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**WESTERN CONNECTICUT STATE UNIVERSITY'S  
REPORT ON SEXUAL VIOLENCE TO THE BOR AND  
CONNECTICUT GENERAL ASSEMBLY**

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**January 1 to December 31, 2014**

**OCTOBER 1, 2015**

**WESTERN CONNECTICUT STATE UNIVERSITY  
181 White Street, Danbury, CT 06810**

## **Introduction**

In accordance with Public Act 14-11, Western Connecticut State University (WCSU) is pleased to submit the first annual Sexual Violence Report to the Connecticut General Assembly's Higher Education Committee. This report provides information concerning sexual assault, stalking and intimate partner violence for the period of January 1, 2014 through December 31, 2014.

This report is prepared by WCSU's Title IX Coordinator, Carolyn Lanier, who also serves as the University's Chief Diversity Officer. This report includes the following:

- A copy of WCSU's most recent policies regarding sexual assault, stalking and intimate partner violence;
- A copy of WCSU's most recent concise written notification of a victim's rights and options under its sexual assault, stalking and intimate partner violence policy or policies;
- The number of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at WCSU;
- The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by WCSU;
- The number of incidences of sexual assault, stalking and intimate partner violence reported to WCSU;
- The number of anonymous and confidential reports or disclosures to WCSU related to sexual assault, stalking and intimate partner violence;
- The number of disciplinary cases at WCSU related to sexual assault, stalking and intimate partner violence;
- The final outcome of all disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence, including, but not limited to, the outcomes of any appeals of such final outcome, to the extent reporting on such outcomes does not conflict with federal law.

Appendix A provide specific data regarding reports and disclosures of sexual assault, stalking, and intimate partner violence.

WCSU enrolls 5,952 full and part-time students, both undergraduate and graduate. The University has a workforce of 1,133 full and part-time employees. The University is located on two campuses in Danbury, CT. The entering class for Fall, 2014 was 50.9% female. The physical plants includes 6 residence halls, 15 classroom and administrative buildings, 1 athletic facility, 3 parking garages, and several athletic fields/courts.

## **Campus Response Team**

In response to new policies and legislation, WCSU has established a Campus Response Team (CaRT) to provide policies and procedures to the campus community as well as to provide resources to students, faculty, staff, and survivors of sexual assault, stalking, and intimate partner violence. CaRT is charged with educating, training, and responding to sexual assault and interpersonal violence on campus. The members of CaRT include representatives from:

- Counseling Services
- University Health Services



- University Police
- Title IX Coordinator
- Housing & Residential Life
- Judicial Affairs
- Student Affairs
- Danbury Women's Center
- Substance Abuse Prevention Program
- WCSU Faculty
- Danbury Police Department

CaRT meets several times during the academic year to review policies and procedures as well as to discuss and develop risk reduction and prevention programming. Data is also provided to the team regarding incidents on campus and final outcomes. Their goal is to inform and engage the campus community, strengthen the delivery of services to victims, and ensure that perpetrators are held accountable for their actions.

### **Policy**

Western Connecticut State University (WCSU) asserts that all students have the right to be free from interpersonal violence such as sexual assault, sexual harassment, stalking, and intimate partner violence. WCSU prohibits any student from infringing upon these rights within the campus community. A set of guidelines and procedures have been designed to provide students with important information regarding the systems that are in place at WCSU to support any student whose rights have been violated. The University will take prompt action based on violations of the Student Code of Conduct while simultaneously supporting students who also wish to pursue formal legal action for crimes that may have been committed. The complete policy is detailed in Appendix B of this document.

The aforementioned policy and procedure document is rather lengthy so CaRT created a brochure entitled "What To Do If This Happens??" which concisely provides information about campus and local resources to the University community. Critical telephone numbers, instructions regarding preserving physical evidence, and options regarding reporting incidences of assault or violence are all provided. This brochure is Appendix C.

In addition to the formal reporting process, if someone is victimized by crime and does not want to pursue action within the university system or the criminal justice system, he/she may still want to consider making a confidential report. With the victim's permission, the chief of police or a designee of the WCSU Police Department can file a report on the details of the incident without revealing the identity of the reporter. The purpose of a confidential report is to comply with the victim's wish to keep a matter confidential, while taking steps to ensure the future safety of the victim and others in the campus community. This information allows the University to keep an accurate record of the number of incidents involving our community and determine if there is a pattern of crime with regard to a particular location, method, or assailant so the campus community can be alerted to potential danger. Pastoral and professional counselors also may encourage clients to make voluntary, confidential crime reports.



### **Sexual Assault, Stalking, and Intimate Partner Violence Incidents (IPV)**

During 2014, WCSU experienced 2 reported incidents of sexual assault, 2 reports of stalking, and 3 reports of IPV. This does not include 3 anonymous reports of sexual assault, 4 anonymous reports of stalking, and 4 anonymous reports of IPV which were made to the WCSU Police Department.

Both sexual assault incidents involved non-students who were subsequently banned from University property.

Both instances of stalking resulted in notification of the victim with support from the Women's Center of Danbury. The perpetrators were directed to have no contact with the victim. One perpetrator violated this directive and was then banned from campus. The perpetrator of the second incident was immediately banned from campus.

In the first instance of IPV, a non-student was banned from University property. A second instance resulted in one party being placed on probation and both parties being referred to mediation. The third incident resulted in a student being suspended from the University.

None of the disciplinary actions/sanctions were appealed.

During 2014 there were no complaints of sexual assault, stalking, or IPV involving WCSU faculty or staff.

### **Programming & Prevention Efforts**

The Federal regulations for the Violence Against Women Act amendments to the Clery Act (VAWA) provides the following definition – “risk reduction” means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

VAWA's definition has been criticized as implying that victims can prevent sexual violence by participating in risk reduction program. That is not WCSU's intent. It is WCSU's intent to increase the safety of all members of the University community by empowering the community and by working to reduce the risk of victimization by providing a variety of programs and resources to the campus community. Many of WCSU's campaigns are on-going efforts. The WCSU Police Department's Crime Prevention unit provides a variety of pamphlets and flyers on topics such as self-protection, rape prevention, theft prevention, and drug abuse. University police officers are also available to address the community and serve as expert lecturers.

Safety escort services are provided to all students, faculty, staff, and guests of the University. A telephone call to the University Police Department results in a uniformed officer being dispatched to the caller's location and escorting the caller to the desired location. This operation is in effect 24 hours a day, seven days a week. 142 escorts were provided during 2014.



WCSU has installed an emergency telephone system that places the caller in direct contact with a WCSU Police Department dispatcher. These phones are highly visible in bright yellow phone boxes and/or equipped with blue strobe lights. The phones are single button operation which when pushed will immediately notify the dispatcher of the caller's location. The caller can speak directly into the phone box for hands-free communication. These telephones logged more than 440 calls during 2014. Many of these telephone calls were not to report sexual assault, stalking, or intimate partner violence but rather to request escort services, report suspicious activities, or request assistance with lock-outs. In addition to the emergency telephones, closed circuit cameras monitor WCSU parking garages and building entrances.

