

# CHECKLIST FOR CONN. GEN. STAT. § 10a-55m(f) SEXUAL VIOLENCE REPORT 2017 SUBMISSION

## INSTITUTION INFORMATION

**Name:** Manchester Community College **Contact:** Debi Freund

**Reporting Office/Department:** Office of Diversity and Equity **Report Year:** 2016

## NARRATIVE

Institution's narrative explaining the reported sexual violence statistics and data, including:

- ☒ Brief introduction about the institution, its history, its population and its efforts to ensure a safe and comfortable learning environment with respect to sexual violence.
- ☒ Concise and informative explanation of reportable sexual violence statistics and data, including clarification of number of incidents, reports, disclosures, discipline, and final outcomes.

**Note:**

## POLICIES

Institution's most recent policies regarding sexual assault, stalking, and intimate partner violence.

- ☒ BOR/CSCU Sexual Misconduct Reporting, Support Services and Processes Policy (Effective 6/16/2016)
- ☒ BOR/CSCU Policy on Consensual Relationships (Effective 10/20/2016)
- ☒ BOR/CSCU Policy Regarding Reporting Suspected Abuse or Neglect of a Child (Effective 1/10/2015)
- ☒ BOR/CSCU Student Code of Conduct (Effective 6/16/2016)

**Note:** MCC's most recent policies included.

## WRITTEN NOTIFICATION

☒ Institution's most recent concise written notification of the rights and options of a student or employee who reports or discloses an alleged violation of its sexual assault, stalking and intimate partner violence policy or policies.

## SEXUAL VIOLENCE STATISTICS AND DATA

Institution reports containing the following statistics and data on sexual assault, stalking, and intimate partner violence for the preceding calendar year:  
(See Conn. Gen. Stat. § 10a-55m(f) Reportable Statistics and Data Template)

- ☒ The number and type of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at the institution
- ☒ The number of confidential or anonymous reports or disclosures to the institution of sexual assault, stalking and intimate partner violence
- ☒ The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by the institution
- ☒ The number of disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence
- ☒ The number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed to such institution
- ☒ 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 outcome of any appeals of such final outcome, to the extent reporting on such outcomes does not conflict with federal law

### **PUBLIC AWARENESS, PREVENTION, AND RISK REDUCTION INFORMATION**

- Public awareness, prevention, and risk reduction information submitted by institution:
- ☒ Brochures
  - ☒ Handbooks/Booklets/Pamphlets
  - ☒ Bulletin Boards Information
  - ☒ Flyers
  - ☐ Online Statements of Campus Safety and Support Services (e.g., Women's Centers, etc.)
  - ☐ PowerPoint Presentations

### **OTHER SUPPLEMENTAL INFORMATION**

- Supplemental information submitted by institution:
- ☒ Public Safety Materials
  - ☒ Institution Sexual Violence Reporting Procedures
  - ☒ Institution Sexual Violence Forms
  - ☐ Redacted Sample of Investigation Results
  - ☒ Sexual Violence Website Information
  - ☐ Documentation of Training Offerings, if available, including number of participants
  - ☒ Other Sexual Violence Reports
  - ☐ Other Supplemental Material



**Manchester Community College  
Report on Sexual Violence at MCC  
Table of Contents**

Checklist for Conn. Gen. Stat. 10a-55m (f) Sexual Violence Reporting Submission

**I. Narrative**

- A. Organization Information
- B. Reportable Sexual violence Statistics and Data

**II. Policies**

- A. CSU Policies
  - 1. Sexual Misconduct Reporting, Support Services and Processing
  - 2. Consensual Relationships
  - 3. Reporting Suspected Abuse or Neglect of a Child
  - 4. Student Code of Conduct
- B. MCC Policies
  - 1. Title IX: Sexual Misconduct
  - 2. Title IX: Incident Report Form
  - 3. Victims' Rights
  - 4. Domestic and Family Violence
  - 5. What You Can Do
  - 6. Statement Regarding Sexual Violence
  - 7. Stalking
  - 8. MCC and Community Resources
  - 9. Definitions of Terminology

**III. Written Notification**

- A. MCC's Statement Regarding Sexual Violence
- B. Sexual Assault of Sexual Misconduct on Campus: A Guide for Faculty and Staff
- C. Interpersonal and Domestic Violence: A Guide for Faculty and Staff

