resource Team (CRT) that meets at least once a semester with responsibilities including, reviewing campus policies and recommending protocols for providing support and services and to ensure ongoing response to Sexual Assault, Stalking and Intimate Partner Violence. The CRT consists of critical campus officials as well as local community resources. Gateway officials include Title IX Coordinator, Chief Student Affairs Officer, Administration, Counseling Services, Health Services, gender Equity Center, Campus Police/Safety, Faculty, Senior and Mid-Level staff, a student representative, Residential Life and Judicial Hearing. Local community resources include a representative from the local sexual assault center, Women and Families Center of New Haven, a representative from the local domestic violence center, BH Care, a representative from the local criminal justice system, New Haven Police Department and a representative from the local health services office, Cornell Scott Hill Health Center.
- In the next year Gateway is looking to create a core team that will meet frequently to create ongoing education campaigns, ensure an appropriate and coordinated response to victims of sexual assault, stalking, and intimate partner violence. They would take the lead during a crisis and in the days and weeks that follow. It will consist of key individuals who are actively involved in response and communications efforts, often from the moment a crisis is identified.
- Gateway is in the process of creating brochures on the topics of sexual assault, stalking, intimate partner violence, LGBT, and the new Gender Equity Center. These brochures will be available throughout the Gateway campus to students and staff to provide information they might not be ready to come forward and ask.

Section 2 Sexual Violence Report Statistics and Data

Section 2

I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS:

Program Category	Number of Programs		
	<i>Prevention:</i>	<i>Awareness:</i>	<i>Risk Reduction:</i>
Sexual Assault	2	6	1
Stalking	2	4	1
Intimate Partner Violence	2	7	1

Program Types: (List and Describe Each Program Type)

Clothesline Project

The Clothesline Project is a visual display of tee shirts that provide testimony of different forms of violence. The tee shirts represent the particular experience of someone whose life has been affected by sexual assault, stalking, intimate partner violence, incest, attacked for political reasons, and lost their life due to violence. Students were invited to create a shirt about their own experience or in honor of someone they knew. During the public display, a clothesline is hung with tee shirts that students created. The goal of the Clothesline Project is the activity of designing a shirt that gives each student a new voice with which to uncover an often horrendous and terrible experience that has radically transformed the development of their life. Participating in the Clothesline Project delivers a powerful step towards helping a survivor break through the cloak of silence that has surrounded their experience. A copy of the flyer has been included in section 15.

Awareness: Sexual Assault, Stalking, Intimate Partner Violence

Awareness on the Screen Campaign

Sexual assault, intimate partner violence statistics were displayed televisions throughout the Gateway campus for a week. The goal of Awareness on the Screen is to be a constant reminder to students that they are not alone. What they have gone through or are currently going through is an all too common, and they there are resource at Gateway to help them.

Awareness: Sexual Assault, Intimate Partner Violence

Awareness Fair

Representatives from the local domestic violence center and local health center set up tabling on the Gateway fairway and provided information and resources to students, as well as spoke with them and provided answers to questions they had on topics of sexual assault, stalking, intimate partner violence, and healthy life choices. The goal of the fair is to provide students with a time to speak with experts that they normally would not have the chance to talk with. It allows students the possibility of getting answers to questions that they may not have been able to previously get. It also allows students to get written information and resources if they need to more ongoing services. A copy of the flyer has been included in section 16.

Awareness: Sexual Assault, Stalking, Intimate Partner Violence

Bad Romance Bulletin Board

The bulletin board outside of the Counseling and Student Success Center was designed to raise awareness on the prevalence of domestic violence. The board featured various celebrities who experienced domestic violence or expressed their concern for the topic. The goal of the Bad Romance Bulletin Board is to remind students that intimate

partner violence can happen to anyone, even when other may not know that it is going on. It is to get students to speak up and seek out services.

Awareness: Intimate Partner Violence

In Her Shoes

In Her Shoes was a two hour program run by the local domestic violence center where students 'walk in the shoes' of girls and women experiencing violence. They did this by reading a series of short narratives that describe an experiences one may be involved in. The students are then challenged to make real-life choices that determine 'their' fate. The goal of In Her Shoes is to increase awareness of the struggles that women with abusive partner face, to illustrate that sexual assault and intimate partner violence is a community tragedy not a private problem, to show that we all have a roles in the movement to end sexual assault and intimate partner violence. In Her Shoes, encourages everyone to think creatively about the way we can work together to end sexual assault and intimate partner violence. A copy of the flyer has been included in section 17.

Awareness: Sexual Assault, Intimate Partner Violence

Healthy Relationships

A member from the local domestic violence center came to speak to a number of different classes. She spoke about healthy relationship and how sexual assault, stalking, intimate partner violence can be involved in unhealthy relationships. The goal of Healthy Relationships is to get the students to understand that there are a number of different factors that can make a relationship unhealthy and there are services out there for those who are involved or know someone who is involved in an unhealthy relationship.

Awareness: Sexual Assault, Stalking, Intimate Partner Violence

Staying Safe at Gateway for Students

Staying Safe at Gateway for students is held during every freshman orientation where the topics of sexual assault, intimate partner violence and stalking are addressed. It covers where to get help on and off campus, as well as student's rights and options. The goal of Stay Safe at Gateway is to prepare students who may be going through something or who have previously gone through something, understand that Gateway is here to help them and that they have a voice here.

Prevention: Sexual Assault, Stalking, Intimate Partner Violence

Awareness: Sexual Assault, Stalking, Intimate Partner Violence

Risk Reduction: Sexual Assault, Stalking, Intimate Partner Violence

Staying Safe at Gateway for Staff

Staying Safe at Gateway for Staff is held during professional day where the just like Stay Safe at Gateway for Students, the topics of sexual assault, intimate partner violence and stalking are addressed. It covers where staff can send students to get help on and off campus, where staff themselves can receive help on and off campus as well as rights and options. The goal of Stay Safe at Gateway for Staff is to prepare the staff who may come across a student who may be going through something or who have previously gone through something, or they themselves have gone through something.

Prevention: Sexual Assault, Stalking, Intimate Partner Violence

Awareness: Sexual Assault, Stalking, Intimate Partner Violence

Risk Reduction: Sexual Assault, Stalking, Intimate Partner Violence

II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS:		
Program Category	Number of Campaigns	
	Prevention:	Awareness:
<i>Sexual Assault</i>	0	1
<i>Stalking</i>	0	0
<i>Intimate Partner Violence</i>	0	1

III. TOTAL REPORTED INCIDENTS OF SEXUAL VIOLENCE:		
Program Category	Number of Incidents:	Number of Disclosures:
<i>Sexual Assault</i>	1	(located in part VI number of incidents)
<i>Stalking</i>	3	(located in part VI number of incidents)
<i>Intimate Partner Violence</i>	1	(located in part VI number of incidents)

IV. DISCIPLINARY CASES AND FINAL OUTCOMES OF DISCIPLINARY CASES RELATING TO SEXUAL VIOLENCE (STUDENTS):								
Program Category	Total Number of Cases:	Final Outcome						
		Warning:	Probation:	Suspension:	Expulsion:	Persona Non Grata (PNG):	Sanctions/ Sexual Violence Remediation:	Other:
<i>Sexual Assault</i>	1	NA	1	NA	NA	NA	NA	1
<i>Stalking</i>	3	3	NA	NA	NA	NA	NA	2
<i>Intimate Partner Violence</i>	1	NA	0	NA	1	NA	NA	0

IVa. FINAL OUTCOMES OF APPEALS OF ORIGINAL OUTCOMES OF CASES RELATING TO SEXUAL VIOLENCE (STUDENTS):			
Program Category	Total Number of Cases:	Outcome of Appeal Decision:	
		Upheld:	Overtured:
<i>Sexual Assault</i>	0	NA	NA
<i>Stalking</i>	0	NA	NA
<i>Intimate Partner Violence</i>	0	NA	NA

V. DISCIPLINARY CASES AND FINAL OUTCOMES OF DISCIPLINARY CASES RELATING TO SEXUAL VIOLENCE (EMPLOYEES):						
Program Category	Total Number of Cases:	Final Outcome				
		Reprimand:	Education/ Training:	Administrative Leave:	Termination:	Other:
<i>Sexual Assault</i>	0	NA	NA	NA	NA	NA
<i>Stalking</i>	0	NA	NA	NA	NA	NA
<i>Intimate Partner Violence</i>	0	NA	NA	NA	NA	NA

Va. FINAL OUTCOMES OF APPEALS OF ORIGINAL OUTCOMES OF CASES RELATING TO SEXUAL VIOLENCE (EMPLOYEES):		
Type	Outcome of Appeal Decision:	
	Upheld:	Overturned:
<i>Sexual Assault</i>	NA	NA
<i>Stalking</i>	NA	NA
<i>Intimate Partner Violence</i>	NA	NA

VI. TOTAL ANONYMOUS AND CONFIDENTIAL SEXUAL VIOLENCE REPORTS OR DISCLOSURES TO THE INSTITUTION:		
Program Category	Number of Reports:	Number of Disclosures:
<i>Sexual Assault</i>	(located in part III number of incidents)	1
<i>Stalking</i>	(located in part III number of incidents)	3
<i>Intimate Partner Violence</i>	(located in part III number of incidents)	9

Section 3 Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy

CT BOARD OF REGENTS FOR HIGHER EDUCATION

RESOLUTION

concerning

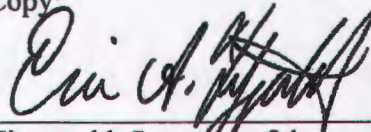
Policy Regarding

Sexual Misconduct Reporting, Support Services and Processes Policy

January 15, 2015

- WHEREAS, The Board of Regents in accord with the Connecticut State Colleges and Universities comprised of seventeen institution and a System Office, is committed to insuring that each member of every BOR governed college or university community has the opportunity to participate fully in the process of education and development; and
- WHEREAS, The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct and relationship violence. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and relationship violence; and
- WHEREAS, The Board of Regents for Higher Education adopted policy regarding "Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy" on March 13, 2014; and
- WHEREAS, Public Act 14-11 An Act Concerning Sexual Assault, Stalking and Intimate Partner Violence on Campus and the federal Campus Sexual Assault Violence Elimination Act imposed new requirements on colleges and universities to address sexual violence on campuses; and
- WHEREAS, The Board of Regents consistent with the goal providing safe environments at all of its campuses for all who frequent them, has reviewed its policy regarding "Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy" and revised the policy so that it is consistent with the law; therefore be it
- RESOLVED, That the Board of Regents formally rescinds the "Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy" dated March 13, 2014 and adopts the "Sexual Misconduct Reporting, Support Services and Processes Policy" in substitution.

A True Copy:



Erin A. Fitzgerald, Secretary of the
CT Board of Regents for Higher Education

**Board of Regents for Higher Education
Connecticut State Colleges and Universities
Policy Regarding**

Sexual Misconduct Reporting, Support Services and Processes Policy

Statement of Policy

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct and intimate partner violence. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

The BOR strongly encourages victims to report any instance of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedies, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. Each and every BOR governed college and university shall provide those who report sexual misconduct with many supportive options, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual misconduct. Each and every BOR governed college and university will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. All BOR and CSCU employees, victim support persons and community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place. Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all BOR and CSCU employees are required to immediately communicate to the institution's designated recipient any disclosure or report of sexual misconduct regardless of the age of the reported victim.

Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff, faculty and students are discouraged pursuant to BOR policy.

The Board of Regents for Higher Education hereby directs the Connecticut State Colleges and Universities to implement the Policy stated above pursuant to the following provisions:

Terms and Usage

Consent is the equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent cannot be assumed because there is no physical resistance or other negative response. A person who initially consents

to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent). The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent."

Sexual misconduct includes engaging in any of the following behaviors:

(a) **Sexual harassment**, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment; submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive educational or employment environment. Examples of conduct which may constitute sexual harassment include but are not limited to:

- sexual flirtation, touching, advances or propositions
- verbal abuse of a sexual nature
- pressure to engage in sexual activity
- graphic or suggestive comments about an individual's dress or appearance
- use of sexually degrading words to describe an individual
- display of sexually suggestive objects, pictures or photographs
- sexual jokes
- stereotypic comments based upon gender
- threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

Retaliation is prohibited and occurs when a person is subjected to an adverse employment or educational action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation.

(b) **Sexual assault** shall include but is not limited to a sexual act directed against another person without the consent (as defined herein) of the other person or when that person is not capable of giving such consent:

Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

(c) **Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- Going beyond the bounds of consent (for example, an individual who allows friends to hide in the closet to watch him or her having consensual sex);
- Engaging in non-consensual voyeurism;
- Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

Sexual exploitation is further defined as a crime in Connecticut State Law.

- (d) **Intimate partner, domestic and/or dating violence means** any physical or sexual harm against an individual by a current or former spouse of or person in a dating or cohabitating relationship with such individual that results from any action by such spouse or such person that may be classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic or family violence as designated under section 46b-38h of the general statutes. This includes any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

Offenses that are designated as "domestic violence" are against family or household members or persons in dating or cohabitating relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Intimate partner violence may also include physical abuse, threat of abuse, and emotional abuse.

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
- Emotional abuse includes but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.
- Cohabitation occurs when two individuals dwell together in the same place as if married.
- The determination of whether a "dating relationship" existed is to be based upon the following factors: the reporting victim's statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.

- (e) ***Stalking***, which is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person; and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

As used in this definition, the term "contacting" includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

Confidentiality

When a BOR governed college or university receives a report of sexual misconduct all reasonable steps will be taken by the appropriate CSCU officials to preserve the privacy of the reported victim while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of personally identifiable student information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the campus community.

Confidential resources are defined as follows: For the Universities, entities with statutory privilege, which include campus based counseling center, health center and pastoral counseling staff members whose official responsibilities include providing mental health counseling to members of the University community as well as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. For the Colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.

Information provided to a confidential resource by a victim of a sexual misconduct or the person reported to have been the victim of sexual misconduct cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, she/he must speak with a confidential resource. Each BOR governed college and university will provide a list of such confidential resources in the College or University's geographic region to victims of sexual misconduct as well as publish these resources on-line and in various publications.

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of sexual misconduct to the extent reasonably possible.

