



Post University

Annual Report to the CT General Assembly
Higher Education Committee

Pursuant to Public Act 14-11

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I. Introduction

Post University respectfully submits the following annual report to the Connecticut General Assembly Higher Education Committee in accordance with Public Act 14-11. The report includes Post University's 2015-2016 Sexual/Gender-Based Misconduct Policy, as well as all sexual assault prevention and awareness programs offered during the 2015 calendar year. In addition, the report lists the sexual assault, stalking and intimate partner violence incidents on campus in 2015, and the disciplinary cases and outcomes.

II. Policy

SEXUAL/GENDER-BASED MISCONDUCT, INTIMATE PARTNER VIOLENCE AND STALKING

Post University Statement of Sexual Values

Post University is committed to providing a learning, working and living environment that is open, supportive, and safe. As a community, this University will not tolerate sexual/gender-based misconduct of any kind. Post University expressly prohibits the sexual/gender-based misconduct noted below, and students found engaging in it will be subject to University disciplinary action, and may be subject to criminal charges and prosecution under Federal and State laws.

This policy informs the Post University community of our values and outlines violations of a sexual/gender-based nature. This policy identifies a student's rights, options, and resources, and describes actions individuals may take if they experience an incident of sexual misconduct, intimate partner violence, and stalking or are accused of those violations. Post University recognizes that part of students' development at the University may include learning and understanding themselves as sexual individuals. Post University also respects and upholds the principle that not all students find it necessary to explore their sexual nature or sexuality. Post, therefore aims to provide an environment that is comfortable and respectful of all students regarding sex and their sexuality. Understanding and applying this policy to the behavior and behavioral expectations of all members of the community helps to ensure Post's goal of being a safe, open community regarding sexuality. Failure to comply with this policy may result in a complaint of sexual/gender-based misconduct.

Post University strives to promote an environment where mutual respect, communication, cultural competency, understanding, and awareness are the foundation for any sexual behavior or activity. Mutual respect and communication are keys to maintaining each student's personal integrity when engaging in relational and sexual behavior.

Title IX Statement: Post University must comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the University's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. Post University has designated Title IX/Sexual Misconduct Coordinators to coordinate Post's compliance with and response to inquiries concerning Title IX.

For more information about Title IX, please contact the University's Title IX /Sexual Misconduct Response Coordinator, Ray Lagasse at (203) 596-8535 or the Deputy Title IX/Sexual Misconduct Response Coordinators, Karin Mann at (203) 596-4669 or Crystal Vuole at (203) 596-4553. A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 1 (800) 421-3481.

Section Two - Sexual/Gender-Based Misconduct Violation Definitions

2.1 Sexual Assault: Any non-consensual sexual contact with the Reporting Party's intimate parts is a sexual assault. Physical resistance need not occur to fulfill the definition of sexual assault. Sexual assault includes, but is not limited to the following: rape (e.g. by a friend, classmate, peer, co- worker, partner, etc.), sexual assault with an object, forcible sodomy, forcible oral sex, and forcible fondling. Drug facilitated sexual assault will not be tolerated.

2.2 Sexual Exploitation: Sexual Exploitation is taking nonconsensual, unjust, or abusive advantage of another in a sexual or intimate context. Sexual exploitation includes, but it is not limited to: sexting, slandering or prostituting another person; engaging in permitting, reproducing, or facilitating nonconsensual viewing, videotaping, photographing, or audio taping of sexual or intimate activity; knowingly infecting another person with a sexually transmitted disease; or secretly giving another person or pushing another person to use drugs or alcohol for the purpose of making the person submit to sexual activity.

2.3 Sexual Harassment: Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and any other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical or otherwise, when one or more of the following conditions are present:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the university;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the university;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment.

2.4 Gender-Based Harassment: Gender-based harassment includes harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involved conduct of a sexual nature. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with another person's education or participation in the educational programs or activities or create an intimidating, hostile, demeaning, or offensive academic or living environment.

2.5 Stalking: Stalking is repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking can include:

1. Repeated, unwanted, intrusive, and frightening communications by phone, mail, email, text, social media, etc.

2. Following or laying in wait at places such as home, school, work, or recreation place.
3. Repeatedly leaving or sending unwanted items or presents.
4. Making direct or indirect threats of harm against the Reporting Party, the Reporting Party's children, relatives, friends, or pets.
5. Damaging or threatening to damage the Reporting Party's property.
6. Harassing the Reporting Party through the Internet.
7. Posting information or spreading rumors about the Reporting Party on the Internet, in a public place, or by word of mouth.
8. Obtaining personal information about the Reporting Party by accessing public records, using Internet search services, hiring private investigators, going through the Reporting Party's garbage, following the Reporting Party, contacting the Reporting Party's friends, family, work, or neighbors, etc.