Access to University buildings is carefully controlled. Administrative office buildings are open to the public from 7:30AM to 5:30PM Monday through Friday. Classrooms are controlled by the faculty's keycard. Residence hall admission is by key card access only. Guests are permitted visitation by presenting valid, photo ID. All guests must be 18 years of age, with exceptions being provided to WCSU students who are not 18 years of age. Residents must come to the front desk to sign in their guests and must escort them everywhere in the building. No more than two guests per resident are permitted.

The connection between alcohol and substance abuse and sexual assault cannot be denied. WCSU does not condone violations of laws proscribing possession, use, or sale of alcoholic beverages and possession sale, use, manufacture, or distribution of illegal drugs. In addition, to arrest and prosecution, administrative action, which may include eviction from the University, may be taken in order to protect the interests of the university and the rights and safety of others.

In addition to these on-going campaigns, WCSU implemented an on-line training program "Not Anymore" to all incoming students. Students and their parents were sent an invitation to view the training program prior to beginning classes in August, 2014. 469 students viewed the training module.

"Operation Jungle Red" is a program to raise awareness about violence on college campuses. Programs were held throughout October (Domestic Violence Awareness Month). In order to participate, students and faculty took a pledge against violence. In doing so, they received a free T-shirt or wristband. They also painted their pinky fingernail "jungle red" and were encouraged to join an informal discussion on violence. Topics, presented weekly, included: sexual assault, social media violence, domestic violence and campus violence.

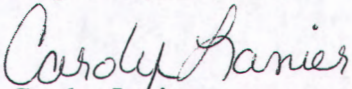
"Fresh Check Days" are held several times at the beginning of each semester to "check in" with students as they return to campus. These are intended to be times when stress levels and adjustment issues are dealt with. Student Affairs staff work closely with Counseling Center staff to do early intervention with any students who may be experiencing emotional difficulties and to provide assistance and resources to those students before behaviors escalate inappropriately.

Other programs that were held at WCSU during 2014 included "Take Back the Night", "Out of The Darkness", "Walk A Mile In Her Shoes", "Clothesline Project", "Step Up", and "Act Out". All of these programs/campaigns are intended to raise awareness, educate, and prevent sexual assault, stalking, and intimate partner violence.

## Conclusion

During 2014, WCSU responded rapidly to ensure that systems which were in place to assist students were properly supported. We were gratified by Senator Richard Blumenthal's campus visit in March, 2014 and his acknowledgement of the University's good work in this area. We will continue to work to ensure that all members of the WCSU community, regardless of affinity group (men, women, LGBTQ), are safe and feel supported. Should the unthinkable occur in the form of sexual assault, stalking, and/or intimate partner violence, we will endeavor to ensure that the University's response is rapid, coordinated, sincere, and effective.

Respectfully submitted,



Carolyn Lanier

Chief Diversity Officer

Western Connecticut State University

September 18, 2015







# CONNECTICUT STATE COLLEGES & UNIVERSITIES

BOARD OF REGENTS FOR HIGHER EDUCATION

## PUBLIC ACT 14-11: REPORTABLE STATISTICS AND DATA

CSCU INSTITUTION: Western Connecticut State University  
REPORTING OFFICE/DEPARTMENT: Office of Diversity & Equity  
INSTITUTION CONTACT: Carolyn Lanier  
YEAR: 2014

I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS:			
Program Category	Number of Programs		
	Prevention:	Awareness:	Risk Reduction:
<b>Sexual Assault</b>	3	8	7
<b>Stalking</b>	3	8	7
<b>Intimate Partner Violence</b>	4	9	8
Program Types: (List and Describe Each Program Type)			
<p><b>"Not Anymore"</b> on-line training module provided to all incoming freshmen and transfer students (469 students completed the training)</p> <p><b>2 Health Fairs</b> provided information about health and safety on campus</p> <p><b>Operation Jungle Red</b>- events take place during the month of October to raise awareness about intimate partner violence. Participants (male &amp; female) have fingernail polished with red nail polish to signify their support.</p> <p><b>Walk A Mile in Her Shoes</b> – men show support for women and against violence by wearing women's shoes and walking around campus</p> <p><b>Out of the Darkness</b></p> <p><b>Fresh Check Days</b> – program to "check in" with students about their health and well being as they move into the residence halls and adjust to student life.</p> <p><b>Clothesline Project</b> - tee shirts are provided to students to write comments about their experiences with sexual assault, stalking, and intimate partner violence. The tee shirts are displayed in the campus center</p> <p><b>Step-Up</b> – students write comments against sexual assault and violence on flags which are then displayed in the Quad</p> <p><b>Take Back the Night</b> - a candlelight ceremony hosted by the Women's Center of Danbury to raise awareness about sexual assault and intimate partner violence.</p> <p><b>Act Out</b> – performers with Danbury Women's Center act out scenarios relating to dating violence, sexual assault, and sexual harassment.</p> <p>In addition to the above, 95 educational workshops for students including "Alcohol and Sex: A Dangerous Duo" and 8 trainings for Student Affairs staff were conducted.</p>			



II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS:		
Program Category	Number of Campaigns	
	Prevention:	Awareness:
<i>Sexual Assault</i>	9	9
<i>Stalking</i>	9	9
<i>Intimate Partner Violence</i>	9	9

III. TOTAL REPORTED INCIDENCES OF SEXUAL VIOLENCE:		
Program Category	Number of Incidents:	Number of Disclosures:
<i>Sexual Assault</i>	3	
<i>Stalking</i>	3	
<i>Intimate Partner Violence</i>	4	

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>	2					2		
<i>Stalking</i>	2			1 (initial discipline)		1 (final disposition) 1 (initial & final disposition) = Total of 2 cases		
<i>Intimate Partner Violence</i>	3		1 (plus referred for remediation)	1		1	2 (both parties in case referred for remediation; same incident)	



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	n/a	n/a
<i>Stalking</i>	0	n/a	n/a
<i>Intimate Partner Violence</i>	0	n/a	n/a

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	n/a	n/a	n/a	n/a	n/a
<i>Stalking</i>	0	n/a	n/a	n/a	n/a	n/a
<i>Intimate Partner Violence</i>	0	n/a	n/a	n/a	n/a	n/a

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

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>	3	3
<i>Stalking</i>	4	4
<i>Intimate Partner Violence</i>	4	16

\*"Sexual Violence" was used aggregately to encompass sexual assault, stalking, and intimate partner violence, as defined by C.G.S. The full text of each of the above reportables is as follows:



I. The number of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at the institution.

II. The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by the institution.

III. The number of incidences of sexual assault, stalking and intimate partner violence reported to such institution.

IV. The number of reports or disclosures to the institution related to sexual assault, stalking and intimate partner violence.

V. The number of disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence.

VI. The final outcome of all disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence, including, but not limited to, the outcomes of any appeals of such final outcome, to the extent reporting on such outcomes does not conflict with federal law.