Mandated Reporting by College and University Employees

Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all employees are required to immediately communicate to the institution's designated recipient any disclosure or report of sexual misconduct regardless of the age of the reported victim. A disclosure is the receipt of any communication of an incident of sexual misconduct not accompanied by a request for an investigation or adjudication by the institution. A report of sexual misconduct, on the other hand, is the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation or adjudication by the institution. Upon receiving a disclosure or a report of sexual misconduct, employees are expected to supportively, compassionately and professionally offer academic and other accommodations and to provide a referral for support and other services.

Further, in accordance with Connecticut State law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer who, in the ordinary course of their employment, has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required by law and Board policy to report the incident within twelve hours to their immediate supervisor and to the Department of Children and Families.

Rights of Those Who Report

Those who report any type of sexual misconduct to any BOR governed college or university employee will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcomes of each option. When choosing a reporting resource the following information should be considered:

- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidential, whether or not those who report feel ready to make any decisions about reporting to police, a college or university employee or the campus's Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s), a University counseling center psychologist, a University health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

Options for Changing Academic, Housing, Transportation and Working Arrangements

The colleges and universities will provide assistance to those involved in a report of sexual misconduct, including but not limited to, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders. Each and every BOR governed college and university shall create and provide information specific to its campus detailing the procedures to follow after the commission of such violence, including people or agencies to contact for reporting purposes or to request assistance, and information on the importance of preserving physical evidence.

Support Services Contact Information

It is BOR policy that whenever a college or university Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, the Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for and, if requested, professional assistance in accessing and using any appropriate campus resources, or local advocacy, counseling, health, and mental health services. All CSCU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

Right to Notify Law Enforcement & Seek Protective and Other Orders

Those who report being subjected to sexual misconduct shall be provided written information about her/his right to:

- (1) notify law enforcement and receive assistance from campus authorities in making the notification; and,
- (2) obtain a protective order, apply for a temporary restraining order or seek enforcement of an existing order. Such orders include:
 - standing criminal protective orders;
 - protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;
 - temporary restraining orders or protective orders prohibiting the harassment of a witness;
 - family violence protective orders.

Employee Conduct Procedures

Employees who are reported to have engaged in sexual misconduct are subject to discipline in accordance with the procedures applicable to the employee's classification of employment.

Student Conduct Procedures

The **Student Code of Conduct** provides the procedures for the investigation, definitions of terms, and resolution of complaints regarding student conduct, including those involving sexual misconduct, as defined herein.

The Title IX Coordinator can assist in explaining the student conduct process. The Student Code of Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for reported victims and accused students.

Reported victims of sexual misconduct shall have the opportunity to request that disciplinary proceedings begin promptly; that such disciplinary proceedings shall be conducted by an official trained annually in issues relating to sexual misconduct and shall use the preponderance of the evidence (more likely than not) standard in making a determination concerning the alleged sexual misconduct.

Both the reported victim of sexual misconduct and the accused student are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an

advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled and provided such an advisor or support person may not directly address the Hearing Body, question witnesses or otherwise actively participate in the hearing process or other meeting pertaining to a report of sexual misconduct and each student shall have the opportunity to present evidence and witnesses on her/his behalf during any disciplinary proceeding.

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s). The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential.

Dissemination of this Policy

Upon adoption by the Board all CSU institutions shall, upon receipt, immediately post and maintain this policy at all times in an easily accessible manner on each institution's website. This policy shall thereafter be annually provided to all Title IX Coordinators, campus law enforcement officers and security personnel, and other campus personnel. Further, this policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. The policy shall be expanded upon by each institution to provide resources and contact information specific to their institution and geographic area as set forth above.

ITEM

The Board of Regents for Higher Education replaces its' a policy regarding "Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy" by adopting the "Sexual Misconduct Reporting, Support Services and Processes Policy" which shall be applicable to each of the Connecticut State Colleges and Universities.

BACKGROUND

Although the Board approved the Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy in March 2013, it was understood that the Connecticut State Legislature and federal sources were developing additional requirements. The resolution underlying the adoption of the policy included a provision that the policy would be reviewed and revised in the fall of 2014 so that it would remain consistent with the law. Consequently, the attached re-titled policy is an updated version of the policy reviewed and approved by the Board in March 2014.

ANALYSIS

In accordance with the new provisions and greater clarity of the issues and their impact upon the colleges and universities, this policy has been re-titled so that it reflects its purpose of outlining not only the statement of the board policy, but also describe the services and processes to which the institutions must adhere. Revisions to the policy clarify that reported victims are encouraged to report and that employees must report disclosures of sexual misconduct. Terms and usage are more central to the operation of the document, and certain definitions have been revised and expanded, i.e. consent, stalking and sexual harassment. Stalking and dating violence are included under the provisions of sexual misconduct. The section regarding confidentiality has also been revised so that readers will understand who can keep reports confidential and who cannot. This revised policy also specifically addresses employees who may report sexual misconduct.

RECOMMENDATION

That the Board of Regents for Higher Education to rescind the policy regarding "Sexual Misconduct, Sexual Assault, and Sexual Intimate Partner Violence" by adopting the Sexual Misconduct reporting, Support Services and Processes Policy.



Policy on Consensual Relationships

The Board of Regents for Higher Education (BOR) of the Connecticut State Colleges and Universities' respects that the educational mission of its institutions is founded on an atmosphere of mutual trust and respect between all members of the academic community. Faculty members, as well as those individuals upon whom the institution confers managerial, supervisory, or evaluative responsibilities, (including graduate assistants or undergraduate teaching assistants) carry a special responsibility to adhere to the highest ethical and professional standards and to avoid any actions that may appear to undermine this atmosphere of trust and respect and thereby hinder the institution's educational mission.

Because of the inherent imbalance of power and need for trust, faculty members, supervisory staff, and those with evaluative authority should be aware that dating or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between a staff member and a student as well as when they occur between a supervisor and employee.

Such relationships can create real conflicts, are susceptible to an appearance of exploitation, and can impair the trust and integrity of the teaching, coaching, or other supervisory or evaluative relationship and may cause a perception of favoritism or bias on the part of the staff. In addition, although these relationships may begin and remain consensual, they may easily be later characterized as non-consensual and could potentially lead to sexual harassment charges.

Policy

Prohibited

Between employee and student: Consensual romantic, dating, or sexual relationships between any employee and any student over whom that employee exercises direct or otherwise significant academic, supervisory, or evaluative authority or influence are prohibited at all State Universities and Colleges. The evaluative relationship can take a variety of forms, such as teacher to student, advisor to advisee, coach to athlete, supervisor to student employee, or similar relationship.

Strongly Discouraged

Between employee and student: Romantic, dating or sexual relationships between employees and students over whom said employee does *not* have supervisory or evaluative authority are strongly discouraged. Such relationships are not only susceptible to future conflicts of interest, but also may present the appearance of impropriety.

If this situation exists, no employee should agree to supervise or evaluate a student with whom he or she has, or formerly had, a consensual relationship. A faculty member should inform the Dean if such a student wishes to enroll in a credit bearing course that he or she is teaching so that alternate arrangements can be made. Nor should a faculty member direct the student's independent study, internship, or thesis; participate in decisions regarding grades; or write letters of recommendation or reference.

Between employee and employee: BOR discourages employees with supervisory or evaluative authority from engaging in romantic, dating or sexual relationships with employees who they supervise or evaluate. If such a relationship exists or develops, the supervisory employee must notify his/her manager so that arrangements can be made for the unbiased supervision and evaluation of the employee. These situations are handled on a case-by-case basis and may require transfer or reassignment of one or more employees.

In the event of a Sexual Harassment Charge

Anyone who enters into a romantic, dating or sexual relationship where a professional power differential exists must realize that if a charge of sexual harassment is subsequently filed, it may be difficult to defend the charge by claiming that there was mutual consent. Employees could be held personally liable in a criminal or civil lawsuit.

Sanctions

All violations of this policy should be reported to Human Resources for investigation and appropriate administrative action, up to and including disciplinary action.



Policy Regarding Reporting Suspected Abuse or Neglect of a Child

The Board of Regents for Higher Education (BOR) of the Connecticut State Colleges and Universities (ConnSCU) accept that institutions of higher education often foster educational opportunities for people under the age of majority. The BOR, in acknowledging the special care required for children, strives to the utmost to protect children on its campuses from any form of abuse and or neglect as witnessed in the interaction between children and ConnSCU employees.

Pursuant to state law, certain individuals are "mandatory reporters" legally obligated to report all suspected cases of child abuse to the Department of Children and Families. Although ConnSCU employees are not necessarily "mandatory reporters" in accord with the General Statutes, the BOR recognizes that each ConnSCU campus should be a safe and secure environment for children to grow and develop.

Consequently, it is the policy of the BOR that any employee who witnesses or has reason to suspect that a child on a ConnSCU Campus has been abused or neglected must immediately (within 12 hours) report questionable behavior on the part of other employees towards children to their immediate supervisor and the System Office Vice President of Human Resources or his/her designee. A report is required if there is reasonable cause to suspect that a child is in imminent harm, has had non accidental injuries or has been abused or neglected. Reasonable cause to believe or suspect that child abuse has occurred is sufficient to make a report. An employee who fails to report, but is later determined to have had previous knowledge of the abuse will be subject to discipline.

If the VP of Human Resources or his/her designee reasonably believes that a reportable incident has occurred, he/she will immediately contact the Department of Children and Families and assign an objective person to investigate the report. An employee under investigation may be placed on administrative leave pending the scope and results of the investigation. Employees who report suspicions of abuse or neglect are protected from any disciplinary action at work unless it is proven that the report is malicious.

Reasonable steps will be taken to preserve privacy while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of the information reported, which information may be subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the ConnSCU community and to assure that the appropriate disciplinary processes are implemented.

Section 4 Gateway's Sexual Misconduct Statement

Student Life

Sexual Misconduct
Definitions
Reporting Sexual Misconduct
Confidentiality
Rights and Options
Sexual Assault Resources
Sexual Assault Awareness and Education
Title IX

Sexual Misconduct

Statement

The College is committed to creating a community that is safe and supportive of people of all gender and sexual identities; the Policy on Sexual Misconduct and Relationship Violence pertains to the entire campus community, whether on ground or virtual, students, faculty, and staff. Two of the College's primary concerns are the health and well-being of each individual and fostering healthy interpersonal relationships. The principles of the Board of Regents **Policy on Student Conduct** (integrity, equity, respect and responsibility) address elements necessary for healthy interpersonal relationships and these principles are especially important when relationships become intimate.

Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, against anyone is unacceptable and is both a crime under State law and a violation of College policies, including but not limited to: **The Board of Regents Policy on Student Conduct**, and the **Gateway Community College Sexual Relationships**. The College is committed to providing an environment free of personal offenses

Resources



- Seeking Help in cases of Sexual Misconduct, Stalking or Intimate Partner Violence
- CT Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy

Section 5. Gateway's You Are Not Alone Booklet

You Are Not Alone



**Seeking help in cases of sexual or
interpersonal violence**



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Definitions

What is Sexual Assault?

SEXUAL ASSAULT is a crime and will not be tolerated at Gateway Community College (GCC). Sexual assault is compelling by force, or by threat of force, the following: sexual penetration of the vagina or anus, including by an object; oral sex; or contact with a person's genital area, groin, anus, inner thigh, buttocks or breasts for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating the victim.

Sexual assault is also intentionally subjecting another to such contact without consent. Any person can be a victim or a perpetrator. Sexual assault includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to drugs or alcohol, due to an intellectually or other disability.

Examples of sexual assault include: rape, attempted rape, sexual battery, sexual coercion, intentional touching (without consent) of a person's genital area, groin, anus, inner thighs, buttocks or breasts for sexual gratification or to degrade the victim.

What is Intimate Partner Violence?

INTIMATE PARTNER VIOLENCE includes physical, emotional, economic, sexual, and/or threats of abuse by a current or former partner or spouse:

- **Physical abuse**, which can involve but is not limited to, slapping, pulling hair or punching.
- **Emotional abuse**, which can include but is not limited to, damage to one's property, driving recklessly to scare someone, or name calling.
- **Economic abuse**, which can involve making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.
- **Sexual abuse**, coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.
- **Threat of abuse**, which can include but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.

What is Stalking?

STALKING is any behaviors or activities occurring on more than one occasion that collectively instill fear in the victim and/or threaten her/his safety, mental health and/or physical health. Such behaviors or activities may include, but are not limited to, whether on or off campus, non-consensual communications (face to face, telephone, e-mail, etc.), threatening or obscene gestures, surveillance or being present outside the victim's classroom or workplace.

What is Consent?

CONSENT must be informed, freely and actively given, involving an understandable exchange of affirmative words or actions, which indicates a willingness to participate in mutually agreed upon sexual activity.

- It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement.
- The lack of a negative response is not consent.
- Consent may not be given by a minor or by any individual who is incapacitated, whether voluntarily or involuntarily, by drugs and/or alcohol.
- Past consent of sexual activities does not imply ongoing future consent.

Someone to Talk to

Disclosure vs. Reporting Levels of Confidentiality

Full Confidentiality

If you are speaking with a professional who is fully confidential, then the information you provide regarding sexual assault, intimate partner violence, and/or stalking will not be shared with anyone without your written consent.

Examples of Fully-Confidential Resources:

- Women and Families Center
- Umbrella Center for Domestic Violence
- Therapists
- Physicians

Limited Confidentiality

All college employees have a duty to report information that comes to their attention of a possible sexual assault, intimate partner violence, and/or stalking. The information is reported to the Student Development office and the College will conduct a full investigation to ensure campus safety (per legal mandate).

Reporting an incident:

- Names and locations pertaining to the misconduct are provided to the college employee.
- In this case, the College must conduct a full investigation.
- Reporting an incident to a college employee is a separate step from choosing to legally prosecute your perpetrator.

Disclosing an incident:

- The fact that the incident has occurred is discussed without providing the college employee with names or locations pertaining to the misconduct.
- In this case, the college employee will document the fact that the incident has occurred with the Student Development Office.
- No investigation can be conducted due to lack of information provided.

On-Campus Crisis Counseling Student Success Center

N213, 203-285-2090

To ensure swift access, when calling, be sure to indicate that it is a crisis situation, and the student will be seen immediately.