To an outsider, stalking behavior can appear friendly and unthreatening, such as showering the Reporting Party with gifts or flattering messages. The Reporting Party may find themselves needing to explain to others just how intrusive and frightening unwanted attention can be. Stalking is sometimes dismissed when it is done via technology (cell phones, computers, networking sites, surveillance equipment, and so on), but the medium is not what matters—it is the pattern of repeated, unwanted communication.

2.6 Intimate Partner Violence: Intimate partner violence means any abusive behavior against an individual by a current or former person in a dating/romantic relationship. Intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats that influence another person. Intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.

Forms of intimate partner violence include:

- Emotional abuse includes words and/or actions, which manipulate or hurt an individual emotionally and psychologically.
- Physical abuse refers to actions that threaten or harm an intimate or romantic partner's physical safety.
- Resource abuse includes words and/or actions, which manipulate the financial or legal situation of an intimate or romantic partner.
- Sexual abuse (see sexual assault).
- Spiritual abuse refers to the utilization of a partner's spiritual or religious beliefs to manipulate and/or hurt a partner. It may also include forcing or preventing a partner to practice certain beliefs.
- Verbal abuse is the use of words or the withholding of conversation to manipulate and/or hurt a romantic or intimate partner.

Examples of intimate partner violence may include, but not be limited to, the following:

- Leaving their partner somewhere with no way to get home.
- Pulling hair or pinching skin as a form of punishment.
- Blocking a partner's exit when they try to leave the room.
- Throwing, smashing, or breaking objects.

- Hitting, punching, grabbing, choking or pushing their partner.
- Saying their partner is crazy, ugly, stupid, etc.
- Constantly calling or texting their partner when they are not together.
- Threatening to “out” the partner if in a same-sex relationship.
- Insisting on always knowing the location their partner.
- Refusing to acknowledge a problem that their partner feels is important.
- Persuading partner from doing something they want to do.
- Insisting how their partner should dress.
- Calling someone degrading names.
- Withholding sex and/or affection as a form of punishment.
- Forcing another faith practice on their partner.
- Mocking, ridiculing, or insulting their partner’s religious or spiritual beliefs.
- Excessively criticizing how their partner spends their money.

2.7 Attempted Act: Any attempts to commit sexual/gender-based misconduct are also prohibited under this policy, as is aiding in the acts of sexual/gender-based misconduct as an accomplice.

2.8 Retaliation: Retaliation against the individual who initiates a sexual/gender-based misconduct complaint, participates in an investigation, or pursues legal action, is prohibited. Independent action may be taken against anyone engaging in retaliation. This includes any witnesses, advisors, or any Sexual Misconduct Board Members.

Section Three - Affirmative Consent and Related Definitions:

3.1 Affirmative Consent: Affirmative 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. A person forced to engage in sexual contact by force, threat of force, or coercion has not consented to contact. Lack of mutual affirmative consent is the crucial factor in any sexual assault. If there is confusion or ambiguity, participants in sexual activity need to stop and verbally clarify each person’s willingness to continue.

Consent CANNOT be given if a person’s ability to consent is substantially impaired because of a mental or physical condition. Examples of such mental or physical conditions include, but are not limited to: unconsciousness, physical force, substantial impairment because of a psychological health condition, substantial impairment because of voluntary intoxication; or substantial impairment because of the deceptive administration of any drug, intoxicant or controlled substance. Mutual intoxication or substance impairment does not exonerate any individual nor lessen the consequences. Consent can NEVER be given by anyone under the age of sixteen.

3.2 Coercion: Unlike seduction, coercion involves unreasonable and unwanted pressure to engage in sexual activity. Engaging in sexual activity should be the result of a freely given choice. Persons should engage in sexual activity because they want to do so, and not because someone has pressured them into it. Threatening and pressuring someone until they finally say "Okay, just get it over with" does not mean an individual has obtained consent.

3.4 Incapacitation: Incapacitation means being in a state where a person lacks the capacity to appreciate the fact that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of the situation. A person who knows or should reasonably have known that another person is incapacitated may not engage in sexual activity with that person.