- D. 2016-2017 Student Handbook Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy

**IV. Sexual Violence Reportable Statistics and Data (2016)**

- A. Sexual violence Reportable Statistics and Data
- B. Statutory References and Definitions

**V. Public Awareness, Prevention, and Risk Reduction Information**

- A. Brochures, Handbooks, Pamphlets, Flyers

**VI. Other Supplemental Information**

- A. MCC Public Safety Materials



# Narrative

## I. Organization Information

### *Mission Statement*

The Mission of Manchester Community College is to advance academic, economic, civic, personal and cultural growth by providing comprehensive, innovative and affordable learning opportunities to diverse populations. MCC is a learning-centered community committed to access, excellence and relevance. The principles that guide the college every day to ensure the mission is realized are: shared understanding, shared responsibility and shared leadership.

### *Background and History of Organization*

As the largest of the 12 Connecticut community colleges, all of which are part of the state system, Manchester Community College strives to continuously set and raise the expectations of a community college education.

Founded in 1963, Manchester Community College currently offers associate in art and associate in science degrees in more than 40 disciplines. The College also offers certificate programs that focus on developing and strengthening occupational skills.

Manchester Community College is accredited by the Board of Governors for Higher Education and by the New England Association of Schools and Colleges, Inc., which accredits schools and colleges in the six New England States. Seven programs of study offered by MCC have been awarded national accreditation by their respective accrediting bodies. These include: Culinary Arts, Foodservice Management, Occupational Therapy Assistant, Paralegal, Physical Therapist Assistant, Respiratory Care and Surgical Technology.

### *Student Demographics*

Manchester Community College serves more than 15,000 students per year and 32 percent of students are studying full-time. Currently, more than 6,000 credit students are enrolled in the college each semester. The Continuing Education division serves more than 5,000 credit-free and 3,800 credit extension students each year. The average age of the full-time student is the traditional college age of 18-21; while part-time students are split with 44 percent aged 21 or younger and 45 percent aged 22-39. 54 percent of the students are women, and approximately 44 percent of MCC credit students are from underrepresented racial and ethnic groups.

While the college's primary service area includes the towns of Andover, Bolton, Columbia, Coventry, East Hartford, Glastonbury, Hebron, Manchester, Mansfield/Storrs, Marlborough, South Windsor, Tolland, Union, Vernon/Rockville and Willington. 100 of Connecticut's 169 towns are represented in MCC's student body.

## **II. Reportable Sexual Violence Statistics and Data**

Manchester Community College offered seven (7) sexual assault and stalking prevention awareness, and risk reduction programs; and six (6) prevention, awareness and risk reduction programs regarding intimate partner violence in 2016. The number of campaigns focused on sexual violence prevention and awareness in the areas of sexual assault, stalking and intimate partner violence was four (4) for 2016.

There were two (2) incidents of sexual violence in the area of intimate partner violence, which occurred off campus. Both incidents were later disclosed to campus security. The Title IX Coordinator met with both women and offered supportive services. There were no incidents of sexual violence in the areas of sexual assault or stalking during the 2016 year. This is consistent with last year and we attribute this to the heightened awareness, prevention and risk reduction programming and training the college provides.

**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, intimate partner violence and stalking. 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 received from a student as well as communicate any disclosure or report of sexual misconduct the employee received from another employee when misconduct is related to the business of the institution.

Affirmative consent must be given by all parties before engaging in sexual activity. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person. 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, Usage and Standards***

**Consent** must be affirmed and given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is a mutually affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent may be revoked at any time during the sexual activity by any person engaged in the activity.

Affirmative consent may never 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 affirmatively consented to any such activity which occurs after that consent is withdrawn. It is the responsibility of each person to assure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that affirmative consent is sustained throughout the sexual activity. It shall not be a valid excuse to an alleged lack of affirmative consent that the student or employee responding to the alleged violation believed that the student reporting or disclosing the alleged violation consented to the activity (i) because the responding student or employee was intoxicated or reckless or failed to take reasonable steps to ascertain whether the student or employee reporting or disclosing the alleged violation affirmatively consented, or (ii) if the responding student or employee knew or should have known that the student or employee reporting or disclosing the alleged violation was unable to consent because the student or employee was unconscious, asleep, unable to communicate due to a mental or physical condition, or incapacitated due to the influence of drugs, alcohol or medication. The existence of a past or current dating or sexual relationship between the persons involved in the alleged violation shall not be determinative of a finding of affirmative consent.