- Immediate counseling appointments for crisis situations
- Free for students
- Limited confidentiality. Counselors have a duty to communicate information (to the Student Development office) that comes to their attention of possible sexual misconduct such as sexual assault, intimate partner violence, and stalking
- Assistance with referrals to confidential community resources



Fully Confidential Resources

Cornell Scott Hill Health Center

N114, 203-503-3740

The Hill Health Center offers individual counseling services to students. We provide healthcare services for a fee and are able to offer reduced rates to people without insurance as long as they qualify based on income.

- Confidential counseling
- Locations throughout New Haven, including on campus

Women & Families Center-Sexual Assault Crisis Services (SACS)

24-hour Hotline: 888-999-5545 (English)

888-568-8332 (Spanish)

SACS covers Meriden, Wallingford, Cheshire, Middlesex County, and Greater New Haven, offering assistance to survivors and their loved ones. Hotlines are open 24/7 with immediate access to trained, certified counselors who maintain confidentiality. Additionally, Spanish and sign language interpreters are available. Services include:

- Short-term individual crisis counseling
- Support groups
- Campus advocacy
- Volunteer opportunities
- Information and referrals
- Education programs

New Haven Vet Center: Sexual Trauma Program

203-932-9899

Provides sexual trauma and harassment counseling to veterans of both genders who have been honorably discharged.



The Umbrella Center for Domestic Violence Services

- **Greater New Haven: 203-789-8104**
- **Lower Naugatuck Valley: 203-736-9944**
- **Statewide Hotline Toll Free: 1-888-774-2900**

Hotlines are open 24/7 with immediate access to trained, certified counselors who maintain confidentiality. Services include:

- Individual and group counseling
- Court based services
- Latino outreach
- Safe houses
- Lethality Assessment Program with local police
- CHERISH Program (Late Life Victims)
- Safe Connection – Prisoner Re-Entry Program (Victims)
- Community Education
- My Sister's Place (Thrift Shop)

National Domestic Violence Hotline

1-800-799-SAFE (7233)

Medical Attention

Yale New Haven Hospital

203-688-2222

Yale provides services 24/7 and has trained staff who can collect the necessary evidence to aid a criminal investigation.

- Medical evaluation and treatment
- Medical evidence collection facilitation
- Emergency contraception
- Screening for STD/infections
- Medication to prevent any STD/infection



Your Reporting Options

Student Development Office or Campus Security

Student Development: N213, 203-285-2090

Campus Security: 203-285-2246

The Student Development office will:

- Resolve discipline cases
- Investigate allegations involving students
- Assist students with referrals to confidential community resources
- Provide those involved in a report of sexual harassment, sexual assault or intimate partner violence, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders

The GCC Security office will:

- Connect you with supportive services
- Report incident to the Student Development office

Rights of Those Who Report

Those who report any type of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, to any GCC employee will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcomes of each option. When choosing a reporting resource the following information should be considered:

- Request a no contact order
- Request changes in academic, campus transportation (if applicable), or working situations
- Lawful protective or temporary restraining orders will be honored by GCC
- Be free from threat of retaliation
- Be informed in writing regarding the investigation outcome
- Notify law enforcement and receive assistance from campus authorities in making the notification

Law Enforcement/ Legal Attention

Police- Emergency

911

Your local police department will:

- Help you to obtain medical assistance
- Conduct a criminal investigation
- In the event of an arrest, obtain court order to protect you
- Connect you with support services

In Connecticut, all survivors of crime have rights that are protected by law including:

- Assistance in obtaining immediate medical care, if required. Obtain a protective order, apply for a temporary restraining order or seek enforcement of an existing order. Information pertaining to how to apply for a restraining order is through the Office for Victim Services (1-800-822-8428).
- Request to be notified of court proceedings, including arrest, arraignment, and release of the offender.
- Be protected from harassment from an employer for appearing as a witness if you have received a subpoena.
- Have property returned if it was seized by police in the investigation or prosecution of the crime committed against you.
- Make an application for compensation for any bodily injuries you have suffered as a result of the crime.
- Request to be informed of services and agencies that can help you, including the assistance of a court-based victim advocate.

In addition, if you are a survivor of family violence, including threats of violence:

- The police have the responsibility of whether or not to make an arrest. An officer can arrest your abusive partner with or without your consent if the officer believes a crime has been committed.



- You have the right to request the arrest of an offender and the right to file a complaint with the police.
- If your abusive partner is arrested for a family violence crime, he/she must appear in court the next court day, at which time you can request a protective order.
- If your partner is arrested, there is a family violence victim advocate in court to provide services and support to you. Family Violence Intervention Units in each court evaluate cases and provide services for both victims and offenders.
- If you want to know when your partner is scheduled to appear in court, you can contact the clerk of the court for that information. You are encouraged to keep in touch with the victim advocate to see which court hearings are important for you to attend.

To obtain a court order to stop further physical injury or harassment contact:

A lawyer or The Clerk of the Civil Court Family Violence Victim Advocate: (860)263-2760 or www.ct.gov/ova/site/default.asp.

Connecticut Network for Legal Aid

Connecticut's Legal Aid programs worked together and created CTLawHelp.org to help people with very limited income find help for their legal problems. The website will try to answer your questions and give you legal information and tools to help you represent yourself.

Helpful Tips



Your Rights

You have a right to:

- Be treated with respect and dignity.
- Privacy. This means you can refuse to answer any questions about the sexual assault, your sexual orientation, your sexual, medical (including HIV status), and your mental health history.
- Have conversations with licensed counselors in the community.
- Decide whether or not you want police to investigate the assault.
- Not be judged based on your race, age, class, gender, or sexual orientation.
- Have a counselor/advocate accompany you to the medical and legal proceedings.

- Request that someone you are comfortable with stay with you in the exam room.
- Ask questions and get answers regarding any tests, exams, medications, treatments or police reports.
- Be considered a victim/survivor of sexual assault, regardless of the offender's relationship to you.

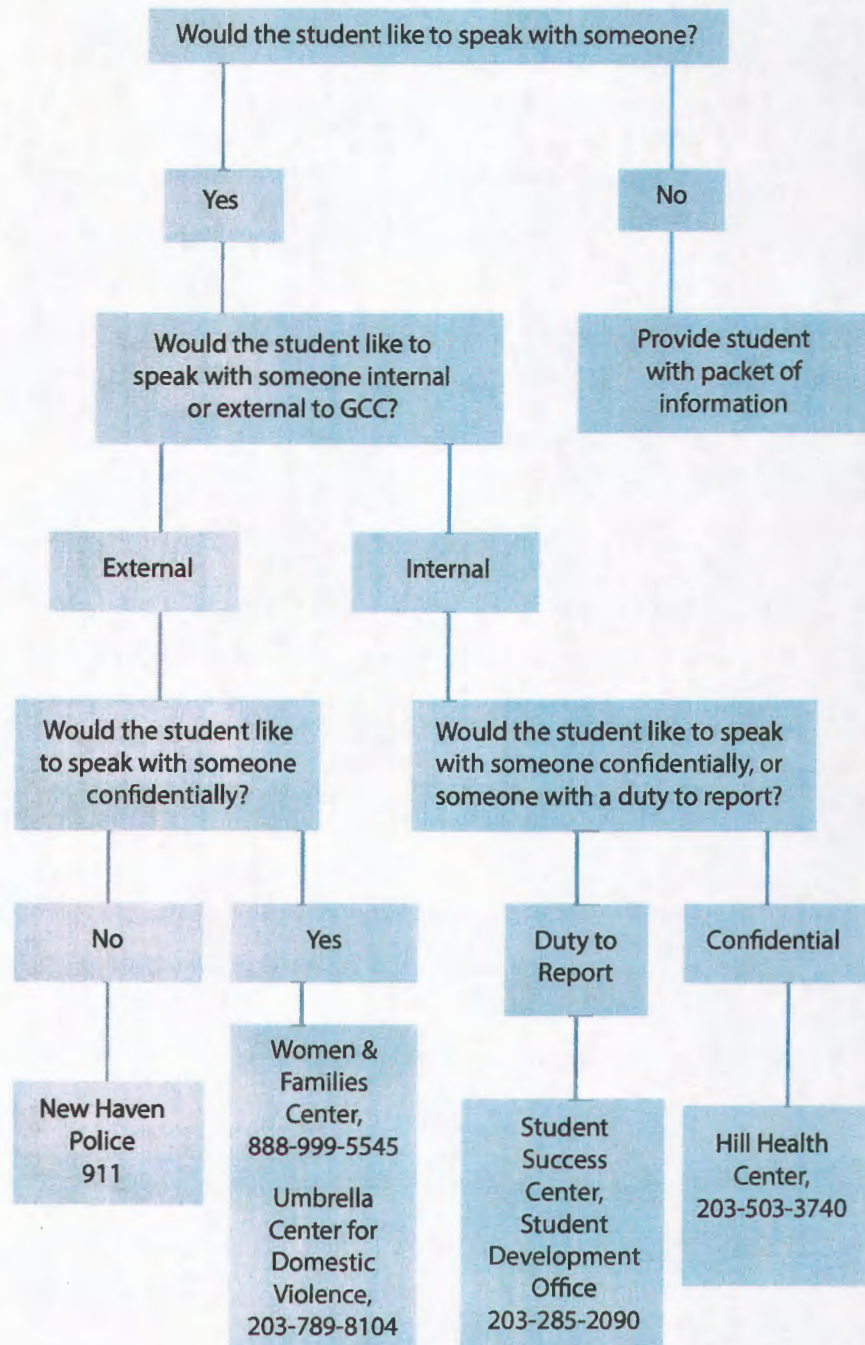


How Can I Help Stop Violence?

Public safety is everyone's responsibility. Consider the following ways you can work to stop sexual violence and intimate partner violence.

- Speak up. Take a stand in situations that could escalate.
- Talk openly with your friends about these issues.
- Encourage student leaders, coaches, professors, and others to provide information about sexual assault to students.
- Use the resources listed in this brochure to inform yourself and help plan activities and programs for campus clubs and organizations.
- Don't be afraid to get involved.
- Take care of yourself and your friends.

Getting Help Flowchart



Gateway Community College
20 Church Street
New Haven, CT 06510

GatewayCT.edu



Section 6. Gateway's Counseling and Student Success List of Referral Services

Domestic Violence Services of Greater New Haven

Provides FREE CONFIDENTIAL services to victims of domestic violence.
New Haven, CT (and surrounding New Haven areas)
24-hour Hotline: 203-789-8104

Umbrella Program

Accommodates crisis walk-ins, as well as immediate appointments, advocacy, and sheltering on a crisis basis. Services are FREE and CONFIDENTIAL.
Ansonia, CT
24-hour Hotline: 203-736-9944

Women & Families Center-Sexual Assault Crisis Services

Short-term counseling for youth and adult survivors of sexual assault. Spanish speaking counselors available.
888-999-5545
888-568-8332
1440 Whalley Avenue, New Haven, CT 06515
www.womenfamilies.com
info@womenandfamilies.org

Connecticut Sexual Assault Crisis Services

Statewide rape crisis intervention to adult and child victims of sexual assault.
Bi-lingual/bi-cultural Latino crisis intervention at selected member centers.
860-282-9881
Hotlines:
888-999-5545 (English)
888-568-8332 (Spanish)
www.connsacs.org

Domestic Violence Advocacy:

National Network to End Domestic Violence is a membership and advocacy organization focused on federal public policy. The NNEDV began in 1990 as a small working group of state domestic violence coalitions and national domestic violence advocates and has grown into an effective national organization representing and assisting state coalitions and advocating for federal legislation to benefit victims of direct service organizations. <http://www.nnedv.org/>

National Center on Domestic and Sexual Violence is an organization that helps a myriad of professionals who work with victims and perpetrators; law enforcement; criminal justice professionals such as prosecutors, judges and probation officers; health care professionals including emergency response teams, nurses and doctors; domestic violence and sexual assault advocates and service providers; and counselors and social workers. <http://ncdsv.org/>

Battered Women's Justice Project offers training, technical assistance, and consultation on the most promising practices of the criminal and civil justice systems in addressing domestic violence. http://www.bwjp.org/bwjp_home.aspx

Futures Without Violence (formerly the Family Violence Prevention Fund) works to end domestic violence and help victims whose lives are devastated by abuse, because every person has the right to live in a home free of violence. <http://www.futureswithoutviolence.org/>

Section 7 BOR/CSCU Student Code of Conduct



BOR/CSCU STUDENT CODE OF CONDUCT

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I. STUDENT CODE OF CONDUCT

PREAMBLE

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. In line with this purpose, the Board of Regents for Higher Education ("BOR") in conjunction with the Connecticut State Colleges and Universities ("CSCU") has the duty to protect the freedoms of inquiry and expression, and furthermore, has the responsibility to encourage all of its members to develop the capacity for critical judgment in their sustained and independent search for truth.

CSCU has certain self-defined institutional values. Principal among these values is respect for the safety, dignity, rights, and individuality of each member of the CSCU Community. The opportunity to live, study, and work in an institution which values diverse intellectual and cultural perspectives and encourages discussion and debate about competing ideas in an atmosphere of civility is a basic component of quality higher education.

All members of CSCU must at all times govern their social and academic interactions with tolerance and mutual respect so that the students who pass through a CSCU door are enriched by these experiences and are prepared for full and enlightened participation in a multi-cultural society. Because of the BOR's and CSCU's commitment to principles of pluralism, mutual respect, and civility, certain activities are not acceptable on CSCU campuses. Acts of intolerance, of hatred or violence based on race, religion, sexual orientation or expression, disability, gender, age, or ethnic background are antithetical to the BOR's and CSCU's fundamental principles and values. It is the BOR's and CSCU's responsibility to protect our students' right to learn by establishing an environment of civility.

The disciplinary process is intended to be part of the educational mission of CSCU. Student disciplinary proceedings are not criminal proceedings and are not subject to court rules of procedure and evidence.

INTRODUCTION

This Student Code of Conduct (hereinafter the "Student Code" or "Code") is intended to present a clear statement of student rights and responsibilities established by the Board of Regents for Higher Education. The BOR has charged the President of the Board of Regents for Higher Education with developing procedures to protect those rights and to address the abdication of responsibilities in collaboration with the four State Universities, the twelve Community Colleges and Charter Oak State College. The Student Code describes the types of acts that are not acceptable in an academic community.