## STATUTORY REFERENCES AND DEFINITIONS

### SEXUAL ASSAULT

**Sec. 53a-70. Sexual assault in the first degree: Class B or A felony.** (a) A person is guilty of sexual assault in the first degree when such person (1) compels another person to engage in sexual intercourse by the use of force against such other person or a third person, or by the threat of use of force against such other person or against a third person which reasonably causes such person to fear physical injury to such person or a third person, or (2) engages in sexual intercourse with another person and such other person is under thirteen years of age and the actor is more than two years older than such person, or (3) commits sexual assault in the second degree as provided in section 53a-71 and in the commission of such offense is aided by two or more other persons actually present, or (4) engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such sexual intercourse.

(b) (1) Except as provided in subdivision (2) of this subsection, sexual assault in the first degree is a class B felony for which two years of the sentence imposed may not be suspended or reduced by the court or, if the victim of the offense is under ten years of age, for which ten years of the sentence imposed may not be suspended or reduced by the court.

(2) Sexual assault in the first degree is a class A felony if the offense is a violation of subdivision (1) of subsection (a) of this section and the victim of the offense is under sixteen years of age or the offense is a violation of subdivision (2) of subsection (a) of this section. Any person found guilty under said subdivision (1) or (2) shall be sentenced to a term of imprisonment of which ten years of the sentence imposed may not be suspended or reduced by the court if the victim is under ten years of age or of which five years of the sentence imposed may not be suspended or reduced by the court if the victim is under sixteen years of age.

(3) Any person found guilty under this section shall be sentenced to a term of imprisonment and a period of special parole pursuant to subsection (b) of section 53a-28 which together constitute a sentence of at least ten years.

**Sec. 53a-71. Sexual assault in the second degree: Class C or B felony.** (a) A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such



other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

(b) Sexual assault in the second degree is a class C felony or, if the victim of the offense is under sixteen years of age, a class B felony, and any person found guilty under this section shall be sentenced to a term of imprisonment of which nine months of the sentence imposed may not be suspended or reduced by the court.

**Sec. 53a-72a. Sexual assault in the third degree: Class D or C felony.** (a) A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21.

(b) Sexual assault in the third degree is a class D felony or, if the victim of the offense is under sixteen years of age, a class C felony.

### **SEXUAL ASSAULT/INTIMATE PARTNER VIOLENCE**

**Sec. 10a-55m. a (4) "Intimate partner violence"** means any physical or sexual harm against an individual by a current or former spouse of or person in a dating 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, stalking under section 53a-181c, 53a-181d or 53a-181e, or family violence as designated under section 46b-38h.

**Sec. 53a-70b. Sexual assault in spousal or cohabiting relationship: Class B felony.** (a) For the purposes of this section:

(1) "Sexual intercourse" means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body; and

(2) "Use of force" means: (A) Use of a dangerous instrument; or (B) use of actual physical force or violence or superior physical strength against the victim.



(b) No spouse or cohabitor shall compel the other spouse or cohabitor to engage in sexual intercourse by the use of force against such other spouse or cohabitor, or by the threat of the use of force against such other spouse or cohabitor which reasonably causes such other spouse or cohabitor to fear physical injury.

(c) Any person who violates any provision of this section shall be guilty of a class B felony for which two years of the sentence imposed may not be suspended or reduced by the court.

### **STALKING**

**Sec. 53a-181c. *Stalking in the first degree: Class D felony.*** (a) A person is guilty of stalking in the first degree when such person commits stalking in the second degree as provided in section 53a-181d and (1) such person has previously been convicted of a violation of section 53a-181d, or (2) such conduct violates a court order in effect at the time of the offense, or (3) the other person is under sixteen years of age.

(b) Stalking in the first degree is a class D felony.

**Sec. 53a-181d. *Stalking in the second degree: Class A misdemeanor.*** (a) For the purposes of this section, "course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly or through a third party, by any action, method, device or means, (1) follows, lies in wait for, monitors, observes, surveils, threatens, harasses, communicates with or sends unwanted gifts to, a person, or (2) interferes with a person's property.

(b) A person is guilty of stalking in the second degree when:

(1) Such person knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for such person's physical safety or the physical safety of a third person; or

(2) Such person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person that would cause a reasonable person to fear that such person's employment, business or career is threatened, where (A) such conduct consists of the actor telephoning to, appearing at or initiating communication or contact at such other person's place of employment or business, provided the actor was previously and clearly informed to cease such conduct, and (B) such conduct does not consist of constitutionally protected activity.

(c) Stalking in the second degree is a class A misdemeanor.

**Sec. 53a-181e. *Stalking in the third degree: Class B misdemeanor.*** (a) A person is guilty of stalking in the third degree when he recklessly causes another person to reasonably fear for his physical safety by wilfully and repeatedly following or lying in wait for such other person.

(b) Stalking in the third degree is a class B misdemeanor.

### **PROGRAMMING:**

**Sec. 10a-55m. a (1) "Awareness programming"** means institutional action designed to communicate the prevalence of sexual assaults, stalking and intimate partner violence, including the nature and number of cases of sexual assault, stalking and intimate partner violence reported at each institution of higher education in the preceding three calendar years, including, but not limited to, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions;



**Sec. 10a-55m. a (5)** "*Primary prevention programming*" means institutional action and strategies intended to prevent sexual assault, stalking and intimate partner violence before it occurs by means of changing social norms and other approaches, including, but not limited to, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions;

**"Risk Reduction"**

"*Risk Reduction*" is not statutorily defined. However, the Federal regulations for the Violence Against Women Act amendments to the Clery Act (VAWA), provides the following definition:

- Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

While VAWA's definition is criticized as implying that victims can prevent sexual violence by participating in risk reduction programs, it is still helpful in categorizing institution's sexual violence programs and initiatives for reporting purposes. Examples of risk reduction programs related to sexual violence include, but are not limited to: blue safety lights on campus, self-defense classes, safety tips, bystander intervention techniques, the buddy system, rape whistles, and related educational programming.

**CONCERNING "REPORTS" vs "DISCLOSURES" IN PART IV OF THE  
AFOREMENTIONED:**

A *disclosure* is a communication of an incident of sexual violence not accompanied with a request for an investigation or adjudication, although there may be a request for accommodations and referral to services.

A *report* is a disclosure accompanied by an immediate request for an investigation and adjudication.





**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

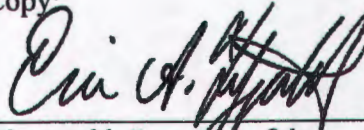
WHEREAS, The Board of Regents for Higher Education adopted policy regarding "Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy" on March 13, 2014; and

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.



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- (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 CSCU 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.

12/5/2014 – BOR Academic & Student Affairs Committee

1/15/2015 – Board of Regents





## 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.





## 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 of 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 I.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 LD.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.

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## 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.