**Report** of sexual misconduct is the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation or adjudication by the institution.

**Disclosure** is the receipt of any communication of an incident of sexual misconduct that is not accompanied by a request for an investigation or adjudication by the institution.

**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

Sexual Misconduct Reporting  
Support Services and Processes Policy

- display of sexually suggestive objects, pictures or photographs
- sexual jokes
- stereotypic comments based upon gender
- threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

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

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

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

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

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

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

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

former spouse or by a partner in a dating relationship that results from (1) sexual assault (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

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

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
  - Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
  - Emotional abuse includes but is not limited to, damage to one’s property, driving recklessly to scare someone, name calling, threatening to hurt one’s family members or pets and humiliating another person.
  - Cohabitation occurs when two individuals dwell together in the same place as if married.
  - The determination of whether a “dating relationship” existed is to be based upon the following factors: the reporting victim’s statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.
- (e) ***Stalking***, which is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person; and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person’s ability to perform the activities of daily life.

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

### ***Confidentiality***

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

Confidential resources are defined as follows: For the Universities, entities with statutory privilege, which include campus based counseling center, health center and pastoral counseling staff members whose official responsibilities include providing mental health counseling to members of the University community as well as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic

## Sexual Misconduct Reporting Support Services and Processes Policy

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 (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from a student regardless of the age of the reported victim. All employees are also required to communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from an employee that impacts employment with the institution or is otherwise related to the business of 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 Parties***

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:

Sexual Misconduct Reporting  
Support Services and Processes Policy

- 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.

***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.

***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



Sexual Misconduct Reporting  
Support Services and Processes Policy

CSCU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

***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 an investigation or 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.

Sexual Misconduct Reporting  
Support Services and Processes Policy

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 CSUCU 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.

4.3	Consensual Relationships Policy	16-114	2016-10-20
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### 4.3 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 faculty and or 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.

Affirmative consent is the standard used to determine whether sexual activity was consensual. As defined by Public Act 16-106, "Affirmative consent" means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

#### **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. Affirmative consent is the standard used to determine whether sexual activity was consensual. As defined by Public Act 16-106, "Affirmative consent" means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

**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**

**BOR approved 1/17/14 and Revised 1/15/15; requires annual distribution to employees**

The Board of Regents for Higher Education (BOR) of the Connecticut State Colleges and Universities (CSCU) accept that institutions of higher education foster educational opportunities for people under the age of 18 years. 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 or neglect.

Pursuant to state law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer, collectively referred to as “mandatory reporters” 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 to cause a report to be made to the Department of Children and Families within 12 hours of becoming aware or suspecting abuse, neglect or imminent harm to a child.

The BOR recognizes that each CSCU campus must be a safe and secure environment for children to grow and develop. Therefore, the BOR further requires mandatory reporters to report any witnessed or suspected abuse or neglect of a child on a CSCU campus to their immediate supervisor in addition to DCF. The supervisor must report the incident to their director or vice president who must then inform the campus President and the System Office Vice President for Human Resources or his/her designee.

If the director or vice president reasonably believes that a reportable incident has occurred, and, if the suspected perpetrator is a BOR or CSCU employee, he/she will immediately contact their Chief Human Resources Officer who shall assign an objective person to investigate the report. An employee under investigation may be placed on administrative leave pending the results of the investigation. Employees who report suspicions of abuse or neglect are protected from any disciplinary action unless the report is determined to have been maliciously made. An employee who fails to report, but is later determined to have had previous knowledge of the abuse, may be subject to discipline.

A report is required if there is reasonable cause to suspect that a person under the age of 18 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.

All staff designated as mandatory reporters are required to take the Department of Children and Families Mandated Reporter Training, either on-line or in person, and Mandated Reporter Training will be included in New Employee Orientation. Compliance with training will be monitored by each CSCU campus’s Department of Human Resources. A copy of this policy shall be disseminated annually to all employees.

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 CSCU community and to assure that the appropriate disciplinary processes are implemented.