Disclaimer: This Code is neither a contract nor an offer of a contract between any BOR governed institution and any student. The provisions of this Code are subject to revision at any time.

PART A: DEFINITIONS

The following list of defined terms utilized throughout this Student Code is provided in an effort to facilitate a more thorough understanding of the Code. This list is not intended to be a complete list of all the terms referenced in the Student Code that might require interpretation or clarification. The Vice President for Student Affairs at a University, the Dean of Students at a Community College, the Provost at Charter Oak State College or their designee shall make the final decision of the interpretation of the definition of any term found in the Student Code. For purposes of interpretation and application of the Student Code only, the following terms shall have the following meanings:

1. ***"Accused Student"*** means any student accused of violating this Student Code.
2. ***"Advisor"*** means a person who accompanies an Accused Student or an alleged victim to a hearing (or a proceeding pertaining to a report of sexual violence) for the limited purpose of providing advice and guidance to the student. An advisor may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process (or other proceeding pertaining to a report of sexual violence).
3. ***"Appellate Body"*** means any person or persons authorized by the University Vice President for Student Affairs, Community College Dean of Students, Charter Oak State College Provost or their designee to consider an appeal from a determination by a Hearing Body that a student has violated the Student Code.
4. ***"Calendar Days"*** means the weekdays (Mondays through Fridays) when the University or College is open.
5. ***"College"*** means either collectively or singularly any of the following institutions: Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, and Charter Oak State College.
6. ***"Complainant(s)"*** means the person(s) who initiates a complaint by alleging that a Student(s) violated the Code.
7. ***"CSCU"*** means either collectively or singularly, any of the following institutions: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, Western Connecticut State University; Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, and Charter Oak State College.

8. **"CSCU Affiliates"** means individuals and/or entities with whom or with which the College or University has a contractual relationship.
9. **"CSCU Official"** means any person employed by the College or University to perform assigned administrative, instructional, or professional responsibilities.
10. **"CSCU Premises"** means all land, buildings, facilities, and other property in the possession of, or owned, used, and/or controlled by, the University or College, either solely or in conjunction with another entity.
11. **"Disciplinary Officer" or "Conduct Administrator"** means a University, College or CSCU official who is authorized to determine the appropriate resolution of an alleged violation of the Code, and/or to impose sanctions or affect other remedies as appropriate. Subject to the provisions of this Code, a disciplinary officer or conduct administrator is vested with the authority to, among other duties: investigate a complaint of an alleged violation of the Code decline to pursue a complaint, refer identified disputants to mediation or other appropriate avenues of resolution, establish charges against a student, enter into an administrative agreement developed with an Accused Student in accordance with Section II-B-3 of this Code, advise a Hearing Body, and present the case before the Hearing Body.
12. **"Hearing Body" or "Hearing Panel"** means any person or persons authorized by the University Vice President for Student Affairs, Community College Dean of Students or Charter Oak State College Provost to determine whether a student has violated the Code and to impose sanctions as warranted, including a hearing officer or hearing board.
13. **"Institution"** means the University or College within CSCU.
14. **"Instructor"** means any faculty member, teaching assistant or any other person authorized by the University to provide educational services, including, but not limited to, teaching, research, and academic advising.
15. **"Member of the CSCU Community"** means any person who is a student, an official or any other person who works for CSCU, either directly or indirectly (e.g., for a private enterprise doing business on a CSCU campus).
16. **"Policy"** means the written regulations, standards, and student conduct expectations adopted by the BOR and found in, but not limited to the Student Handbook, the Residence Life Handbook, the housing contract, the graduate and undergraduate catalogs, and other publicized University and College notices.
17. **"Prohibited Conduct"** means the conduct prohibited by this Code, as more particularly described in Part I-D of this Code.

18. ***"Reporting Party"*** means any person who alleges that a student has violated this Code.
19. ***"Student"*** means either (1) any person admitted, registered, enrolled or attending any CSCU course or CSCU conducted program, whether full-time or part-time, and whether pursuing undergraduate, graduate or professional studies, or continuing education; (2) any person who is not officially enrolled for a particular term but who has a continuing relationship with a CSCU; or (3) any person within two calendar years after the conclusion of their last registered Community College course unless the student has formally withdrawn, graduated or been expelled from the College.
20. ***"Student Code" or "Code"*** means this Student Code of Conduct.
21. ***"Student Organization"*** means an association or group of persons that have complied with the formal requirements for University or College recognition.
22. ***"Support Person"*** means a person, who accompanies an Accused Student, a Reporting Party or a victim to a hearing for the limited purpose of providing support and guidance. A support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process.
23. ***"University"*** means any of the following institutions: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, and Western Connecticut State University, whichever the alleged violation of the Code occurred.
24. ***"Shall" and "will"*** are used in the imperative sense.
25. ***"May"*** is used in the permissive sense.

PART B: APPLICATION, DISTRIBUTION, AND ADMINISTRATION OF THE STUDENT CODE OF CONDUCT

1. **Application of the Student Code:** The Student Code shall apply to the four Connecticut State Universities, the twelve Community Colleges, and the on-line college: Central Connecticut State University, Eastern Connecticut State University, Southern Connecticut State University, Western Connecticut State University; Asnuntuck Community College, Capital Community College, Gateway Community College, Housatonic Community College, Manchester Community College, Middlesex Community College, Naugatuck Valley Community College, Northwestern Connecticut Community College, Norwalk Community College, Quinebaug Valley Community College, Three Rivers Community College, Tunxis Community College, and Charter Oak State College.

An alleged violation of the Student Code shall be addressed in accordance with the Code of Conduct, even if the accused Student has withdrawn from the Institution prior to the completion of the disciplinary procedures.

The Student Code shall apply to Students and to University Student Organizations. The term "student" shall generally apply to the student as an individual and to a Student Organization as a single entity. The officers or leaders of a particular Student Organization usually will be expected to represent the organization during the disciplinary process. Nothing in this Student Code shall preclude holding certain members of a Student Organization accountable for their individual acts committed in the context of or in association with the organization's alleged violation of this Code.

2. Distribution of the Student Code: The Student Code shall be made readily available electronically and/or in a printed publication to students, faculty and staff. The office responsible for Student Affairs will annually distribute and make available to students, faculty and staff, electronically and/or in a printed publication, any revisions to the Code.

3. Administration of the Student Code: A University's and Charter Oak State College's Provost or a Community College's Dean of Students shall be the person designated by the institution President to be responsible for the administration of the Academic Misconduct portion of the Student Code. A University's Vice President for Student Affairs, a Community College's Dean of Students, or Charter Oak State College's Provost shall be the person designated by the institution President to be responsible for the administration of the Non-Academic Misconduct portion of the Student Code.

PART C: SCOPE OF AUTHORITY

A Student who is found responsible for engaging in conduct that violates the Student Code on any CSCU campus or on property controlled by the BOR or by any CSCU Affiliate or any CSCU sponsored function or event shall be subject to the sanctions described in this Code. The Student Code of Conduct also applies to online activities, where applicable. Students who attempt to engage in conduct that violates this Code, who knowingly encourage, aid or assist another person in engaging in such conduct, or who agree with another person, explicitly or otherwise, to engage in such conduct, may also be subject to disciplinary action.

Off-campus misconduct by University students may be subject to the jurisdiction of the University and addressed through its disciplinary procedures if one of the following conditions is met: (i) a Student engages in prohibited conduct at an official University event, at a University-sanctioned event, or at an event sponsored by a recognized University Student Organization; or (ii) a Student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that the Accused Student poses a threat to the life, health or safety of any member of the CSCU or to the property of the CSCU.

Community College students conduct is subject to the Code on campus and off-campus whenever such conduct impairs College-related activities or affairs of another member of the College community or creates a risk of harm to a member or members of the College community. Students must be aware that, as citizens, they are subject to all federal and state laws in addition to all CSCU

regulations governing student conduct and responsibilities. Students do not relinquish their rights nor do they shed their responsibilities as citizens by becoming members of the CSCU Community. However, where a court of law has found a student to have violated the law, an institution has the right to impose the sanctions of this Code even though the conduct does not impair institution-related activities of another member of the university or college community and does not create a risk of harm to the college or university community. The decision to exercise this right will be in the sole discretion of the President of the impacted institution or his/her designee.

Charter Oak State College applies this Code to matriculated and non-matriculated students, including those participating in portfolio assessment, credential evaluation, testing, or contract learning. Jurisdiction shall be limited to student conduct that occurs while students are taking Charter Oak State College courses or availing themselves of Charter Oak State College services. However, if a matriculated Charter Oak State College student is found guilty of student misconduct at another institution, including but not limited to misrepresentation of records from other institutions, the student may be subject to disciplinary action at Charter Oak State College.

PART D: PROHIBITED CONDUCT

The following list of behaviors is intended to represent the types of acts that constitute violations of this Code.

1. Academic misconduct, which includes, but is not limited to, plagiarism and all forms of cheating.

Plagiarism is defined as the submission of work by a student for academic credit as one's own work of authorship which contains work of another author without appropriate attribution.

Cheating includes, but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests or examinations; (ii) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments; (iii) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and (iv) engaging in any other behavior specifically prohibited by a faculty member in the course syllabus.

2. Acts of dishonesty, including but not limited to the following:
 - a. Misuse of University or College documents, including, but not limited to forging, transferring, altering or otherwise misusing a student fee card, student payroll card, identification card or other College or University identification document, course registration document, schedule card, transcript, or any other institution-issued document or record.
 - b. Knowingly furnishing false information to any CSCU Official, faculty member or office.

3. Theft of property or services, or damage to, defacement or destruction of, or tampering with, real or personal property owned by the State of Connecticut, CSCU/BOR, the institution, or any member of the CSCU Community.
4. Actual or threatened physical assault or abuse, threatening behavior, intimidation, or coercion.
5. Sexual misconduct may include engaging in one or more behaviors:
 - (a) **Sexual harassment**, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education; submission to or rejection of such conduct by an individual is used as a basis for academic decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creating an intimidating, hostile or offensive educational environment. Examples of conduct which may constitute sexual harassment include but are not limited to:
 - sexual flirtation, touching, advances or propositions
 - verbal abuse of a sexual nature
 - pressure to engage in sexual activity
 - graphic or suggestive comments about an individual's dress or appearance
 - use of sexually degrading words to describe an individual
 - display of sexually suggestive objects, pictures or photographs
 - sexual jokes
 - stereotypic comments based upon gender
 - threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

(b) **Sexual assault** shall include but is not limited to a sexual act directed against another person when that person is not capable of giving consent, which shall mean the voluntary agreement by a person in the possession and exercise of sufficient mental capacity to make a deliberate choice to do something proposed by another.

A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. Consent cannot be assumed because there is no physical resistance or other negative response. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent).

Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

(c) **Sexual exploitation** occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in non-consensual voyeurism;
- Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

6. Intimate partner violence is defined as:

- Including intimate partner violence, which is any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault, as defined in section 5 above; (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment, as defined in section 5 above or, (5) sexual exploitation, as defined in section 5 above.
- Physical abuse, which can include but is not limited to, slapping, pulling hair or punching.
- Threat of abuse, which can include but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
- Emotional abuse, which can include but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.

7. Violations of privacy, including, but not limited to, voyeurism and the use of web-based, electronic or other devices to make a photographic, audio or video record of any person without his or her express consent, when such a recording is intended or likely to cause injury or distress. This includes, but is not limited to: (i) surreptitiously taking pictures or videos of another person in spaces such as sleeping areas, bathrooms, gymnasiums, locker rooms, and changing areas; and (ii) sexually exploiting another person by electronically recording or permitting others to view or electronically record, consensual sexual activity without a partner's knowledge or permitting others to view or listen to such video or audio tapes without a partner's knowledge and consent. Publicizing or threatening to publicize such records will also be considered a violation of this Code.

8. Hazing, which is defined as an act which endangers the mental or physical health or safety of a Student, or which destroys, damages, or removes public or private property for the purpose of initiation or admission into, affiliation with or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense to an allegation of hazing. Consenting to the activity by

remaining silent or not objecting in the presence of hazing is not a neutral act and is also a violation of this Student Code.

9. Stalking, which is defined as repeatedly contacting another person when:
- a. The contacting person knows or should know that the contact is unwanted by the other person; and
 - b. The contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

As used in this definition, the term "contacting" includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

10. Harassment, which is defined as conduct which is abusive or which interferes with a person's pursuit of his or her customary or usual affairs, including, but not limited to, such conduct when directed toward an individual or group because of race, ethnicity, ancestry, national origin, religion, gender, sexual orientation or expression, age, physical attribute, or physical or mental disability or disorder, including learning disabilities and mental retardation.
11. Conduct that is disorderly, lewd or indecent (including, but not limited to, public nudity and sexual activity in areas generally open to members of the campus community), breach of peace or aiding, abetting or procuring another person to breach the peace on CSCU premises or at functions sponsored by, or affiliated with the University or College.
12. Behavior or activity which endangers the health, safety, or well-being of oneself or others.
13. Offensive or disorderly conduct which causes interference, annoyance or alarm or recklessly creates a risk thereof at CSCU or CSCU premises, CSCU web or social media sites, at a CSCU-sponsored activity or in college or university courses, including cyber bullying. This offense does not apply to speech or other forms of constitutionally protected expression.
14. Unauthorized possession, duplication or use of keys (including, but not limited to, card access, card keys, fobs, etc.) to any CSCU premises or forcible and/or unauthorized entry on or into CSCU premises.
15. Starting fires, causing explosions, falsely reporting the presence of fire, bombs, incendiary or explosive devices, or falsely reporting an emergency.
16. Unauthorized or improper possession, use, removal, tampering or disabling of fire and/or safety equipment and warning devices, failure to follow standard fire and/or emergency

safety procedures, or interference with firefighting or emergency response equipment or personnel.