## **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.



# **WESTERN CONNECTICUT STATE UNIVERSITY GUIDELINES AND PROCEDURES FOR INCIDENTS RELATED TO SEXUAL ASSAULT, SEXUAL HARASSMENT, STALKING AND INTIMATE PARTNER VIOLENCE**

## **Introduction**

Western Connecticut State University (WCSU) asserts that all students have the right to be free from interpersonal violence such as sexual assault, sexual harassment, stalking, and intimate partner violence. WCSU prohibits any student from infringing upon these rights within our campus community. A set of guidelines and procedures have been designed to provide students important information regarding the systems that are in place at WCSU to support any student whose rights have been violated. The university will take prompt action based on violations of the Student Code of Conduct while simultaneously supporting students who also wish to pursue formal legal action for crimes that may have been committed.

These guidelines and procedures have been developed to comply with Connecticut Public Act 14-11, effective July 1, 2014. This legislation requires universities to adopt and disclose policies related to sexual assault on campuses. These guidelines must include the following:

- Information about on and off campus reporting procedures
- Details about where students can receive support and services
- Summaries of the institution's disciplinary procedures (Student Code of Conduct)
- Assistance for students who wish to change their living arrangements, classes, or work schedule following an assault
- Plans for how the university will honor protective and/or restraining orders
- Training for all new students and employees within first academic year of their arrival to the university.
- Definitions

The Legislation requires colleges and universities to keep a victim's identity and personal information as private as possible if they report a sexual assault. In addition, universities must provide primary prevention and awareness education related to sexual assault, sexual harassment, stalking and intimate partner violence for all students.

## **Information about on and off campus reporting procedures**

### **Campus Resource Team (CaRT)**

To address issues of sexual assault, sexual harassment, stalking, dating or domestic violence, WCSU has created a Campus Resource Team (CaRT). This group includes staff representing the Counseling Center, Health Services, Drug/Alcohol Substance Abuse Programs, Judicial Affairs, Student Affairs, Campus Police, Housing & Residence Life, Title IX representative, faculty, students and the Women's Center; also services from the local community such as Danbury police or the prosecutor's office may be utilized. If a sexual assault, intimate partner violence, stalking or related incident is reported to a responsible employee, individuals from this group will be mobilized to provide support and information to students. The group will also meet at least once per semester to review guidelines and procedures along with any relevant legislation to improve the overall process of providing students services and support in these situations.



### Reporting options

As a student, if you or another student you know has been a victim of sexual assault, stalking or intimate partner violence, whether on or off the campus, the following reporting options are available to you.

Students can contact for assistance any of the following individuals: the Dean of Students (203-837-8547), Director of the Counseling Center (203-837-8690), the Director of Housing/Residence Life (203-837-8736), the Director of Health Service (203-837-8589), the Title IX office (203-837-8277), the Director of Judicial Affairs (203-837-8770), the Coordinator of Substance Abuse Programs (203-837-8899), University Police (203-837-9300) and representatives from the Women's Center on two 24-hr confidential hotlines (Sexual Assault: 203-731-5204 or Domestic Violence: 203-731-5206) for support and/or guidance in the event of a sexual assault.

Should an incident occur either **on or off campus**, students are encouraged to contact University Police at 911 (or 203-837-9300) or call University Police directly from any of the campus "Blue Phones" located on Midtown and Westside. University police will assist students, whether it is to pursue criminal prosecution and/or university discipline, or to obtain counseling and other support services. The police will assist students in a) getting immediate medical attention or counseling support, b) in the collection of evidence, and c) in apprehending a perpetrator. University Police are trained to handle these cases and will, by law, protect the confidentiality of any student victim reporting a sexual assault, intimate partner violence, and/or stalking. Their primary role is to protect students by conducting a complete investigation that may lead to the arrest and prosecution of the perpetrator.

In regard to sexual assaults, it is important for students to realize that the timely collection of evidence from the crime scene may play an important role in a successful prosecution. Completing a police report guarantees that evidence will be processed according to law. In the event of a sexual assault, the University Police will automatically contact the Women's Center to request the presence of a trained counselor at the scene. ***Although students are strongly encouraged by the university to work with the Women's Center in these situations, this is voluntary and students may ask police not to engage a representative from the Center.***

Students should be aware that the Women's Center also has an office on campus with a representative who works closely with the WCSU Campus Resource Team (CaRT). This partnership has made it possible for students to receive assistance, guidance and support from the Women's Center after a sexual assault, intimate partner violence, or stalking has been reported. The Women's Center on-campus representative is located in Higgins Hall Annex 105-C and can be reached at 203- 837-3939 or at their community office at 203- 731-5200.

The Women's Center, The Counseling Center and University Health Services are bound by law to protect the confidentiality of an assaulted victim. A trained counselor/advocate from the Women's Center can provide students with critical support through phone counseling and/or in-person advocacy at the hospital or police station. The Center can also put students in touch with appropriate staff on campus if longer-term support is desired.

Students living on campus should be aware that Resident Directors (RDs) and Resident Assistants (RAs) at WCSU are trained in procedures to assist residential students who report incidents of sexual assault, sexual harassment, intimate partner violence, and/or stalking. Resident Assistants (or Student Managers in the summer) are on duty every night in residence halls. One RD is on-call every night, 365 days a year. These staff members are considered "responsible employees" which means that they are required to report these incidents. Although these staff members can help you through the process, they cannot provide



students with the same level of support that the University Police, Counseling Center, Health Service, or Women's Center can offer.

Individuals from the departments noted above, upon being contacted by a student in need, may typically mobilize the WCSU Campus Resource Team (CaRT) to begin the process of identifying and providing immediate assistance to students. The services and support students receive after a sexual assault, sexual harassment, intimate partner violence, and/or stalking is varied and will, to some extent, depend on the kind of assistance requested by the student. WCSU is dedicated to protecting the privacy of students and offering them the full range of support and help necessary to continue their studies.

### **Incidents of sexual assault**

If a student has been physically or sexually assaulted, on or off campus, one option is to go directly to the Danbury Hospital Emergency Room for treatment. At the hospital, you may consent to the following services: a) treatment for injuries; b) forensic evidence collection (forensic evidence kit); c) emergency contraception if pregnancy is a concern; and d) screening for STDs and date rape drugs. After being treated in the Emergency Room, students may receive follow-up care at the WCSU Health Service office, located in Litchfield Hall or per the direction of the Emergency Room.

Although completing the forensic evidence kit does not automatically involve the police unless you choose to report the rape, students should be aware that the collection of this evidence is time-sensitive. The forensic evidence kit should be completed as soon as possible **but no later than 72 hours after the sexual assault has occurred, at which time evidence will begin to deteriorate.** If you choose this option, do not bathe, douche, eat or drink, brush your teeth, or change your clothing. The forensic evidence kit will be held for 60 days and then destroyed if no police report is made. The statute of limitations to make a police report, however, is at least five years. Students should note that the forensic evidence kit exam is paid for directly by the State, and additional medical costs can be reimbursed through the Office of Victim's Services Victim's Compensation Program if a forensic evidence kit is completed or a police report is filed.