A person's state of incapacity is a subjective determination that will be made after the incident in light of all of the facts available because people reach incapacitation at different points and as a result of different stimuli. They exhibit incapacity in different ways. The following factors bear on incapacity:

Body weight, height and size

Tolerance for alcohol and other drugs

Amount and type of alcohol or other drugs consumed, and the mixture taken

Amount of food intake prior to consumption

Voluntariness of consumption

Vomiting

Propensity for blacking out (mentally or physically)

Genetics

Alcohol related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication. It is less severe than alcohol poisoning or overdose, which may lead to coma or death. Evidence of incapacity may be detected from context clues, such as:

Slurred speech

Bloodshot eyes

The smell of alcohol on their breath

Shaky equilibrium

Vomiting

Outrageous or unusual behavior

Unconsciousness

None of these facts, except for unconsciousness, will constitute – in and of itself – incapacity.

Indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of another person.

Section Four – If You Believe That An Incident Has Occurred

Post University is committed to providing support and services in order to help you through this process. A student who has experienced an incident of sexual/gender-based misconduct, intimate partner violence, or stalking should seek help, support, and information. There are many sources for information, assistance and support. If you have experienced such an incident, you should consider the following immediate actions:

Remember, you are not alone and this is not your fault.

Try to get to a safe place.

Consider notifying a member of Residence Life, Campus Security, the Counseling Center, Health Services or the Title IX/Sexual Misconduct Response Coordinators. Many of these resources have after-hours and emergency contacts (see chart in the Student Handbook for contact information).

You have the right to notify law enforcement, file a report, or obtain a court-issued restraining order. You may also have a campus authority make a notification for you.

If you have been assaulted, try to avoid showering, bathing, douching, urinating, or cleaning up in any way. This will prevent the loss of valuable evidence, though evidence can still be collected even if you do. Do not wash any clothes, towels, or sheets that may contain evidence. Evidence can be preserved and collected for up to five days.

Preserve all physical evidence in a paper bag (not plastic) or deliver directly to law enforcement.

Preserve all communications, pictures, texts, or other items that might be used in sexual/gender-based misconduct cases.

Utilize University and community resources for immediate and long-term assistance.

Go to Health Services or an area hospital (Waterbury or Saint Mary's Hospital). Individuals are encouraged to seek medical attention as soon as possible after an act of sexual assault or intimate partner violence. Medical care is important to address any injuries you may have and to protect against sexually transmitted diseases and pregnancy.

Counseling Services are available to all Post University main campus students. Students may call (203) 596-4585 to schedule an appointment. These services are free and confidential.

Post University's Crisis Hotline Available 24/7: (203) 228-8706. This is a limited-confidential resource.

Section Five - Reporting Sources:

Post University is committed to creating an environment in which students who have experienced an incident of sexual/gender-based misconduct are encouraged to come forward and make a report.

Members of the Post community are strongly encouraged to seek support and information from available reporting sources. Reporting may help you to gain some control over the situation and make informed decisions using information provided by the reporting source. Your prompt reporting will not only benefit and support you, but it will also help the University in maintaining a safe community. Ultimately, this is your decision. All sources will provide the Reporting Party with information about obtaining support, resources, and the process associated with making a report or a formal complaint with the University or with a law enforcement agency.

The Counseling Center and Health Services are fully confidential reporting sources. They do not file reports with the Title IX/Sexual Misconduct Response Coordinator. They will keep your information and name confidential unless it is determined that you and/or the campus are in imminent danger. They will provide free, confidential support, crisis intervention, community outreach and referrals, as well as help you explore your options to address the incident.

Section Six - Interpersonal Violence Response Team

Post University's Interpersonal Violence Response Team supports students by providing services and guidance in regards to sexual/gender-based misconduct incidents. The Interpersonal Violence Response Team consists of a diverse group of Post employees and community members that are well versed in the Post University Sexual/Gender-Based Misconduct Policy and procedures. Interpersonal Violence Response Team professionals are able to explain what options are available to the student and will guide them in accessing these resources. The Post University Interpersonal Violence Response Team is committed to supporting individual's rights and needs, and respects that all choices are left up to the Reporting Party.

Professionals on campus with a Sexual Misconduct Safe Place sticker (see below) in their office are trained in the University's Sexual/Gender-Based Misconduct Policy. These faculty and staff members are able support students who have been involved in a sexual/gender-based misconduct situation. If you have concerns about a friend, roommate, fellow student, or employee in regards to sexual/gender-based misconduct these people are also here to help you. Please seek out these professionals if you need their support. These individuals and Interpersonal Violence Response Team members are required to report the incident of sexual/gender-based misconduct to the Title IX/Sexual Misconduct Response Coordinator.