## BOR/CSCU STUDENT CODE OF CONDUCT

### Contents

I. STUDENT CODE OF CONDUCT.....	1
PREAMBLE .....	1
INTRODUCTION .....	1
PART A: DEFINITIONS.....	2
PART B: APPLICATION, DISTRIBUTION, AND ADMINISTRATION OF THE STUDENT CODE OF CONDUCT .....	4
PART C: SCOPE OF AUTHORITY.....	5
PART D: PROHIBITED CONDUCT.....	6
PART E: HEARING PROCEDURES FOR SEXUAL MISCONDUCT, SEXUAL INTIMATE PARTNER, DOMESTIC VIOLENCE & STALKING REPORTS .....	11
PART F: CONDUCT AND DISCIPLINARY RECORDS.....	13
PART G: INTERPRETATION AND REVISION .....	13
II. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO STATE UNIVERSITY STUDENTS .....	14
PART A: DISCIPLINARY PROCEDURES - ACADEMIC MISCONDUCT .....	14
PART B: DISCIPLINARY PROCEDURES - NONACADEMIC MISCONDUCT .....	15
PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS .....	20
PART D: DISCIPLINARY SANCTIONS .....	21
1. Sanctions Which May Be Imposed for Violations of the Code: .....	21
2. Revocation of Admission and/or Degree.....	23
3. Consequences of Failure to Comply with a Duly Assigned Sanction.....	23
4. Sanctions Which May Be Imposed on Student Organizations.....	24
III. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO COMMUNITY COLLEGE STUDENTS .....	25
PART A: DISCIPLINARY PROCEDURES .....	25
PART B: DISCIPLINARY SANCTIONS.....	27
IV. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO CHARTER OAK STATE COLLEGE STUDENTS .....	29
PART A: RIGHTS AND RESPONSIBILITIES OF HEARING PARTICIPANTS .....	29
PART B: DISCIPLINARY PROCEDURES .....	30
PART C: INTERIM ADMINISTRATIVE ACTION .....	32
PART D: DISCIPLINARY SANCTIONS.....	32

## 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). Consent must be affirmative. (See Sexual Misconduct Reporting, Support Services and Processes Policy).

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; (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; and (vi) invoke the standard of "affirmative consent"<sup>1</sup> in determining whether consent to engage in sexual activity was given by all persons who engaged in sexual activity .
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.

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<sup>1</sup>The standard of "Affirmative Consent" is set forth in the BOR Sexual Misconduct Reporting, Support Services and Processes Policy and is incorporated herein by reference.

*PART F: CONDUCT AND DISCIPLINARY RECORDS*

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

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

*PART G: INTERPRETATION AND REVISION*

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

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

## II. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO STATE UNIVERSITY STUDENTS

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

### **PART A: DISCIPLINARY PROCEDURES - ACADEMIC MISCONDUCT**

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

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

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

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

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

## PART B: DISCIPLINARY PROCEDURES - NONACADEMIC MISCONDUCT

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

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

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

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

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

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

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

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

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

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

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

- c. Record of Hearing: When expulsion or suspension from the University or residence hall separation is a possibility, the University shall make a recording of the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may



review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Body. Further disclosure of the recording shall be governed by applicable state and federal law.

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

participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Hearing Body to be appropriate.

- k. Written Notice of Decision: The Accused Student shall receive written notice of the decision of the Hearing Body that shall set forth the decision rendered, including a finding of "responsible" or "not responsible," and the sanctions imposed, if any. The decision of the Hearing Body, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.

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

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

6. Review: An Accused Student may request that the decision of the Hearing Body be reviewed by the Vice President for Student Affairs or his or her designee. A request for review must be made in writing to the Vice President for Student Affairs or his or her designee within three (3) Calendar Days of the Accused Student's receipt of the written notice of decision. For good cause shown, the Vice President for Student Affairs may extend the three-University Calendar Day limitation on filing a request for a review. An Accused Student may request only one review of each decision rendered by the Hearing Body. A decision reached as a result of an Administrative Disposition may not be reviewed.
- a. Grounds for Review: The Accused Student has the right to request a review of the decision of the Hearing Body on the grounds that: (i) the procedures set forth in this Code were not followed and, as a result, the decision was substantially affected; (ii) the sanction(s) imposed were not appropriate for the violation of the Code for which the Accused Student was found responsible; and/or (iii) new information, sufficient to alter the decision, or other relevant facts were not brought out in the original hearing because such information and/or facts were not known to the Accused Student at the time of the original hearing. The review shall be limited to a review of the record except as required to explain the basis of new information.
- b. Review Procedures: In order to prepare for the review, the Accused Student may review the recording of the original hearing in a designated University office but will not be permitted to remove the recording from that office or make copies. The review will not be heard by anyone involved in the initial hearing. The review shall be considered and a decision rendered within ten (10) Calendar Days of the filing of the request for review.