### **WCSU support services available to students**

With the help of the Campus Resource Team (CaRT), there are a full range of services available to students after a sexual assault, intimate partner violence, and/or stalking. The University Counseling Center (203)837-8690, the Women's Center (203) 837-3939, University Health Service (203) 837-8594 and the Dean of Students offices (203) 837-8547 are available and students are strongly encouraged to take advantage of their services in these cases. Students' confidentiality will be strictly protected in accordance with the law, and students will be informed about off campus locations for assistance. During these events it is not unusual for students to feel fear, a sense of violation and relationship difficulties. As a result, the university will be particularly sensitive to meeting the needs of each individual. In doing so, we encourage individuals to come forward with reports about sexual violence. The University will not sanction a student who reveals a violation in good faith, such as underage drinking, in the process of reporting a sexual violence claim.

The Women's Center Campus Advocates serve as confidential advisors and are available to provide resources and support for victims of the above mentioned crimes. These advisors will assist a student with the reporting options, legal options, the coordination of support services and accommodations on and off campus.



Students may wish to contact the University Office of Judicial Affairs after a sexual assault, intimate partner violence, and/or stalking to pursue **university disciplinary action**. Such complaints will be handled confidentially and promptly by the Director of Judicial Affairs. Disciplinary proceedings must be conducted by an official who has been trained in issues related to sexual violence. In these cases, both the accused student and the complainant are entitled to have an advisor or legal counsel present during the disciplinary proceeding for support. These individuals, however, are not eligible to speak during the proceedings of any subsequent Hearing. A complete and detailed description of the judicial process may be found in the Student Code of Conduct,

[http://www.wcsu.edu/stuaffairs/PDFDOCS/Student\\_Code\\_of\\_Conduct.pdf](http://www.wcsu.edu/stuaffairs/PDFDOCS/Student_Code_of_Conduct.pdf)

Both the complainant and the accused will be informed of the outcome of the disciplinary proceeding in writing, which means that the University must share certain conditions of the sanctions based on final determination with regard to the alleged violations. There is an appeal process that is also available to both the student and the accused after the sanctions have been rendered. Sanctions may include written warnings, probation, restitution, residence hall separation, suspension, or expulsion from the University. Students with questions about the university's judicial process should feel free to contact Mr. Charles Alexander, Director of Judicial Affairs, at (203) 837-8770.

Students also have the additional option of filing, simultaneously, a **criminal complaint** by reporting an assault to the University Police as follows:

**Informal report:** Students may informally report an incident of sexual assault, sexual harassment, intimate partner violence, and/or stalking to the University Police, who will inform students of their rights and options, and will guide them to victim services. The WCSU Police Department is located on Roberts Avenue on the Middtown campus. They may also be contacted at (203) 837-9300 24 hours a day and 7 days a week.

**Criminal complaint:** Students may make criminal complaints with the WCSU University Police Department. The Police will inform the students of their rights and options. University Police will conduct a confidential investigation and will keep the students apprised about any decision to prosecute. The police will review all cases with the State's Attorney's Office. The State's Attorney will make the final decision to prosecute under state law.

**Anonymous Reporting:** Any individual has the right to complete an Anonymous Interpersonal Violence Form which can be found on <http://www.wcsu.edu/stuaffairs/CaRT.asp>. This form does not include any personal identifying information (e.g., name, age, address). The purpose of this form is for statistical data collection, as well as to determine possible patterns that may exist. Even with anonymous reporting, the University may investigate an incident to determine if the community is in potential danger.

*Note: University employees are required to complete an Anonymous Interpersonal Report Form when made aware of an incident related to sexual assault, harassment, stalking and intimate partner violence.*

### **Assistance for students seeking to change their living arrangements, class schedules or on-campus work schedules**

The university recognizes that students may want to change their on-campus living arrangements, class schedules and on-campus work arrangements as the result of a sexual assault, sexual harassment, intimate partner violence, and/or stalking. Students requesting these changes should contact the Dean of Students (Old Main, R. 306) who will work with them to make any appropriate change. Typically, the Director of Housing, the Academic Dean and the Financial Aid office will work with Student Affairs staff to



manage these changes. Students should not hesitate to make these requests, which will be addressed in a timely manner.

### **How the University honors protective, restraining and/or civil protection orders**

A protective, restraining and/or civil protection order is typically ordered by a court, prohibiting someone from communicating with an alleged victim, from entering the victim's residence, workplace, school, or property and any place the victim may frequent. It is an attempt to protect a person from further harassment, service of process or discovery.

Western, when informed that an order has been issued, will take immediate steps to enforce the order as it relates to activities on the campus. It is important that students alert Western Police that such an order has been issued (providing the Police with a copy of the order is strongly encouraged) so that enforcement on campus, if required, can be followed. Typically, these orders will require the university to help students change class schedules, residence hall accommodations and other aspects of campus life. These orders of protection are taken seriously by Western and violators are subject to arrest and prosecution.

For more information about protective and/or restraining orders, students may contact The Women's Center on campus at (203-837-3939) or at their 24-hour hotline at (203-731-5206), the Dean of Students at (203) 837-8547 (Old Main Room 309) or University Police at (203)837-9300.

### **Definitions**

**Responsible employee** —is any full- or part-time employee of the university. This may include faculty, coaches, administrators, custodians and maintainers, and others.

A responsible employee, once he or she is made aware of an incident of sexual assault, sexual harassment, stalking and/or intimate partner violence, must report it to appropriate university officials (including the Title IX coordinator or other appropriate designee). This will trigger an investigation that the university is obligated to pursue, and, as appropriate, end and remedy the harassment/misconduct.

**Confidential employees** includes mental-health counselors, pastoral counselors, psychologists, health center employees, or any other person with a professional license requiring confidentiality related to their university employment status including staff of the Women's Center.

The university will use the following accepted definitions of sexual assault, sexual harassment, stalking, dating/domestic violence to guide its work with students in these situations as defined in our Student Code of Conduct.

**Sexual misconduct** may include engaging in one or more 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 employment performance or



creating an intimidating, hostile or offensive educational or work 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 or employment 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 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, 53a-73, 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.



**Intimate partner violence** is defined as:

- 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.

**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.

**Family Violence Protective Order** (section 46b-38c of the Connecticut General Statutes) is an order that is *issued at the time of arraignment during a criminal proceeding*. Usually these orders are recommended by either the family relations office or in some cases the state's attorney's office. These orders are usually in effect **from the date they are issued until the criminal case is sentenced and/or disposed of**. In some cases a protective order can be removed prior to the underlying case being settled.

**Standing Criminal Restraining Order** (section 53a-40e of the Connecticut General Statutes) is an order that is *issued usually at the end of a criminal case*. These are **lifetime orders** and remain in effect until further order of the court. This order type is generally issued when it is a more severe criminal case.

**Ex Parte Restraining Order** (section 46b-15 of the Connecticut General Statutes) is an order *issued by the family court when someone has completed the restraining order application*. Applications are given out at the clerk's office to people who come in for relief from abuse in family cases. The Judge reviews the application and affidavit, and issues a **temporary** ex parte restraining order. A hearing date is scheduled, and the respondent must be notified. Generally speaking, this order is good for 14 days, or until the date of the hearing. (Hearings can be scheduled before the 14-day time limit).