**Section Seven – Important Phone Numbers and Resources
FOR ALL EMERGENCIES – DIAL 9-1-1**

Resource	Location	Hours	Type of Communication	Services Provided
Sexual Misconduct Board Chair: Sandra Wilson	Library- Lower Level	9:00am-5:00pm	Limited Confidential	Hearing board official. Provides students with guidance on procedures and trained advisors. (203) 596-4664
Campus Safety *	Security Kiosk	24/7	Limited Confidential	Special confidentiality rules apply regarding sexual assaults. (203) 596-4502
Counseling Center * Lisa Antel George Hayes	Leever- First Floor	9:00am-5:00pm	Confidential	Licensed counselors available for students and staff. Services are free. (203) 596-4585
Dean of Students: Erica Peryga *	East Annex	9:00am-5:00pm	Limited Confidential	Provides support, referrals for students, and guidance with procedures and protocol. (203) 596-8527
Health Services *	East Annex	M-TR: 10:00am-4:00pm F: 10:00am-2:00pm	Confidential	Medical assistance and referral for students. (203) 596-4503

Title IX/Sexual Misconduct Response Coordinators * Ray Lagasse Karin Mann, Deputy Crystal Vuole	Hess 107 Drubner Traurig Lower Level	9:00am-5:00pm	Limited Confidential	Informs a student of their rights, as well as support services. (203) 596-8535 (203) 596-4669 (203) 596-4553
National 24 hour Sexual Assault hotline	Off campus	24/7	Confidential	Rape, Abuse and Incest National Network hotline 1 (800) 656-HOPE (4673)
Post's Crisis Hotline	On campus	24/7	Limited Confidential	Connects directly to the Resident Director On duty (203) 228-8706
Residence Life Staff*	Lower Level Leever	M-F: 9:00am-5:00pm	Limited Confidential	Will provide support and resources, and assist the Reporting Party at residence halls. (203) 596-4540
Safe Haven's Sexual Assault Program *	29 Central Ave. Waterbury, CT	24/7	Confidential	Provides support services, including medical and legal advocacy, for the Reporting Party and survivors of sexual assault and domestic violence. (203) 753-3613

St. Mary's Hospital	43 Cole St. Waterbury, CT	24/7	Confidential	Emergency care, including sexual trauma care. (203) 709-6004
Statewide 24 hour toll free hotline	Off campus	24/7	Confidential	Connecticut Sexual Assault Crisis Services hotline 1 (888) 999-5545
Waterbury Hospital	64 Robbins St. Waterbury, CT	24/7	Confidential	Emergency care, including sexual trauma care. (203) 573-6500
Waterbury Police *	255 E Main St. Waterbury, CT	24/7	Limited Confidential	Emergency- Call 9-1-1. Non-emergency call (203) 574-6911
Anonymous Reporting Form	post.edu/maincampus/sexualmisconduct.shtml	24/7	Anonymous	Your anonymous report will be sent to the Sexual Misconduct Response Coordinator

III. Prevention and Awareness Programs

Post University educates the student community about sexual misconduct through first year student orientations and the programs listed below. Literature on Sexual Misconduct is available through the Office of Residence Life, Health Services, Counseling Center, Human Resources and across the campus. Post University also trained faculty, staff and administration on Sexual Harassment and Sexual Misconduct through outside the University trainers.

New Student Orientation Session with Jane Doe No More.

RA Training and Staff/Faculty Training with the Victim Rights Law Center of Boston.

Production of Post Student PSA: "Sexual Misconduct: What You Need To Know" video, featuring Post students, which was sent to all Post students and employees.

Uploaded Sexual Assault and Bystander content buffers to Residence Life Cinema films.

Counseling Center's Sexual/Gender-Based Misconduct, Sexual Assault and Bystander Training for women.

Counseling Center's Sexual/Gender-Based Misconduct, Sexual Assault and Bystander Training for men.

EPIC: Speaking Up Against Dating Violence: Awareness and Prevention

EPIC: Sexual Assault: How Much Do You Know: Awareness and Prevention

Jane Doe No More: Awareness, Prevention and Bystander Intervention presentation

SART Training

IV. Sexual Assault, Stalking and Intimate Partner Violence Incidents on Campus

The number of sexual assaults, stalking incidents and intimate partner violence reported to Post University in 2015:

- 2 reports of sexual assault.
- 0 reports of stalking.
- 5 reports of intimate partner violence.

V. Disciplinary Cases and Outcomes

The number of disciplinary cases related to sexual assault, stalking and intimate partner violence in 2015:

- 1 disciplinary cases related to sexual assault.
- 0 disciplinary cases related to stalking.
- 0 disciplinary cases related to intimate partner violence.

The final outcome of this disciplinary case was a one year probationary period, a residential ban and recommended counseling.