17. Use, possession, purchase, sale or distribution of alcoholic beverages, except as expressly permitted by law and CSCU regulations. Alcoholic beverages may not, under any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
18. Use, possession, purchase, sale, distribution or manufacturing of narcotics, controlled substances and/or drugs, including, but not limited to, marijuana and heroin, or drug paraphernalia, except as expressly permitted by law.
19. Use, possession or distribution of firearms, ammunition for firearms, other weapons or dangerous instruments, facsimiles of weapons or firearms, fireworks, explosives or dangerous chemicals. A dangerous instrument is any instrument, article or substance that, under the circumstances in which it is being utilized, is capable of causing death or serious physical injury. The possession of a deadly weapon or dangerous instrument on campus is strictly prohibited, even if such item is legally owned.
20. Gambling, including, but not limited to, promoting, wagering, receiving monies for wagering or gambling for money or property on CSCU premises.
21. Disruption or obstruction of any College or University function, activity or event, whether it occurs on or off the campus, or of any non-University or College function, activity or event which is authorized by the institution to occur on its premises.
22. Intentional obstruction of the free flow of pedestrian or vehicular traffic on CSCU premises or at University or College-sponsored or supervised functions or interference with entry into or exit from CSCU premises or with the free movement of any person.
23. Failure to comply with the directions of CSCU officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
24. Conduct that violates published BOR/CSCU policies, rules, and regulations, including, but not limited to, residence hall rules and regulations.
25. Conduct prohibited by any federal, state, and/or local law, regulation or ordinance.
26. Unauthorized use of CSCU property or the property of members of the CSCU Community or of CSCU Affiliates.
27. Theft, unauthorized use, or abuse of University or College computers and/or peripheral systems and networks, including, but not limited to:
 - a. Unauthorized access to CSCU computer programs or files;

- b. Unauthorized alteration, transfer or duplication of CSCU computer programs or files;
 - c. Unauthorized use of another individual's identification and/or password;
 - d. Deliberate disruption of the operation of CSCU computer systems and networks;
 - e. Use of the Institution's computing facilities and resources in violation of copyright laws (including unauthorized peer-to-peer file sharing of copyrighted material, including, but not limited to, copyrighted music, movies, and software);
 - f. Use of computing facilities and resources to send obscene messages (which are defined as messages which appeal mainly to a prurient, shameful or morbid interest in nudity, sex, excretion, sadism or masochism, go well beyond customary limits of candor in describing or representing such matters, and are utterly without redeeming social value); and
 - g. Violation of the BOR Policy Statement on Acceptable and responsible use of Information Technology resources and/or any applicable BOR computer use policy.
28. Abuse of the CSCU conduct and disciplinary system, including but not limited to:
- a. Failure to obey the notice from a Hearing Body or CSCU Official to appear for a meeting or hearing as part of the Student Conduct system;
 - b. Falsification, distortion, or intentional misrepresentation of information to a Disciplinary Officer or Conduct Administrator, or before a Hearing Body;
 - c. Initiation of a conduct or disciplinary proceeding knowingly without cause;
 - d. Disruption or interference with the orderly conduct of a disciplinary proceeding;
 - e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary system;
 - f. Attempting to influence the impartiality of a Disciplinary Officer, Conduct Administrator or member of a Hearing Body prior to, and/or during the course of, the disciplinary proceeding;
 - g. Harassment (verbal or physical) and/or intimidation of a Disciplinary Officer, Conduct Administrator, or member of a Hearing Body prior to, and/or during the course of the disciplinary proceeding;
 - h. Failure to comply with the sanction(s) imposed under the Student Code; and
 - i. Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

PART E: HEARING PROCEDURES FOR SEXUAL MISCONDUCT, SEXUAL INTIMATE PARTNER, DOMESTIC VIOLENCE & STALKING REPORTS

In addition to disciplinary procedures applicable to State University students in Section II, Community College students in Section III, or Charter Oak State College Students in Section IV, for any hearing conducted involving allegations of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence the reported victim and the accused student shall each have the following rights::

1. At any meeting or proceeding, both the reported victim and accused student may be accompanied by an advisor or support person of the student's choice provided the advisor or support person does not cause a scheduled meeting or hearing to be delayed or postponed and provided an advisor or support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process (or other proceeding or pertaining to a report of sexual misconduct);
2. The reported victim of sexual misconduct is entitled to request that disciplinary proceedings begin promptly;
3. Any hearing regarding an accusation of sexual misconduct shall (i) be fair, prompt and impartial; (ii) be conducted by a Hearing Body annually trained in issues relating to sexual misconduct (iii) use the preponderance of evidence (more likely than not) standard; (iv) shall allow both the accused student and reported victim the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding; and (v) shall provide both the accused student and the reported victim with equal access to any information that will be used during meetings and hearings.
4. In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential;
5. Any reported victim shall be provided written notice of the decision of the Hearing Body at the same time as the accused student, normally within one (1) business day after the conclusion of the Hearing. In accordance with the Family Educational Rights and Privacy Act (FERPA) the notice to any reported victim of sexual misconduct shall contain only the following: the name of the accused student, the violation committed, if any, and any sanction imposed against the accused student.
6. The reported victim shall have the same right to request a review of the decision of the Hearing Body (appeal rights) in the same manner and on the same basis as shall the accused student; however, if a request for review by a reported victim is determined to be properly made and if the review determines there is sufficient grounds for altering the decision of the Hearing Body, among the other actions that may be taken as set forth above, the sanction of the hearing may also be increased. Notwithstanding the foregoing, in any hearing pertaining to sexual misconduct both the reported victim and the accused student are entitled to be simultaneously provided notice of any change in the results of the hearing prior to the time when the results become final as well as to be notified when such results become final.

PART F: CONDUCT AND DISCIPLINARY RECORDS

The written decision resulting from an administrative conference or a hearing under this Code shall become part of the student's educational record and shall be subject to the provisions of the Family Educational Rights and Privacy Act (FERPA). A student's disciplinary record shall be maintained separately from any other academic or official file maintained by the Institution. Disciplinary records will be maintained for a period of five (5) years from the date of the incident, except that the sanction of expulsion shall be noted permanently.

While student education records are generally protected from disclosure by FERPA, there are a number of exceptions to this rule. Students should be aware that a record concerning his/her behavior while a student at the College or University may be shared with other colleges or universities to which the student may subsequently wish to transfer or be admitted. Similarly, prospective employers may require a student to provide access to his/her education records as part of the employment application process. A record of having been sanctioned for conduct that violates Section I.D. of the Code may disqualify a student for admission to another college or university, and may interfere with his/her selection for employment.

PART G: INTERPRETATION AND REVISION

Questions regarding the interpretation of this Code shall be referred to the University's and Charter Oak State College's Provost or a Community College's Dean of Students or their designees for the administration of the Non-Academic Misconduct portion of the Student Code and to the University's Vice President for Student Affairs, a Community College's Dean of Academic Affairs or Charter Oak State College's Provost or their designees for the administration of the Academic Misconduct portion of the Student Code.

This Code shall be reviewed and revised, if and as necessary, every five (5) years, or as directed by the President of the Board of Regents for Higher Education.

II. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO STATE UNIVERSITY STUDENTS

Procedures for University students differ from those procedures applicable to either the Community Colleges or Charter Oak State College. This is due to the environmental, cultural, and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1) for University Students as set for in this Section II of the Code.

PART A: DISCIPLINARY PROCEDURES - ACADEMIC MISCONDUCT

1. Instructor's Role:
When the instructor of record or his or her designee believes that an act of academic misconduct has occurred, he or she shall notify the student of the allegation and save any evidence of such misconduct in its original form. (Copies of the Accused Student's work will be provided to the Student upon request.) In addition, the instructor shall not transmit a final grade to the Registrar until such time as the allegation(s) of academic misconduct are finally determined. Each institution shall establish implementation guidelines in accordance with this Code.
2. Information from Person Other than Student's Instructor: Any member of the CSCU Community may provide information which might lead to a complaint against a Student alleging academic misconduct.
3. The Academic Misconduct Hearing Board: There shall be an academic misconduct hearing board convened by the University's Disciplinary Officer to consider allegations of academic misconduct lodged against a Student. The University's disciplinary officer shall be a non-voting member of the board and act as convener.
4. Hearing Process: The Accused Student shall be afforded adequate notice of the allegation, an opportunity to discuss the allegation with the instructor, and adequate time to request and prepare for a hearing. All parties shall have an opportunity to be heard and a record of the proceedings shall be made. The decision of a hearing board shall be communicated in writing.
5. Sanctions: If the academic misconduct hearing board determines that the Accused Student is "Not Responsible," the board shall not impose any sanctions. The board shall so advise the Student's instructor and the instructor shall reevaluate the student's course grade in light of the Board's determination. If the academic misconduct hearing board determines that the Accused Student is "Responsible," the academic sanction set forth in the instructor's course syllabus shall be imposed.

The academic misconduct hearing board may make a recommendation to change the academic sanction imposed by the instructor on the basis of its hearing of the evidence of academic misconduct. (Should the academic sanction not be changed pursuant to this recommendation, the University reserve the right to change the academic sanction.)

Upon consideration of the Accused Student's record of misconduct and/or the nature of the offense, the academic misconduct hearing board may impose additional non-academic sanctions in proportion to the severity of the misconduct. These sanctions may include the following: warning, written reprimand, discretionary sanctions, suspension and/or expulsion, as described in II.D of this Student Code of Conduct.

6. Appeals: The decision rendered by the academic misconduct hearing board may be appealed to the Provost/Academic Vice President, who shall review the record of the hearing, including any and all documents presented to the academic misconduct hearing board. An appeal shall be in writing and shall be delivered to the Provost/Academic Vice President within three (3) calendar days of receipt of the academic misconduct hearing board's written decision.

An appeal may be brought on any of four grounds: (a) a claim that error in the hearing procedure substantially affected the decision; (b) a claim that new evidence or information material to the case was not known at the time of the hearing; (c) a claim that the non-academic sanction(s) imposed were not appropriate for the violation of the Code for which the accused student was found responsible; and/or (d) a claim that the academic sanction imposed has resulted in a palpable injustice. The Provost/Academic Vice President shall have the right to deny an appeal not brought on any of the foregoing grounds. The decision rendered by the Provost/Academic Vice President shall be final and there shall be no further right of appeal.

PART B: DISCIPLINARY PROCEDURES - NONACADEMIC MISCONDUCT

The following procedures shall be followed in addressing allegations of non-academic misconduct.

1. Providing Information leading to a Complaint: Any person may provide information leading to the filing of a complaint against a Student or a Student Organization alleging a violation of the Student Code. A complaint must be made in writing and submitted to the University's Disciplinary Officer or Conduct Administrator.
2. Disciplinary Proceedings Against a Student Charged with a Violation of Law and a Violation of the Code: University proceedings may be instituted against an Accused Student who has been charged with a violation of state or federal law for conduct which also constitutes a potential violation of this Code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Student Code may be carried out prior to, simultaneously with, or following the institution of civil or criminal court proceedings against the Accused Student. Determinations made or sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

3. Disciplinary Proceedings Against a Student Charged with Sexual Assault, Sexual Intimate Partner, Domestic Violence or Other Sex Related Offense: See Section I.E
4. Pre-Hearing Investigation and Administrative Disposition:
 - a. The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the Accused Student and the Disciplinary Officer or Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the charges are not admitted and/or cannot be disposed of by mutual consent, the Disciplinary Officer or Conduct Administrator may also present the case for the University at any subsequent hearing, but if he or she does, he or she shall not serve as a member of the Hearing Body.
 - b. The Disciplinary Officer or Conduct Administrator may conduct an investigation to determine if there is reason to believe the student has committed a violation of any part of Section I.D. of the Code and, after considering both the possible violation and the prior conduct record of the student, if the Disciplinary Officer or Conduct Administrator determines that a sanction of less than residential hall separation or suspension or expulsion from the University is appropriate, the Disciplinary Officer or Conduct Administrator shall schedule an administrative conference with the student. The student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the student shall have the opportunity to present information for the Disciplinary Officer's or Conduct Administrator's consideration. At the conclusion of the administrative conference, the Disciplinary Officer or Conduct Administrator shall determine whether it is more likely than not that the student has violated the Policy and, if so, impose a sanction less than residential hall separation, or suspension or expulsion from the University. The Disciplinary Officer or Conduct Administrator shall provide the student with a written explanation for the determination. The decision of the Disciplinary Officer or Conduct Administrator shall be final.
5. Hearing Bodies: A Student accused of misconduct has the right to be heard by an impartial Hearing Body. Any concern surrounding the impartiality of the Hearing Body or any member thereof will be referred to the Vice President for Student Affairs or his or her designee, who will review the matter and make a determination. Any Hearing regarding an accusation of sexual assault, sexual misconduct, intimate partner, domestic violence or other sex related offense or intimate partner violence shall be conducted by an impartial Hearing Body trained in issues relating to sexual assault, sexual violence, intimate partner, and domestic violence.
6. Hearing Procedures:
 - a. Notice of Hearing: Normally, a hearing will be conducted within ten (10) calendar days of the Accused Student being notified of the charges. Notice may be provided to the Accused Student by in-hand delivery, by registered mail, with delivery receipt attached or by certified mail, return receipt requested by University email or by overnight delivery with signature of recipient required.

Should the Accused Student refuse to accept in-hand delivery, a written statement of the attempted delivery of the notice signed by the person attempting to make such delivery shall constitute notice. Should the Accused Student refuse to sign for registered or certified mail, the postal document indicating such refusal shall constitute notice.

The notice shall advise the Accused Student of each section of the Student Code alleged to have been violated and, with respect to each such section, a statement of the acts or omissions which are alleged to constitute a violation of the Code, including the approximate time when and the place where such acts or omissions allegedly occurred.

The Accused Student shall be afforded a reasonable period of time to prepare for the hearing, which period of time shall not be less than three (3) Calendar Days. The Accused Student, the Reporting Party and/or any alleged victim may request a delay of the hearing due to extenuating circumstances. Any decision to postpone the hearing shall be made by the Disciplinary Officer or Conduct Administrator or by the Hearing Body, or by the designee of the Vice President for Student Affairs.

- b. Hearing: Hearings shall be closed, but the Hearing Body may, in its discretion, admit any person into the hearing room. The Hearing Body shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.

The Accused Student, the Reporting Party and any alleged victim shall have the right to be present at all stages of the hearing process except during the private deliberations of the Hearing Body and the presentation of sanctions. In hearings involving more than one Accused Student, the Hearing Body may determine that, in the interest of fairness, separate hearings should be convened.