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

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

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

### **PART C: INTERIM SUSPENSIONS AND RESIDENCE HALL SEPARATIONS**

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

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

A residence hall separation may be imposed if a Student's continued presence will disrupt the academic and social well-being of the residential community. Residence hall separation is the removal of a student from the University residence hall in which he or she resides. Such separation may include a restriction of access to all or designate University residence halls. During the period of the separation, the removed Student shall not be permitted to enter the designated hall(s) as a guest of another resident.

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

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

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

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

#### **PART D: DISCIPLINARY SANCTIONS**

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

1. Sanctions Which May Be Imposed for Violations of the Code: The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Student Code, and will be entered into the Student's disciplinary records. Notation of disciplinary sanctions shall be on file only in the appropriate office in the Division of Student Affairs and shall not be released without the written consent of the Student except to appropriate University enforcement personnel, University police, staff and administrators, or as required by law.
  - a. Warning: A disciplinary warning is a written notice to a Student advising him or her that specific behavior or activity constitutes a violation of the Code and that the repetition of such behavior will likely result in the commencement of more serious disciplinary action by the University.

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

full residence hall privileges will be restored to the Student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice and the procedures set forth in this Code shall be followed.

- i. Residence Hall Separation: Separation of the Student from the residence halls for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
  - j. Residence Hall Expulsion: Permanent separation of the Student from the residence halls.
  - k. Suspension: Suspension is temporary disciplinary separation from all universities among CSCU and the denial of all student privileges. Suspension shall be effective on the date that notice of the suspension is provided to the Accused Student, or later, if so stated in the notice, and shall prescribe the date and conditions upon which the Student may petition for readmission to the University. A Student separated from all universities within CSCU by suspension may under the terms of the suspension be excluded from the premises of all CSCU premises when in the judgment of the suspending authority, the Student's continued presence would constitute a danger to persons or property or a threat to the academic process. Notwithstanding the foregoing, the suspending authority of the suspended Student's home University or his or her designee may authorize a suspended student who has been excluded from all University premises to enter the premises of the student's home University for designated purposes.
  - l. Expulsion: Expulsion is permanent disciplinary separation from all universities within CSCU and the denial of all student privileges. Expulsion shall be effective on the date that notice of expulsion is provided to the Accused Student, or later, if so stated in the notice. A student separated from all universities of CSCU by expulsion may under the terms of the expulsion be excluded from all CSCU Premises when in the judgment of the expelling authority the Student's presence would constitute a danger to persons or property or a threat to the academic process.
2. Revocation of Admission and/or Degree: Upon the recommendation of the Hearing Body, admission to or a degree awarded from the University may be revoked by the University, acting through its President (or his or her designee) for fraud, misrepresentation, or other violation of University standards in obtaining admission or the degree.
  3. Consequences of Failure to Comply with a Duly Assigned Sanction: Failure to comply with sanctions which have been assigned through a formal judicial process may lead to one or more of the following consequences:
    - a. Denial of access to certain university services, including, but not limited to housing and parking;