**Restraining Order After Hearing** (section 46b-15 of the Connecticut General Statutes) is *issued after a hearing on an ex parte restraining order, or an Order for Hearing and Notice Summons*. Again, this order type is issued out of the family court. Generally speaking, it is effective for **6 months** from the date of the hearing. A victim/applicant can request that the restraining order after the hearing be extended when the 6 months is about to run out. They must file a motion to extend and the respondent must again get notice.

**Civil Protection Order** (section 46b-16a of the Connecticut General Statutes) is an order that is *issued following an application, accompanied by an affidavit made by the applicant under oath that includes a statement of the specific facts concerning being a victim of sexual abuse, sexual assault, or stalking*, provided the victim has not already obtained any other order of protection arising from the abuse, assault,



or stalking. The court will review the application and determine a court date, and will notify the accused of the date for the hearing. If the court determines there is reason to believe imminent danger exists it may, at its discretion, issue an ex parte order as well. Generally, orders will be in effect for **one year** from the date of the hearing. Applicants may request that a copy of the order be sent to the University Police or the president of the University.

**\*\* NOTE:**

If you are a victim, trust your instincts. Initially, stalking behavior can look like flirting but students will sense that boundaries are being violated. In this case, students are advised to keep written records that detail the stalking acts. This written documentation records the pattern of the crime. Students should alert those around you about the stalker and formulate escape plans for all locations. Stalking should be reported to the police before actual physical harm occurs. The critical components of stalking are the stalker's behaviors and the victim's fear. The police, the Women's Center's campus advocate or hotline, or the Western Counseling Center can help students develop a safety plan around the stalking. Stalking, like sexual assault or domestic violence, has emotional and physical impacts that counseling can address.

Western's University Police are available to provide safety escort services if students are uncomfortable on campus. To access these services, please call (203) 837-9300.

Violent relationships are often volatile and dangerous. Therefore, it can be critically important for survivors of abusive relationships to create a safety plan in order to better ensure their security. Safety planning can include asking the abuser to respect your needs, rights, opinions, etc. and asking the abuser to get counseling help. It is very important for the survivor to assess whether it is safe to make these requests. Since abuse is about entitlement, asserting your rights may actually trigger abusive behaviors or your requests may be ignored. Remember, an abusive relationship is not about respect, equality, and empathy. Instead, it is about power and control.

### **Victim's Bill of Rights**

*Victims of sexual violence, sexual harassment, domestic violence, dating violence, and stalking are afforded rights by the federal government, the state, and this institution.*

*All students have the right to emotional and physical safety.*

#### **Federal Law entitles victims to the following rights:**

- The accuser and the accused have the same opportunity to have others present throughout the disciplinary proceedings.
- Both parties shall be informed of the outcome of any disciplinary proceeding,
- Victims shall be informed of their options to notify law enforcement.
- Victims shall be notified of counseling services available on- and off-campus.
- Victims shall be notified of options for changing academic and living situations.

#### **Western is committed to the following:**

- The Connecticut State University System (CSUS) Student Code of Conduct outlines the campus disciplinary process. Students have the right to know the range of sanctions the institution can impose on the accused, which include: Warning; Written Reprimand; Probation; Loss of Privileges; Restitution; Discretionary Sanctions; Residence Hall Warning; Residence Hall Probation; Residence Hall Suspension; Suspension; Residence Hall Expulsion; and Expulsion. The full text of this can be found in the Student Handbook, published by the university, or at: <http://www.wcsu.edu/stuaffairs/PDFDOCS/Student%20Code%20of%20Conduct.pdf>.



- Victims have the right to know that any disclosure of sexual assault made to a university employee can result in a report as an annual crime statistic (with the victim's name withheld).
- Victims have a right to privacy and confidentiality. The university must have a waiver signed by the student in order to share information with any third party, including parents.

**Additionally, the university is committed to ensuring that victims are afforded the following:**

- The right to a victim advocate of their choosing. (For additional information and resources about victim advocacy, contact the Women's Center: (203) 837-3939)
- In a campus disciplinary hearing, victims have a variety of options for how they offer their testimony, including phone conference, or private room. (For additional information, contact the Office of Judicial Affairs: (203) 837-8770).

### **Education for new students and new employees**

All new students and employees will be required to complete primary prevention and awareness education related to sexual assault, sexual harassment, stalking and intimate partner violence. This must occur during the first academic year of these individuals' arrival. The primary prevention and awareness education will be available to the WSCU community on an on-going basis.

### **Campus Resource Team (CaRT) Contacts**

<b>Director of Counseling Center</b>		(203) 837-8690
<b>Women's Center</b>	On-Campus	(203) 837-3939
	Community Office (**ask for Campus Advocate)	(203) 731-5200
<b>University Police</b>		(203) 837-9300
<b>Director of University Health Service</b>		(203) 837-8594
<b>Director of Judicial Affairs</b>		(203) 837-8770
<b>Dean of Students</b>		(203) 837-9700
<b>Director of Residential Programs and Staff, Housing and Residence Life</b>		(203) 837-8532
<b>Coordinator of WCSU Substance Abuse Office (CHOICES)</b>		(203) 837-8899
<b>Coordinator of Title IX</b>		(203) 837-8277







**SEXUAL ASSAULT,  
SEXUAL HARASSMENT,  
STALKING or  
INTIMATE PARTNER  
VIOLENCE**

**WHAT TO DO IF THIS  
HAPPENS ??**



#### To All Western Students:

Sexual assault and Interpersonal Violence (IPV) among students on college campuses nationwide is a serious problem. At Western we have a zero-tolerance policy for these types of behaviors. Sexual assault and interpersonal violence are violations of Federal and State laws, and our Student Code of Conduct. Individuals who violate the law are subject to harsh penalties through a court of law and/or the campus judicial system. Western is committed to preventing the occurrence of sexual assault and interpersonal violence and is prepared to respond to any report of such acts brought to our attention. It is important to report such acts so the university can respond with support for the victim/survivor and with the appropriate legal action.

We strongly believe that all students have a right to a healthy and safe learning environment free of any violence and fear. In order to achieve this goal the university collaborates with community resources to educate students, prevent such violence, and to provide the needed support to victims of such crimes.

Throughout the year we conduct many educational programs and campus events, but there is always more that can be done. This year we have added an online educational program called *Not Anymore* to our prevention activities. We are requiring all new students to view and complete this program. Additionally, our staff and community resources will conduct informative workshops for student-athletes, clubs and organizations, in classrooms, and in residence halls throughout the year. These educational initiatives provide students with an opportunity to learn about interpersonal violence, how to protect themselves and others, and how to take an active role in preventing sexual assault and interpersonal violence on our campus. We seek to empower you so you can contribute to creating a safe environment for everyone.