In any Hearing alleging sexual assault, sexual, intimate partner, domestic violence or other sex related offense, any alleged victim and the Accused Student are entitled to:

- 1) be accompanied to any meeting or proceeding by an advisor or support person of their choice, provided that the advisor or support person does not cause a scheduled meeting to be delayed or postponed;
- 2) present evidence and witnesses on their behalf;
- 3) in accordance with the Family Educational Rights and Privacy Act (FERPA), to have their identities kept confidential.

In addition, the alleged victim of sexual assault, sexual, intimate partner, domestic violence or other sex related offense is entitled to request that disciplinary proceedings begin promptly.

- c. Record of Hearing: When expulsion or suspension from the University or residence hall separation is a possibility, the University shall make a recording of

the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Body. Further disclosure of the recording shall be governed by applicable state and federal law.

- d. Opportunity to Present a Defense: The Accused Student shall have the full opportunity to present a defense and information, including the testimony of witnesses, in his or her behalf. The Reporting Party and the Accused Student may question the statements of any person who testifies in a manner deemed appropriate by the Hearing Body. The Reporting Party and the Accused Student may make concluding statements regarding the charges made and the information presented during the hearing. The Hearing Body may question the Accused Student and the Reporting Party, any witness presented by the Accused Student or the Reporting Party, and any other witness(es) the Hearing Body may choose to call to testify.
- e. Accused Student Can Choose Whether or Not to Testify in His or Her Own Defense: The Accused Student who is present at the hearing shall be advised by the Hearing Body that he or she is not required to testify, to answer questions, or to make any statement regarding the complaint or the allegations set forth in the complaint. Refusal to do so shall not be considered by the Hearing Body to constitute evidence of responsibility.
- f. Non-Appearance of Accused Student at Disciplinary Hearing: If an Accused Student does not appear at a disciplinary hearing, the Hearing Body shall enter a plea of "not responsible" on behalf of such student and the hearing shall proceed in the normal manner of hearing evidence, weighing facts, and rendering judgment. The failure of an Accused Student to appear at the disciplinary hearing shall not be considered by the Hearing Body to constitute evidence of responsibility.
- g. Advisors and Support Persons: The Reporting Party, any alleged victim, and the Accused Student shall each have the right to be accompanied by an Advisor and Support Person. The Advisor and the Support Person should be someone whose schedule allows attendance at the scheduled date and time for the disciplinary hearing because delays will not normally be allowed due to the scheduling conflicts of an Advisor or Support Person.
- h. Presentation of Evidence: Only evidence introduced at the hearing itself may be considered by the Hearing Body in determining whether it is more likely than not that the alleged violation was committed by the accused student.
- i. Evidence of Prior Convictions or Disciplinary Actions: Evidence of prior criminal convictions or University disciplinary actions may be presented to the Hearing Body only after a determination of responsibility has been made and only for consideration in connection with determining the sanction.

- j. Accommodation of Witnesses: The Hearing Body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, the Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Hearing Body to be appropriate.
- k. Written Notice of Decision: The Accused Student shall receive written notice of the decision of the Hearing Body that shall set forth the decision rendered, including a finding of "responsible" or "not responsible," and the sanctions imposed, if any. The decision of the Hearing Body, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.

With respect to Hearings alleging sexual assault, sexual, intimate partner, domestic violence or other sex related offense, any alleged victim shall receive written notice of the decision of the Hearing Body at the same time as the Accused Student, normally within one (1) business day after the conclusion of the Hearing.

In accordance with the Family Educational Rights and Privacy Act (FERPA) the notice to any alleged victim of sexual assault, sexual, intimate partner, domestic violence or other sex related offense shall contain only the following: the name of the student, the violation committed and any sanction imposed against the student.

6. Review: An Accused Student may request that the decision of the Hearing Body be reviewed by the Vice President for Student Affairs or his or her designee. A request for review must be made in writing to the Vice President for Student Affairs or his or her designee within three (3) Calendar Days of the Accused Student's receipt of the written notice of decision. For good cause shown, the Vice President for Student Affairs may extend the three-University Calendar Day limitation on filing a request for a review. An Accused Student may request only one review of each decision rendered by the Hearing Body. A decision reached as a result of an Administrative Disposition may not be reviewed.
- a. Grounds for Review: The Accused Student has the right to request a review of the decision of the Hearing Body on the grounds that: (i) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected; (ii) the sanction(s) imposed were not appropriate for the violation of the Code for which the Accused Student was found responsible; and/or (iii) new information, sufficient to alter the decision, or other relevant facts were not brought out in the original hearing because such information and/or facts were not known to the Accused Student at the time of the original hearing. The review shall be limited to a review of the record except as required to explain the basis of new information.

- b. Review Procedures: In order to prepare for the review, the Accused Student may review the recording of the original hearing in a designated University office but will not be permitted to remove the recording from that office or make copies. The review will not be heard by anyone involved in the initial hearing. The review shall be considered and a decision rendered within ten (10) Calendar Days of the filing of the request for review.

If a request for review is granted, the matter shall be referred to the original Hearing Body for reconsideration of its original determination or to a newly-constituted Hearing Body for a new hearing, or the sanction imposed may be reduced, as appropriate. If a request is not granted, the matter shall be considered final and binding upon all involved.

- c. Status of Student Pending Review: All sanctions imposed by the Hearing Body shall be and continue in effect pending the outcome of a review. Any request to delay the commencement of sanctions pending a review must be made by the Accused Student, in writing, to the Vice President for Student Affairs or his or her designee.
- d. With respect only to Hearings related to sexual assault, sexual, intimate partner, domestic violence or other sex offense, the alleged victim shall have the same right to request a review in the same manner and on the same basis as shall the Accused Student as set forth above; however, in such cases, if a review by any alleged victim is granted, among the other actions that may be taken as set forth above, the sanction of the Hearing may also be increased.

Upon review, if the decision or sanction of the disciplinary proceeding is changed, any alleged victim must be notified in writing of the change in decision or sanction at the same time that the Accused Student is notified.

PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS

In certain circumstances, the Vice President for Student Affairs, or his or her designee, may impose an interim suspension or residence hall separation on an Accused Student prior to the hearing before the Hearing Body.

1. Basis for Imposition of Interim Suspension or Residence Hall Separation: An interim suspension may be imposed upon an Accused Student only: (i) to ensure the safety and well-being of members of the University Community or preservation of University property; (ii) to ensure the Student's own physical or emotional safety and well-being; or (iii) if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

A residence hall separation may be imposed if a Student's continued presence will disrupt the academic and social well-being of the residential community. Residence hall separation is the removal of a student from the University residence hall in which he or

she resides. Such separation may include a restriction of access to all or designate University residence halls. During the period of the separation, the removed Student shall not be permitted to enter the designated hall(s) as a guest of another resident.

An interim suspension or residence hall separation is not a sanction and will continue in effect only until such time as a hearing on the alleged violation has been completed.

2. Effect of Interim Suspension or Residence Hall Separation: During the interim suspension or residence hall separation, the removed Student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the Student might otherwise be eligible, as the Vice President for Student Affairs, or his or her designee, may determine to be appropriate.
3. Procedure: The Accused Student shall be notified, either orally or in writing, of the pending imposition of an interim suspension or residence hall separation. Whenever possible prior to the imposition of the interim suspension or suspension, the affected Student will be afforded an opportunity to meet with the Vice President for Student Affairs, or his or her designee. Otherwise, the meeting will be held on the first Calendar Day that the Student is available.

At that meeting, the Accused Student will be advised of his/her reported behavior and be offered the opportunity to provide information upon which the determination may be based whether or not the Student engaged in conduct warranting an interim suspension or residence hall separation.

Any Student placed on an interim suspension will be given an opportunity to appear at an administrative conference or a formal hearing on the misconduct charges lodged against him or her in accordance with II.B.5 of this Code within ten (10) Calendar Days of being placed on such suspension, or as soon as practical after the Accused Student is prepared to participate in such a hearing.

PART D: DISCIPLINARY SANCTIONS

Sanctions which may be imposed for violations of the Student Code are listed below. In determining appropriate sanctions, the Hearing Body may take into consideration any and all prior violations of the Code for which the Accused Student was determined to be responsible. The Hearing Body shall have the authority to defer the imposition of any sanction when deemed appropriate. The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code, including the completion of all sanctions imposed, if any.

1. **Sanctions Which May Be Imposed for Violations of the Code:** The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Student Code, and will be entered into the Student's disciplinary records. Notation of disciplinary sanctions shall be on file only in the appropriate office in the Division of Student Affairs and shall not be released without the written

consent of the Student except to appropriate University enforcement personnel, University police, staff and administrators, or as required by law.

- a. Warning: A disciplinary warning is a written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.
- b. Fine: A sanction involving the imposition of a specified dollar amount due and payable by a specified date.
- c. Probation: Disciplinary probation is a designated period of time during which a Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within University Community. Disciplinary probation may involve the imposition of certain restrictions and/or conditions upon the Student including, but not limited to, financial restitution, community service, fines, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required. If the Student fully complies with the terms and conditions imposed in connection with the disciplinary probation, full student privileges will be restored to the student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice of the alleged violation and the procedures set forth in this Code shall be followed.
- d. Loss of Privileges: Denial of specified privileges for a designated period.
- e. Restitution: Compensation for loss, damage to real or personal property. This may take the form of appropriate service and/or monetary or material replacement.
- f. Discretionary Sanctions: Work assignments, essays, service to the University, or other related discretionary assignments, referral for professional services such as counseling, participation in educational programs, parental notification under limited circumstances, and ineligibility to participate in University activities or events. Periodic contact with a designated member of the University Community or non-college professional may be required.
- g. Residence Hall Warning: A written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.

- h. Residence Hall Probation: Residence hall probation is a designated period during which an Accused Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within the residence hall in which the Student resides. Residence hall probation may include restrictions and/or conditions on the exercise of residence hall activities and privileges. Periodic contact with a designated member of the residence hall staff or professional may be required. If the Accused Student fully complies with the terms and conditions imposed in connection with the residence hall probation, full residence hall privileges will be restored to the Student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice and the procedures set forth in this Code shall be followed.
 - i. Residence Hall Separation: Separation of the Student from the residence halls for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
 - j. Residence Hall Expulsion: Permanent separation of the Student from the residence halls.
 - k. Suspension: Suspension is temporary disciplinary separation from all universities among CSCU and the denial of all student privileges. Suspension shall be effective on the date that notice of the suspension is provided to the Accused Student, or later, if so stated in the notice, and shall prescribe the date and conditions upon which the Student may petition for readmission to the University. A Student separated from all universities within CSCU by suspension may under the terms of the suspension be excluded from the premises of all CSCU premises when in the judgment of the suspending authority, the Student's continued presence would constitute a danger to persons or property or a threat to the academic process. Notwithstanding the foregoing, the suspending authority of the suspended Student's home University or his or her designee may authorize a suspended student who has been excluded from all University premises to enter the premises of the student's home University for designated purposes.
 - l. Expulsion: Expulsion is permanent disciplinary separation from all universities within CSCU and the denial of all student privileges. Expulsion shall be effective on the date that notice of expulsion is provided to the Accused Student, or later, if so stated in the notice. A student separated from all universities of CSCU by expulsion may under the terms of the expulsion be excluded from all CSCU Premises when in the judgment of the expelling authority the Student's presence would constitute a danger to persons or property or a threat to the academic process.
2. **Revocation of Admission and/or Degree:** Upon the recommendation of the Hearing Body, admission to or a degree awarded from the University may be revoked by

the University, acting through its President (or his or her designee) for fraud, misrepresentation, or other violation of University standards in obtaining admission or the degree.

3. Consequences of Failure to Comply with a Duly Assigned Sanction: Failure to comply with sanctions which have been assigned through a formal judicial process may lead to one or more of the following consequences:

- a. Denial of access to certain university services, including, but not limited to housing and parking;
- b. Denial of access to administrative processes, including, but not limited to, course add/drop, pre-registration, registration, and room selection; and/or
- c. Withholding of the privilege of participation in university sponsored activities and/or public ceremonies, or formal disciplinary charges under II.B hereof.

4. Sanctions Which May Be Imposed on Student Organizations

- a. Sanctions: Those sanctions listed in subsections 1.a through f of Section II.D.
- b. Loss of recognition: Loss of recognition for a specified period of time results in the loss of privileges, such as the use of university space, access to student activity fee funding, and/or the privilege of functioning as a student organization. Loss of recognition for more than two (2) semesters shall require that an organization reapply for University recognition. Conditions for future recognition may be imposed by the hearing body.

III. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO COMMUNITY COLLEGE STUDENTS

Procedures for Community College students differ from those procedures applicable to either the Universities or Charter Oak State College. This is due to the environmental, cultural and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1 above) for Community College Students as set for in this Section III of the Code.

PART A: DISCIPLINARY PROCEDURES (Academic and Non-Academic Misconduct)

In regard to College Students, the following procedures shall govern the enforcement of the Code:

1. Information that a student may have violated the Code should be submitted to the Dean of Students, Dean of Academic Affairs or other designee of the President (hereinafter referred to as "the Dean"), normally within thirty (30) calendar days of the date of a possible violation or within thirty (30) calendar days of the date that the facts constituting a possible violation were known.
2. Upon receipt of information relating to a possible violation, the Dean may immediately place restrictions on or suspend a student on an interim basis if, in the judgment of the Dean, the continued presence of the student at the College or continued participation in the full range of college activities poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process.
 - a. "Interim restrictions" are limitations on the Student's participation in certain College functions and activities, access to certain locations on campus or access to certain persons, that do not prevent the Student from continuing to pursue his/her academic program. A Student upon whom the Dean has placed interim restrictions shall be afforded written reasons for the restrictions, as well as the time period during which the interim restrictions shall apply. The decision of the Dean regarding interim restrictions shall be final.
 - b. "Interim suspension" is the temporary separation of the Student from the College that involves the denial of all privileges, including entrance to College premises. Prior to imposing an interim suspension, the Dean shall make a good faith effort to meet with the Student. At this meeting, the Dean shall inform the Student of the information received and provide the Student an opportunity to present other information for the Dean's consideration. Based upon the information available at that time, the Dean shall determine whether the Student's continued presence on campus poses a danger to persons or property or constitutes an ongoing threat of disrupting the academic process. A Student suspended on an interim basis by the Dean shall be provided written reasons for the suspension and shall be entitled to an administrative conference or a hearing as soon as possible, normally within ten (10) calendar days from the date the interim suspension was imposed. The decision of the Dean regarding an interim suspension shall be final.
3. Following the imposition of interim restrictions or interim suspension, if any, the Dean shall promptly investigate the information received by meeting with individuals who may have

knowledge of the matter, including the accused Student, and by reviewing all relevant documents. If upon the conclusion of the Dean's investigation, the Dean determines that there is insufficient reason to believe the Student has committed a violation of any part of Section I.D. of this Policy, the Dean shall dismiss the matter and shall so inform the Student in writing.

4. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I. D. of this Code and, after considering both the possible violation and the prior conduct record of the Student, that a sanction of less than suspension or expulsion is appropriate, the Dean shall schedule an administrative conference with the Student. The Student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the Student shall have the opportunity to present information for the Dean's consideration. At the conclusion of the administrative conference, the Dean shall determine whether it is more likely than not that the Student has violated the Policy and, if so, impose a sanction less than suspension or expulsion. The Dean shall provide the Student with a written explanation for the determination. The decision of the Dean shall be final.
5. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I.D. of this Code and, after considering both the violation and the prior conduct record of the Student, that a sanction of suspension or expulsion is appropriate, the Dean shall provide the Student with reasonable written notice of a meeting and shall inform the Student that his/her failure to attend the meeting or to respond to the notice may result in the imposition of the maximum permissible sanction. At the meeting, the Dean shall provide the Student with a written statement that shall include the following:
 - a. a concise statement of the alleged facts;
 - b. the provision(s) of Section I.D. that appear to have been violated;
 - c. the maximum permissible sanction; and
 - d. a statement that the student may resolve the matter by mutual agreement with the Dean, or may request a hearing by notifying the Dean in writing, which must be received by 5:00pm on the following business day.
6. If the Student requests a hearing, he/she is entitled to the following:
 - a. to be heard within five (5) days or as soon as reasonably possible, by an impartial party or panel whose members shall be appointed by the Dean;
 - b. if the Dean appoints an impartial panel, to have a Student on the panel if requested by the Student;
 - c. to appear in person and to have an advisor who not shall attend as a representative of the Student. However, if there is pending at the time of the hearing a criminal matter pertaining to the same incident that is the subject of the hearing, a lawyer may be present for the sole purpose of observing the proceedings and advising the Student concerning the effect of the proceedings on the pending criminal matter;
 - d. to hear and to question the information presented;
 - e. to present information, to present witnesses, and to make a statement on his or her behalf; and
 - f. to receive a written decision following the hearing.

7. As used herein, the term "impartial" shall mean that the individual was not a party to the incident under consideration and has no personal interest in the outcome of the proceedings. Prior to the commencement of the hearing, the Student who is subject to the hearing may challenge the appointment of an impartial party or panel member on the ground that the person(s) is (are) not impartial. The challenge shall be made in writing to the Dean and shall contain the reasons for the assertion that the person(s) is (are) not impartial. The decision of the Dean shall be final.
8. The written decision of the impartial party or panel shall specify whether, based on the information presented, it is more likely than not that the Student committed the violation(s) reported and shall state the sanction to be imposed, if any. The written decision shall be provided to the Student.
9. Sanctions imposed by an impartial party or panel are effective immediately. The President may, for good cause, suspend imposition of the sanctions imposed by the impartial party or panel to allow the Student time to prepare a written request for review. If a written request is received, the President may continue to suspend imposition of the sanctions until he has reviewed and acted on the Student's request.
10. A written request for review of the decision of the impartial party or panel must be received by the President within three (3) calendar days after the Student is notified of the decision and must clearly identify the grounds for review. The review by the President is limited to the record of the hearing, the written request, and any supporting documentation submitted with the request by the Student. The decision of the impartial party or the panel shall be upheld unless the President finds that:
 - a. a violation of the procedures set forth herein significantly prejudiced the Student; and/or
 - b. the information presented to the impartial party or panel was not substantial enough to justify the decision; and/or,
 - c. the sanction(s) imposed was (were) disproportionate to the seriousness of the violation.
11. Decisions under this procedure shall be made only by the college officials indicated.

PART B: DISCIPLINARY SANCTIONS

The prior conduct record of a Student shall be considered in determining the appropriate sanction for a Student who has been found to have violated any part of Section I.D. of this Code. Sanctions shall be progressive in nature; that is, more serious sanctions may be imposed if warranted by the prior conduct record of the Student.

A "sanction" may be any action affecting the status of an individual as a Student taken by the College in response to a violation of this Policy, and for the purposes of this Section III of the Code include but are not limited to the following:

1. "Expulsion" is a permanent separation from the College that involves denial of all Student privileges, including entrance to College premises;

2. "Suspension" is a temporary separation from the College that involves denial of all Student privileges, including entrance to college premises for the duration of the suspension, and may include conditions for reinstatement;
3. "Removal of College Privileges" involves restrictions on Student access to certain locations, functions and/or activities but does not preclude the Student from continuing to pursue his/her academic program;
4. "Probation" is a status that indicates either (a) serious misconduct not warranting expulsion, suspension, or removal of College privileges, or (b) repetition of misconduct after a warning has been imposed;
5. A "Warning" is a written notice to the Student indicating that he or she has engaged in conduct that is in violation of Section I.D. of this Code and that any repetition of such conduct or other conduct that violates this Code is likely to result in more serious sanctions;
6. "Community Restitution" requires a Student to perform a number of hours of service on the campus or in the community at large.

IV. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO CHARTER OAK STATE COLLEGE STUDENTS

Procedures for Charter Oak State College students differ from those procedures applicable to either the Community Colleges or the Universities. This is due to the environmental, cultural, and administrative differences within the types of the institutions comprising CSCU. Procedures for addressing allegations and sanctions regarding academic misconduct (as defined in Section I.D.1 above) for Charter Oak State College Students as set for in this Section IV of the Code.

PART A: RIGHTS AND RESPONSIBILITIES OF HEARING PARTICIPANTS

Hearing participants may include the accused student(s), a complainant, witnesses, support person(s), and the members of the hearing body.

The complaining party, any alleged victim, and the student who has been charged shall each have the right to:

1. Be notified of all charges.
2. Review any written complaint(s) submitted in support of the charge(s).
3. Be informed of the hearing process.
4. Request a delay of a hearing due to extenuating circumstances.
5. Be accompanied by an advisor or support person during the hearing.
6. Be present at all stages of the hearing process except during the private deliberations of the hearing body.
7. Submit a written statement regarding the incident.
8. Give a personal statement.
9. Question all statements and other information presented at the hearing.
10. Present information and witnesses when deemed appropriate and relevant by the hearing body.
11. Be informed of the finding(s) as well as any sanctions imposed.
12. Present a personal or community impact statement to the hearing body upon a finding of "Violation."

In addition to the above-mentioned rights, a student who has been charged with a violation of the Student Code of Conduct shall have the right to:

1. Be notified of the proposed information to be presented and to know the identity of witnesses who have been called to speak at the hearing when the Chair of the disciplinary hearing knows such information.
2. Request an alternate hearing panel member when there is reasonable cause to believe that the hearing panel will be unable to conduct an impartial hearing.
3. Be presumed not to be in "violation" of the code unless the facts presented at the hearing prove otherwise.
4. Deny or admit violating the Code of Conduct.
5. Decline to give a personal statement.
6. Present Character Witnesses, if appropriate.
7. Receive a written notice of the sanction(s) imposed.

PART B: DISCIPLINARY PROCEDURES

The Administration and the Faculty of Charter Oak State College believe that all members of the academic community are entitled to expect compliance with Section I.D.1 Prohibited Conduct. Accordingly, any Student or employee of the College may initiate a disciplinary process in the manner specified by this section. Once the process has been initiated, all subsequent decisions concerning possible discipline of a Student or students rest with the appropriate College officials. The President shall designate the Provost or another College official to have responsibility for the disciplinary procedures.

1. A statement of possible violation must be filed in writing with the Provost within thirty (30) business days of the date of the alleged violation or within thirty (30) business days of the date the alleged violation was known. Said statement must specify the Student conduct in question and the part or parts of Section I.D.1 Prohibited Conduct, which it is alleged said conduct violates, if applicable.
2. If the Provost determines that the alleged conduct may violate the provisions of the Code or otherwise threatens the safety or order of the College, the Provost shall, within ten (10) business days of receiving a written statement, provide written notice to the Student of the statement of possible violation(s) and the fact that the allegations will be investigated. The investigation shall be conducted by the Provost and/or his or her designee(s), and may include but not be limited to interviews with witnesses, the complainant(s), and review of any pertinent materials and information, and shall include an interview with the Student suspected in engaging in misconduct conduct unless the Student suspected declines to be interviewed. The investigation shall be completed within thirty (30) business days of the Provost's receipt of the written statement of possible violation. A record of the investigations will be maintained.
3. Following completion of the informal investigation specified above, the Provost will (a) determine that there is insufficient basis in fact and dismiss the matter or (b) conclude that there is a sufficient factual basis for discipline.
4. If the Provost determines there is a sufficient factual basis for moving forward with disciplinary proceedings, he or she shall cause a written statement of charges to be provided to the Student. Said statement shall contain (a) a concise statement of the facts on which the charge is based; (b) a citation of the rule or rules alleged to have been violated; (c) a statement of the maximum penalty sought; (d) a statement that the Student may request a hearing by responding in writing to the Provost within thirty (30) business days requesting such hearing; and (e) a statement that failure to request a hearing may result in imposition of the penalty sought.
5. If the Student requests a formal hearing, the Student is entitled to the following: (a) a hearing be conducted within thirty (30) business days after receipt by Provost of a written request for a hearing; (b) to be heard by an impartial panel chaired by the Dean of the Faculty or his/her designee and composed of no fewer than two members of the Charter Oak State College Faculty, one appointed by the Dean of the Faculty and one Student appointed by the Student Association; (c) to appear in person or through a conference call or other mutually agreed upon electronic means, or to have a representative attend on his/her behalf; (d) be accompanied by a support person during the hearing; (e) to hear and have a reasonable opportunity to question adverse witnesses and to present evidence and testimony in his/her behalf; and (f) to receive a written decision within ten (10) business days following the hearing specifying the panel's

findings and the penalty assessed, if any. The hearing shall be taped and a record shall be maintained of this hearing.

6. Hearing: A hearing shall be conducted following the guidelines specified below:

On-site:

- a. A hearing shall be conducted in private.
- b. Admission of any person into the hearing room shall be at the discretion of the chair of the hearing body. The chair, who is the Dean of the Faculty or his/her designee, shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceeding.
- c. Except as directed by the chair, support persons shall limit their role in a hearing to that of a consultant to the accused, to the complainant or to the victim.
- d. The complainant and the accused are responsible for presenting their respective witnesses, any additional information, and any concluding statements regarding the charges and the information.
- e. In a manner deemed appropriate by the chair, the complainant and/or the accused may question the statements of any person who testifies.
- f. The hearing panel may question any witness presented by the accused and the complainant, including the complainant and the accused as well as any other witnesses the chair may choose to call.
- g. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Hearing Body at the discretion of the chair.
- h. All procedural questions are subject to the final decision of the chair or the Provost.
- i. After the hearing has concluded, the hearing panel, in private, will decide whether the Student charged with misconduct is in violation of the Student Code of Conduct. The Dean of the Faculty or his/her designee may participate in the discussion, but is a non-voting member. Only evidence introduced at the hearing shall be considered in the determination of the decision. Each decision shall be made on the basis of whether or not the information presented at the hearing substantiates the charges in a more likely than not manner.
- j. If the panel finds that the student violated the Student Conduct Code, the panel, in private, shall review the Student's academic transcript and disciplinary record, hear a character witness, if appropriate, and impose the appropriate sanction (s). The decision of the panel will be provided in writing to the Provost. The decision and sanction will be sent to the student in writing by the Provost.
- k. A taped record of the hearing will be maintained. The record shall be the property of the College.

Via the Phone:

- a. For the accused or complainant who cannot attend in person, Charter Oak State College will set up a conference call.
- b. Twenty-one (21) business days before the hearing, the Provost must receive all materials to be presented by the accused and by the complainant, including the names and relationships of the character witnesses and support persons. The Provost will send copies of the materials to the hearing panel, the accused, and

the complainant at least seven (7) business days before the hearing. The Provost will arrange for the conference call.

- c. The procedures outlined in the "on- site" section will be followed, unless they specifically apply only to the on-site hearing.
- d. Within ten (10) business days of the conclusion of the formal hearing, a Student may appeal the decision, in writing, to the President. An appeal shall be limited to a consideration of the verbatim record of the hearing and supporting documents for one or more of the following: a.) the process set forth in the guidelines was not followed and resulted in prejudice to the Student; b.) the evidence presented was insufficient to justify the decision; and c.) sanction(s) imposed was/were disproportionate to the gravity of the offense. The President may accept the decision of the hearing panel, overturn their decision, return the matter to the original hearing panel, or appoint a new hearing panel. The decision of the original hearing panel or the new hearing panel or the President will be sent to the Student in writing by the President and will be final.
- e. During any appeal period, any sanctions will remain in place and the Student will not be allowed to participate in a graduation ceremony nor graduate until the review process has been completed and a final decision rendered.

PART C: INTERIM ADMINISTRATIVE ACTION

The President or his/her designee may impose an interim "College Suspension" and/or other necessary restrictions on a Student prior to a hearing on the Student's alleged violation. Such action may be taken when, in the professional judgment of the President or his/her designee, a threat of imminent harm to persons or property exists.

Interim Administrative Action is not a sanction. Rather, it is an action to protect the safety and well-being of an accused Student, or other members of the College community, or greater community or to protect property. Such action is in effect only until a hearing is completed.

PART D: DISCIPLINARY SANCTIONS

Disciplinary penalty shall mean any action affecting the status of an individual as a Student taken by the College in response to a Student's misconduct in violation of Section I.D.1 Prohibited Conduct above, which penalties shall include but not be limited to:

1. Warning - A written notice that the Student has violated College Policy and a warning that another violation will likely result in a more severe sanction.
2. Restitution - Compensation for loss of or damage to property.
3. Academic Sanctions
4. Suspension - Suspension is a temporary disciplinary separation from the College involving denial of all Student privileges, including entrance to College premises. A notation of "suspension" will be placed in the Student database but will not be placed on the Student transcript. Charter Oak State College will not accept credits earned at another institution or through any other means during a period of suspension. Suspensions shall range from one semester to two years.
5. Students who are suspended will receive no refund of tuition or fees.
6. A Student who has been suspended must apply for re-matriculation if he/she plans to return.
7. Expulsion - Expulsion is mandatory separation from the College involving denial of all Student privileges, including entrance to college premises for a minimum of 5 years.