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

4. **Sanctions Which May Be Imposed on Student Organizations**

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

### **III. CONDUCT AND DISCIPLINARY PROCEDURES APPLICABLE TO COMMUNITY COLLEGE STUDENTS**

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

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

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

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



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

4. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I. D. of this Code and, after considering both the possible violation and the prior conduct record of the Student, that a sanction of less than suspension or expulsion is appropriate, the Dean shall schedule an administrative conference with the Student. The Student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the Student shall have the opportunity to present information for the Dean's consideration. At the conclusion of the administrative conference, the Dean shall determine whether it is more likely than not that the Student has violated the Policy and, if so, impose a sanction less than suspension or expulsion. The Dean shall provide the Student with a written explanation for the determination. The decision of the Dean shall be final.
5. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I.D. of this Code and, after considering both the violation and the prior conduct record of the Student, that a sanction of suspension or expulsion is appropriate, the Dean shall provide the Student with reasonable written notice of a meeting and shall inform the Student that his/her failure to attend the meeting or to respond to the notice may result in the imposition of the maximum permissible sanction. At the meeting, the Dean shall provide the Student with a written statement that shall include the following:
  - a. a concise statement of the alleged facts;
  - b. the provision(s) of Section I.D. that appear to have been violated;
  - c. the maximum permissible sanction; and
  - d. a statement that the student may resolve the matter by mutual agreement with the Dean, or may request a hearing by notifying the Dean in writing, which must be received by 5:00pm on the following business day.
6. If the Student requests a hearing, he/she is entitled to the following:
  - a. to be heard within five (5) days or as soon as reasonably possible, by an impartial party or panel whose members shall be appointed by the Dean;
  - b. if the Dean appoints an impartial panel, to have a Student on the panel if requested by the Student;
  - c. to appear in person and to have an advisor who not shall attend as a representative of the Student. However, if there is pending at the time of the hearing a criminal matter pertaining to the same incident that is the subject of the hearing, a lawyer may be present for the sole purpose of observing the proceedings and advising the Student concerning the effect of the proceedings on the pending criminal matter;
  - d. to hear and to question the information presented;
  - e. to present information, to present witnesses, and to make a statement on his or her behalf; and
  - f. to receive a written decision following the hearing.
7. As used herein, the term "impartial" shall mean that the individual was not a party to the incident under consideration and has no personal interest in the outcome of the proceedings. Prior to the

commencement of the hearing, the Student who is subject to the hearing may challenge the appointment of an impartial party or panel member on the ground that the person(s) is (are) not impartial. The challenge shall be made in writing to the Dean and shall contain the reasons for the assertion that the person(s) is (are) not impartial. The decision of the Dean shall be final.

8. The written decision of the impartial party or panel shall specify whether, based on the information presented, it is more likely than not that the Student committed the violation(s) reported and shall state the sanction to be imposed, if any. The written decision shall be provided to the Student.
9. Sanctions imposed by an impartial party or panel are effective immediately. The President may, for good cause, suspend imposition of the sanctions imposed by the impartial party or panel to allow the Student time to prepare a written request for review. If a written request is received, the President may continue to suspend imposition of the sanctions until he has reviewed and acted on the Student's request.
10. A written request for review of the decision of the impartial party or panel must be received by the President within three (3) calendar days after the Student is notified of the decision and must clearly identify the grounds for review. The review by the President is limited to the record of the hearing, the written request, and any supporting documentation submitted with the request by the Student. The decision of the impartial party or the panel shall be upheld unless the President finds that:
  - a. a violation of the procedures set forth herein significantly prejudiced the Student; and/or
  - b. the information presented to the impartial party or panel was not substantial enough to justify the decision; and/or,
  - c. the sanction(s) imposed was (were) disproportionate to the seriousness of the violation.
11. Decisions under this procedure shall be made only by the college officials indicated.

#### *PART B: DISCIPLINARY SANCTIONS*

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

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

1. "Expulsion" is a permanent separation from the College that involves denial of all Student privileges, including entrance to College premises;
2. "Suspension" is a temporary separation from the College that involves denial of all Student privileges, including entrance to college premises for the duration of the suspension, and may include conditions for reinstatement;

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

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

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

### **PART A: RIGHTS AND RESPONSIBILITIES OF HEARING PARTICIPANTS**

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

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

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

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

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

**PART B: DISCIPLINARY PROCEDURES**

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

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

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

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

***On-site:***

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

***Via the Phone:***

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

- the complainant at least seven (7) business days before the hearing. The Provost will arrange for the conference call.
- c. The procedures outlined in the "on- site" section will be followed, unless they specifically apply only to the on-site hearing.
  - d. Within ten (10) business days of the conclusion of the formal hearing, a Student may appeal the decision, in writing, to the President. An appeal shall be limited to a consideration of the verbatim record of the hearing and supporting documents for one or more of the following: a.) the process set forth in the guidelines was not followed and resulted in prejudice to the Student; b.) the evidence presented was insufficient to justify the decision; and c.) sanction(s) imposed was/were disproportionate to the gravity of the offense. The President may accept the decision of the hearing panel, overturn their decision, return the matter to the original hearing panel, or appoint a new hearing panel. The decision of the original hearing panel or the new hearing panel or the President will be sent to the Student in writing by the President and will be final.
  - e. During any appeal period, any sanctions will remain in place and the Student will not be allowed to participate in a graduation ceremony nor graduate until the review process has been completed and a final decision rendered.