Inside these pages you will find university and community resources for victims, survivors and their friends and families. Western, in cooperation with local advocates and law enforcement, has a Campus Resource Team (CaRT) which is charged with educating, training, and responding to sexual assault and interpersonal violence on campus. In addition, CaRT works with a select group of campus staff who are responsible for responding consistently and promptly to all reports of such crimes while always keeping the victim's wishes as the top priority. Please read through the Victim's Bill of Rights located at [www.wcsu.edu/stuaffairs/CART\\_VictimsBOR](http://www.wcsu.edu/stuaffairs/CART_VictimsBOR) to further understand all that is available on campus and required by law. We have also listed members of the CaRT team who work together to ensure an effective response that prioritizes support and needs of the victim.

Our goal is to inform and engage our students, strengthen the delivery of services to victims, and ensure that perpetrators are held accountable for their actions.

Keith Betts, Ed.D.  
Vice President for Student Affairs

#### Western's Campus Resource Team (CaRT)

- Director of Counseling Center, Ree Gunter, Ph.D. (203) 837-8690
- The Women's Center at Western, Rayna Havelock (203) 837-3939
- Women's Center Danbury Office (203) 731-5200
- University Police (203) 837-9300 or 911
- Director of University Health Service, Sue Cizek, M.D. (203) 837-8594
- Director of Judicial Affairs, Charles Alexander (203) 837-8770
- Dean of Students, Walter Cramer, Ed. D. (203) 837-9700
- Director of Residential Programs and Staff Housing and Residence Life, Maribeth Griffin (203) 837-8532
- Substance Abuse Prevention Program (CHOICES), Clare Gelissen, LMFT (203) 837-8898
- Title IX Coordinator, Carolyn Lanier (203) 837-8277

#### CAMPUS & COMMUNITY RESOURCE DIRECTORY

##### Police Departments

University Police	(203) 837-9300
Danbury Police	(203) 797-4611
Emergency and Ambulance	911

##### Hospitals

Danbury Hospital	(203) 739-7100
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##### Crisis Intervention and Counseling

Western Counseling Center	(203) 837-8690
Women's Center at Western	(203) 837-3939
Women's Center in Danbury	(203) 731-5200
Sexual Assault Hotline	(203) 731-5204
Domestic Violence Hotline	(203) 731-5206
National Domestic Violence Hotline	(800) 799-7233

##### Other Western Resources

Dean of Students	(203) 837-9700
Residence Life	(203) 837-8531
Title IX Coordinator	(203) 837-8277
Campus Police Escort	(203) 837-9300
Substance Abuse Office	(203) 837-8899



## Definitions

**Sexual Assault:** any sexual act directed against another person forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. (e.g., ingestion of alcohol or drugs or if the person is unconscious or otherwise unable to communicate consent). A lack of physical resistance or other negative response is not consent. Sexual assault includes rape, molestation, incest, exposure and unwanted touch.

**Sexual Harassment:** any unwelcome sexual advance or requests for sexual favors or any conduct of a sexual nature when made as a term or condition of employment, used as a basis for employment decisions, or has the purpose of interfering with an individual's work or academic performance, or creates a hostile, intimidating or offensive working environment.

**Stalking:** repeatedly contacting another person when the contacting person knows or should know that the contact is unwanted by the other person.

Including cyber stalking or any use of electronic media.

**Intimate Partner Violence (also known as "dating violence"):** any abusive behavior, including acts of violence or threats of violence, by an individual against a person. It may involve a single act or an ongoing pattern of behavior. This can include: intimidation, manipulation, threats, violence, assault, property damage, and physical, emotional, economic, technological, or sexual abuse.

## What can you do if an incident happens....

After any incident, you may feel confused, fearful, guilty, ashamed, or isolated. It's important to talk with someone about these feelings. WCSU has a Campus Response Team (CaRT) who are professionally trained members prepared to help. The university will be particularly sensitive to meeting the needs of each individual. (see CaRT contacts on page 5)

### Find a safe place and call someone you trust

- The police will help you whether or not you choose to prosecute the assailant. For an incident on campus, call the WCSU Police Department (203) 837-9300. For an off-campus incident, you may call WCSU Police (203) 837-9300 or the local police department (203) 797-4611 or 911.
- Call the Women's Center 24-Hour Hotlines:
  - Sexual Assault: (203) 731-5204
  - Domestic Violence: (203) 731-5206
- Call a friend, family member, someone whom you trust, or contact a member of CaRT to help you through this process.

### Get medical attention if needed

- It is important that you seek medical attention immediately to assess and treat physical injuries you may have sustained, and other health related risks.

### Try to preserve all physical evidence of the assault.

- If a sexual assault has occurred, some forensic evidence should be collected within 24 to 72 hours following the assault.
- Do not drink, bathe, douche, brush your teeth, change your clothes, or comb your hair. It's only natural to want to do these things, but you may be destroying evidence that could be helpful in an investigation. In the course of your medical examination, this evidence will be collected by a specially trained nurse. If changing clothes is necessary, clothing worn during the assault should be placed in a paper bag.
- *Later Medical Evaluation* : While immediate medical attention is preferred, delayed medical evaluation is strongly recommended.

### Seek emotional care.

After any such incident, it may be beneficial to seek professional counseling in order to explore and address the impact of such an occurrence on your life.



## **Crisis Intervention and Counseling Services**

### **Western Counseling Center**

The **Western Counseling Center** provides confidential services to students. The center is staffed with professionals trained to provide support and counseling to those who have experienced sexual assault, sexual harassment, stalking and intimate partner violence. The Counseling Center can also provide referrals to other local agencies. To make an appointment, call (203) 837-8690.

### **Women's Center at WCSU**

The **Women's Center** operates a 24-hour confidential hot-lines (see previous page) for individuals who have experienced sexual assault and intimate partner violence. The Women's Center has an office on the WCSU campus in Higgins Hall Annex 105-C for counseling (203) 837-3939. Crisis intervention and advocacy is available; this would include accompanying a victim to police, hospital, and judicial proceedings.

### **Options for Reporting the Incident**

Western's Campus Resource Team (CaRT), is available to assist and support any student who has experienced sexual assault, sexual harassment, stalking and intimate partner violence **on or off campus**. (see list of CaRT members on page 5). Students' confidentiality will be strictly protected in accordance with the law. For a detailed description of these options visit <http://www.wcsu.edu/stuaffairs/CaRT.asp>

#### **1. Formal Reporting: Contacting University Police**

Reporting any of the above incidents to police does not commit you to further legal action. The earlier you report any such incident, the easier it will be for police to investigate the crime and to prosecute the case successfully if that is your choice.

#### **Protective and/or Restraining Orders**

- A protective or restraining order may be requested by the courts related to any of the above incidents.
- A court issued protective or restraining order prohibits someone from communicating with an alleged victim, from entering the victim's residence, workplace, school, or property and any place the victim may frequent.
- When informed that a protective or restraining order has been issued, WCSU will take immediate steps to enforce the order as it relates to activities on the campus. It is important that students alert WCSU Police that such an order has been issued (providing the Police with a copy of the order is strongly encouraged). For more information about protective and restraining orders students may contact **University Police at (203) 837-9300**.

#### **2. Criminal Complaint**

Students may make criminal complaints with the WCSU University Police Department. The Police will inform the students of her/his rights and options.