After the length of the term for expulsion has expired, the Student may request in writing directed to the Provost permission to re-matriculate. That permission must indicate why Charter Oak State College should allow the Student to return.

8. Charter Oak State College will not accept credits earned at another institution or through any other means during a period of expulsion. A permanent notation of "Dismissed" shall be placed on the Student's transcript.

Failure to comply with requirements of Restitution or Academic Sanctions above will result in dismissal from the institution. The Student must complete the requirements of the sanction before he/she would be allowed to apply for readmission and/or graduate.

1/1/2015

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Section 8 Example of Gateway's Written Probation

Student Conduct Decision

[date]

[student|fullname] ([student|school_student_id])
[student|perm_address]

Dear [student|fullname]:

This letter is written pursuant to the reported conduct violation which occurred on [incident|incident_date]. After reviewing all of the information presented, our office has determined that you have violated the following Board of Regents' ***Student Conduct Code***, as outlined in the Gateway Community College Student Handbook:

Responsible Findings

As a result of this finding, the college has imposed the following sanctions:

Probation: Probation is a status that indicates either (a) serious misconduct not warranting expulsion, suspension or removal of College privileges, or (b) repetition of misconduct after a warning has been imposed. Your term of probation begins immediately and ends on the following date:

If you have any questions, please do not hesitate to contact me in the Office of Student Development.

Sincerely,

[incident_assignee]
Conduct Officer & Student Development Associate
Office of Student Development

Incident: [incident|irnum]

Section 9 Example of Gateway's Written Warning

Student Conduct Decision

[date]

[student|fullname] ([student|school_student_id])
[student|perm_address]

Dear [student|fullname]:

This letter is written pursuant to the reported conduct violation which occurred on [incident|incident_date]. After reviewing all of the information presented, our office has determined that you have violated the following Board of Regents' ***Student Conduct Code***, as outlined in the Gateway Community College Student Handbook:

Responsible Findings

As a result of this finding, the college has imposed the following sanctions:

Warning: A warning is a written notice to the student indicating that he or she has engaged in conduct that is in violation of Expectations for Student Conduct and that any repetition of such conduct or other conduct that violates this Policy is likely to result in more serious sanctions.

If you have any questions, please do not hesitate to contact me in the Office of Student Development.

Sincerely,

[incident_assignee]
Conduct Officer & Student Development Associate
Office of Student Development

Incident: [incident|irnum]

Section 10 Example of Gateway's Prohibition of Retaliation

Student Conduct Decision

[date]

[student|fullname] ([student|school_student_id])
[student|perm_address]

Dear [student|fullname]:

This letter is written pursuant to the reported conduct violation which occurred on [incident|incident_date]. After reviewing all of the information presented, our office has determined that you have violated the following Board of Regents' *Student Conduct Code*, as outlined in the Gateway Community College Student Handbook:

Responsible Findings

As a result of this finding, the college has imposed the following sanctions:

Prohibition of Retaliation: Please note, no community member will be subject to retaliation for making a complaint of harassment or other Prohibited Conduct. The College will view any act of retaliation as a serious violation of the Student Conduct Code, which will likely result in immediate suspension or expulsion.

If you have any questions, please do not hesitate to contact me in the Office of Student Development.

Sincerely,

[incident_assignee]
Conduct Officer & Student Development Associate
Office of Student Development

Incident: [incident|irnum]

Section 11 Example of Gateway's No Contact Order

Order of No Contact

[date]

[student|fullname] ([student|school_student_id])
[student|perm_address]

Dear [student|fullname]:

This letter is written pursuant to the reported conduct violation which occurred on [incident_date]. As a result of our ongoing investigation, Gateway Community College is enforcing the following

No Contact Order - Effective immediately, you are to have no contact with the other involved individuals including _____. This order is to continue indefinitely, or pending a mutual agreement between the college and all parties involved. TO comply with this agreement, you are also precluded from attending the same class section as the aforementioned individuals.

Please note, failure to comply with this agreement will be understood as an act of Prohibited Conduct, as set forth by the Connecticut Board of Regents, and will be handled by the student conduct process.

If you have any questions, please do not hesitate to contact me the Office of Student Development:
203-285-2090.

Sincerely,

[incident_assignee]
Conduct Officer & Student Development Associate
Office of Student Development

Incident: [incident|irnum]

Section 12 Example of Agreement of Lieu of Student Conduct Hearing

Agreement in Lieu of Student Conduct Hearing

[date]

[student|fullname] ([student|school_student_id])
[student|perm_address]

Dear [student|fullname]:

The following represents the Agreement in Lieu of a formal College Student Conduct Hearing regarding the violation of Expectations for Student Conduct, Board of Regents Policy on Student Conduct, reportedly committed by [student|fullname] on [incident_date]:

I, [student|fullname], understand my rights to a formal College Student Conduct Hearing as set forth in the Board of Regents Policy on Student Conduct;

I, [student|fullname], after being provided an opportunity to consult with those of my choosing, admit committing the violation(s) set forth in the Dean's letter to me dated and voluntarily waive my rights to a formal College Conduct Hearing in consideration of the mutual Agreement set forth herein;

In consideration of the waiver of a formal College Conduct Hearing, the College and [student|fullname] mutually agree that [student|fullname]:

1. Expelled from the College beginning on including a Ban from the College with the understanding that should [student|fullname] violate this Ban without having obtained the prior express permission of the Office of Student Development, he/she will subject him/herself to arrest and prosecution for criminal trespass;

Upon receipt of this written Agreement bearing the electronic signature* of [student|fullname] the College shall indefinitely postpone the formal College Conduct Hearing pertaining to him/her.

Please note, Expulsion does not include an automatic withdrawal from classes. It is your responsibility to contact the Office of the Registrar to submit your withdrawal paperwork. This is commonly done via fax. A copy of the withdrawal form is enclosed for your convenience.

It is further understood and agreed that there shall be no appeal from this Agreement to resolve the conduct matters indicated above.

*To sign and agree to the conditions of this document:

- Go to the Gateway Advocate student conduct website at: <http://gcc-advocate.symplicity.com>
- Click on the Student log in, and use your student ID number and password to log in.
- Once you log in, click on the right hand column button called Appeal Incident Decision
- Use the drop-down menu and select [incident_date].
- Select the button Agreement Option.
- Hit Submit.

If you have any questions, please contact the Office of Student Development at 203-285-2033.

Sincerely,

[incident_assignee]

Conduct Officer & Student Development Associate
Office of Student Development

Incident: [incident|irnum]

Section 13 Example of Results of the Investigation

[date]

[student|fullname] ([student|school_student_id])
[student|perm_address]

Dear [student|fullname]:

In accordance with the Board of Regents Policy on Student Conduct, our office has received information indicating you have engaged in behavior that violates the *Expectations for Student Conduct* set forth in the Policy on Student Conduct.

RESULTS OF THE INVESTIGATION:

Our office made several attempts to contact you regarding the incident including an email message and a letter mailed to the address we have on file at the College. Because you have not contacted us for an investigational meeting, the College has made a decision in your absence. Based on this information, we have determined that:

On [incident_date], you willingly acted to cause physical harm to another individual, and failed to comply with instructions from security and police. By doing so, you violated Section 3 of the Board of Regents Policy on Student Conduct, in the following area(s):

4a. Demonstrate respect for others by refraining from conduct that constitutes a danger to the personal health or safety of one's self or other members of the College community and guests or licensees of the College, including intentionally causing or attempting to cause injury;

7. Comply with the directions of College staff members acting within the scope of their employment responsibilities;

RECOMMENDED SANCTION

Given the results of the investigation, the recommended sanction(s) for the violation(s) is/are:

Expulsion: Expulsion is a permanent separation from the College that involves denial of all student privileges, including entrance to College premises. You are expelled effect immediately.

TWO OPTIONS FOR RESOLUTION

You have two (2) options to resolve this matter

By an *Agreement in Lieu of a Hearing* (enclosed by mail, and sent to your school email address), or by a hearing.

If you do not elect to resolve this matter by *Agreement in Lieu of a Hearing* you may request a hearing no later than **5:00 PM on [7 days from date]**.

Please note, **Expulsion does not include an automatic withdrawal from classes**. It is your responsibility to contact the Office of the Registrar to submit your withdrawal paperwork. This is commonly done via fax. A copy of the withdrawal form is enclosed for your convenience.

It is further understood and agreed that there shall be no appeal from this Agreement to resolve the conduct matters indicated above.

OPTION 2: CONDUCT HEARING BOARD DECISION

If you elect a hearing, you are entitled to the following:

a. A hearing within five (5) business days (or as soon thereafter as possible) of receipt in my Office of your written election for a hearing;

b. To have a hearing before an impartial party or panel as determined by the College.

If the College determines the matter is to be heard by an impartial panel, you may request that at least one (1) member of the panel be a student. You may also challenge the impartial party or panel members on the grounds of bias. I will review your claim of bias and the specific reasons supporting it before deciding whether your claim has merit. For this purpose, "impartial" means the individual was not a party to the incident under consideration and has no personal interest in the outcome.

c. There will no tape recording or other verbatim record of the hearing made by any person.

d. You may be accompanied by an advisor with whom you may consult but who may not speak on your behalf. The advisor may not be an attorney unless there are criminal charges pending at the time of the hearing that pertain to the same incident that gives rise to the College hearing. If there are such criminal proceedings pending, you may be accompanied at the College hearing by an attorney who may not speak on your behalf and whose role is limited to only observing the College proceedings and advising you as to what effect your participation or non-participation in the College hearing may have on your criminal case.

e. At the hearing there are no technical rules of evidence. One (1) of the responsibilities of the impartial party or chair of the impartial panel is to decide what information is appropriate to be received for consideration.

f. Upon conclusion of receiving information for consideration, the hearing will conclude for deliberations, which are conducted in private. You will be notified in writing of the decision of the hearing. Any sanctions imposed are effective immediately. You may request that the President delay the imposition of such sanctions.

REQUIREMENTS FOR REVIEW OF THE HEARING DECISION

a. Within three (3) calendar days of being notified of the decision you may submit a written request to the President for a review of the hearing decision, which request must set forth the grounds and reasons why you believe the decision was in error. The grounds for review are limited to the following:

1. A violation of the procedures set forth in the Board of Regents Policy on Student Conduct was committed that significantly prejudiced you;
2. The information presented at the hearing was not substantial enough to justify the decision; and/or:
3. The sanctions imposed were disproportionate to the seriousness of the violation and your prior conduct record.

SELECTING YOUR RESOLUTION OPTION

Your decision for either the Agreement or the Hearing option is made online:

1. Go to gcc-advocate.symplicity.com
2. Click on the **Student** icon
3. Use your student ID number and password to log in
4. Use the right hand column button called **Appeal Incident Decision**
5. Use the drop-down menu and select [incident_date]
6. Select either **Agreement Option** or **Hearing Option**, depending on your choice
7. Hit **Submit**

NOTE: If you do not submit a Request for Hearing online by the time and date stated above electing a hearing, then you will be deemed to have waived your right to a hearing and the maximum sanction indicated above will be imposed.

I encourage you to consult with someone you trust before deciding whether to resolve this matter by Agreement in Lieu of a Hearing or by electing a hearing.

You may contact our office at 203-285-2033 if you have any questions.

Sincerely,

[incident_assignee]

Conduct Officer & Student Development Associate

Office of Student Development

Incident: [incident|irnum]

Section 14 Clothesline Project Flyer



APRIL 8, 2014

FAIRWAY BRIDGE, 10am – 3pm

National Clothesline Project

The Clothesline Project is a visual display that provides testimony of violence against women. During the public display, a clothesline is hung with shirts. Each shirt is decorated to represent the particular experience of someone whose life has been affected by intimate violence, sexual assault, abuse, and incest.

Stop by to create a shirt about your own experience or in honor of someone you know. **Shirts and craft materials supplied.**



Funded through the CT Healthy Campus Initiative Grant
Sponsored by the Well Aware Committee

"BEARING WITNESS
TO VIOLENCE
AGAINST WOMEN
FOR OVER TWO
DECADES"

HEAL BY CREATING
YOUR OWN SHIRT

EVENT DESIGNED TO
BRING AWARENESS
TO THE COMMUNITY



GIVE AND RECEIVE
SUPPORT AND
ENCOURAGEMENT

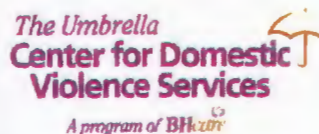


Section 15 Awareness Fair Flyer

AWARENESS FAIR

Domestic Violence/Sexual Assault Awareness

SPONSORED BY
Student Accessibility Services
and Student Success Center



Visit information tables,
learn how to recognize, support and prevent
domestic violence and sexual abuse,
and participate in victim-support activities

Thursday

OCTOBER 9, 2014

10:00 a.m. to 3:00 p.m.

on the
GCC FAIRWAY

***Everyone has the right to a
violence-free existence!***



Section 16 In Her Shoes Flyer



IN HER SHOES

Living with Domestic Violence

Tuesday, November 18 • 1:30 - 3:30 pm

North 100 • Open to any GCC faculty or staff

SEATS ARE LIMITED! PARTICIPANTS MUST REGISTER IN ADVANCE

- Register through **www.timecenter.com/gatewaycc/**
- Click on "In Her Shoes" to register
- Fill out the necessary information

During this two hour group process, participants 'walk in the shoes' of girls and women experiencing violence by reading a series of short narratives that describe her experiences. Participants are then challenged to make real-life choices that determine 'their' fate. By walking in the shoes of women experiencing violence, participants gain powerful insight into the many obstacles women face as a result of violence.

Need more information? Contact Kathleen Ahern at kahern@gatewayct.edu or Samantha Kusiak at skusiak@gatewayct.edu.

Brought to you by

**The Umbrella
Center for Domestic
Violence Services**



A program of **BHcare**