University Police will conduct a confidential investigation and will keep the student apprised about any decision to prosecute. The police will review all cases with the State Attorney's Office. The State Attorney will make the final decision to prosecute under state law.

If you wish, the police will contact the Women's Center and an advocate will meet you at the police station.

### **3. University Disciplinary Action:**

Students may wish to contact the University Office of Judicial Affairs after a sexual assault, sexual harassment, stalking and intimate partner violence to pursue **university disciplinary action**. A complete and detailed description of the judicial process may be found in the Student Code of Conduct <http://www.wcsu.edu/stuaffairs/PDFDOCS/Student Code of Conduct.pdf>

### **Judicial/Disciplinary Options**

**External:** If you wish to have the assailant prosecuted, the police and district attorney's office will handle the legal proceedings without expense to you. You do not need to hire an attorney.

**Internal:** If the perpetrator is a member of the Western community, you also have the option to file a complaint through the university's disciplinary system (see Student Handbook). In either instance, a university representative will be available to assist you through the process.

**Students also have the additional option of filing, simultaneously, a criminal complaint by reporting an assault to the University Police as follows:**

#### **4. Anonymous Reporting:**

Any individual has the right to complete an Anonymous Interpersonal Violence Form which can be found on <http://www.wcsu.edu/stuaffairs/CaRT.asp>. This form does not include any personal identifying information (e.g., name, age, address). The purpose of this form is for statistical data collection, as well as, to determine possible patterns that may exist. Even with anonymous reporting, the University may investigate an incident to determine if the community is in potential danger.

**Note:** University employees are required to complete an Anonymous Interpersonal Report Form when made aware of an incident related to sexual assault, sexual harassment, stalking and intimate partner violence.

#### **Assistance in Changing Living Arrangements, Class Schedules or on-campus Work Schedules**

The university recognizes that it may be necessary for students to change their on-campus living arrangements, class schedules and on-campus work arrangements. Students requesting these changes should contact the Director of Housing at (203) 837-8736. And/or the Dean of Students at (203) 837-9700. **Students should not hesitate to make these requests, which will be addressed in a timely manner.**



## Sexual Assault and Interpersonal Violence Information and Resources and the Campus Resource Team (CaRT)

Last updated: September 15, 2015



**We listen. We understand. We help.**

### INTRODUCTION

Western Connecticut State University (WCSU) asserts that all students have the right to be free from interpersonal violence such as sexual assault, sexual harassment, stalking, and intimate partner violence. WCSU prohibits any student from infringing upon these rights within our campus community. A set of guidelines and procedures have been designed to provide students important information regarding the systems that are in place at WCSU to support any student whose rights have been violated. The university will take prompt action based on violations of the Student Code of Conduct while simultaneously supporting students who also wish to pursue formal legal action for crimes that may have been committed. These guidelines and procedures have been developed to comply with Connecticut Public Act 14-11, effective July 1, 2014. This legislation requires universities to adopt and disclose policies related to sexual assault on campuses. These guidelines must include the following:

- Information about on and off campus reporting procedures
- Details about where students can receive support and services
- Summaries of the institution's disciplinary procedures (Student Code of Conduct)
- Assistance for students who wish to change their living arrangements, classes, or work schedule following an assault
  - Plans for how the university will honor protective and/or restraining orders
  - Training for all new students and employees within first academic year of their arrival to the university.
  - Definitions

The Legislation requires colleges and universities to keep a victim's identity as private as possible if they report a sexual assault. In addition, universities must provide support and awareness education related to sexual assault, sexual harassment, stalking, and sexual violence for all students. While WCSU has always followed these principles regarding sexual violence, the new legislation ensures that students will be fully supported.

**Let's talk!**

### **ANONYMOUS REPORTING FORM [1]**



[BOR POLICY \[2\]](#)

[CAMPUS RESOURCE TEAM \(CART\) \[3\]](#)

[DEFINITIONS \[4\]](#)

[HOW CAN I HELP STOP SEXUAL ASSAULT AND INTERPERSONAL VIOLENCE AT WESTERN? \[5\]](#)

[LETTER FROM VICE PRESIDENT KEITH BETTS \[6\]](#)

[NOT ANYMORE \[7\] - UNDER "NEW USERS" ENTER THE FOLLOWING ACCESS CODE: 149278](#)

[OPTIONS FOR REPORTING AN INCIDENT \[8\]](#)

[PHONE NUMBERS \[9\]](#)

[STUDENT CODE OF CONDUCT \[10\]](#)

[UPCOMING EVENTS \[11\]](#)

[VICTIM'S BILL OF RIGHTS \[12\]](#)

[WCSU GUIDELINES \[13\]](#)

[WHAT CAN YOU DO IF AN INCIDENT HAPPENS? \[14\]](#)

[WHAT TO DO IF THIS HAPPENS BROCHURE \[15\]](#)



**Let's talk!**

## LINKS ON THIS PAGE

1. <http://www.wcsu.edu/stuaffairs/POL-AIVR%20Form-revised1029-1.pdf>



2. <http://www.wcsu.edu/stuaffairs/hr-policy-sexual-misconduct1-15-2015.pdf>
3. [http://www.wcsu.edu/stuaffairs/CaRT\\_Team.asp](http://www.wcsu.edu/stuaffairs/CaRT_Team.asp)
4. [http://www.wcsu.edu/stuaffairs/CaRT\\_Definitions.asp](http://www.wcsu.edu/stuaffairs/CaRT_Definitions.asp)
5. [http://www.wcsu.edu/stuaffairs/CaRT\\_Stop.asp](http://www.wcsu.edu/stuaffairs/CaRT_Stop.asp)
6. <http://www.wcsu.edu/stuaffairs/NotAnymore.pdf>
7. <https://www.studentsuccess.org/wcsu14/notAnyMore/login>
8. [http://www.wcsu.edu/stuaffairs/CaRT\\_Options.asp](http://www.wcsu.edu/stuaffairs/CaRT_Options.asp)
9. [http://www.wcsu.edu/stuaffairs/CaRT\\_Phone.asp](http://www.wcsu.edu/stuaffairs/CaRT_Phone.asp)
10. <http://www.wcsu.edu/stuaffairs/StudentCodeofConductAMENDED%2001-15-2015.pdf>
11. [http://www.wcsu.edu/stuaffairs/CaRT\\_Events.asp](http://www.wcsu.edu/stuaffairs/CaRT_Events.asp)
12. [http://www.wcsu.edu/stuaffairs/CaRT\\_VictimsBOR.asp](http://www.wcsu.edu/stuaffairs/CaRT_VictimsBOR.asp)
13. [http://www.wcsu.edu/stuaffairs/CaRT\\_Guidelines2015.pdf](http://www.wcsu.edu/stuaffairs/CaRT_Guidelines2015.pdf)
14. [http://www.wcsu.edu/stuaffairs/CaRT\\_Incident.asp](http://www.wcsu.edu/stuaffairs/CaRT_Incident.asp)
15. <http://www.wcsu.edu/stuaffairs/brochure%20newest%20%20student%20friendly-%209-12-14.pdf>



**Let's talk!**

Questions? Chat with us!