#### ***PART C: INTERIM ADMINISTRATIVE ACTION***

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

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

#### ***PART D: DISCIPLINARY SANCTIONS***

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

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

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

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

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



## Title IX: Sexual Misconduct

### What is Title IX?

[Submit an Incident Report » \(/title-ix-incident-report/\)](/title-ix-incident-report/)

*"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance..."*

— 20 U.S.C. § 1681

Title IX of the Education Amendments of 1972 (Title IX) prohibits discrimination based on gender in educational programs which receive federal financial assistance. While athletics are one component of Title IX, other programs and activities which may be included are: recruitment, admissions, financial aid and scholarships; course offerings and access; hiring and retention; and benefits and leave. Title IX also protects student and employees, both male and female, from unlawful sexual harassment in school programs and activities. The requirements of Title IX pertaining to sexual harassment also covers sexual violence.

Manchester Community College is committed to providing an environment free from discrimination on the basis of sex. Pursuant to Title IX, MCC's Title IX Coordinator is the designated agent for the college with primary responsibility for coordinating the college's Title IX compliance efforts.

MCC's Title IX Coordinator

### **Title IX Coordinator**

Pamela Mitchell, Associate Dean of Academic Affairs

860-512-2604

[pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu) (<mailto:pmitchell1@manchestercc.edu>)

### **Title IX Coordinator Responsibilities**

The Title IX Coordinator is responsible for overseeing the college's Title IX compliance efforts. This includes:

- Oversee all Title IX complaints and identify and address any patterns or systemic problems that arise during the review of such complaints
- Ensure that complaints of sexual discrimination, sexual harassment, sexual misconduct or sexual assault are handled through consistent practices and standards
- Where appropriate and necessary, conduct investigations on complaints of sexual discrimination, sexual harassment, sexual misconduct or sexual violence
- Prepare and disseminate educational materials, including brochures, posters and web-based materials that inform members of the college community of Title IX rights and responsibilities
- Coordinate training for students about their rights under Title IX and grievance procedures
- Coordinate in-service training to all employees concerning Title IX policy
- Provide assistance to the college's police officers on appropriate responses to reports of sexual misconduct or sexual violence

### **When should I contact the Title IX Coordinator?**

Any student, faculty or staff member, or applicant for admission or education who has concerns about sex discrimination or sexual misconduct is encouraged to seek the assistance of the Title IX Coordinator.

Contact the coordinator if you:

- Wish to understand your options if you think you may have encountered sex discrimination or sexual misconduct
- Learn of a situation that you feel may warrant a college investigation
- Need help on how to handle a situation by which you are directly or indirectly affected
- Seek guidance on possible informal remedies or administrative measures to de-escalate or alleviate a difficult situation
- Have questions about Manchester Community College's policies and procedures

The coordinator can also facilitate a formal or informal complaint with the college's Human Resources or Student Affairs offices or a police investigation with the MCC Police Department.

### Confidentiality

Conversations with the Title IX Coordinator are kept as confidential as possible, but information about incidents of sexual misconduct must be shared with relevant administrators if the college needs to take action for reasons of community safety. In all cases, the wishes of the person initiating the conversation are given full consideration.

*Last updated August 26, 2016.*

# Title IX Incident Report Form

## Report an Incident or Situation

*This form must be completed by an MCC employee and submitted as soon as possible after learning of an incident that may violate the Title IX policy.*

Your Name

Your Title

Your Email

Your Phone

Date, Time, and Location of Incident

Date Incident Reported to You

**Complainant, Reporting Victim, or Reporting Third Party**  
Their Name, Contact Information (phone, email, address)

**Against Whom (Accused/Perpetrator/Suspect)**  
Their Name, Contact Information (phone, email, address)

**Name and Contact Information of Person Who Reported the Incident to You**  
(*optional*; if different from the complainant)

**Description of the Incident**

Please be as specific as possible and include facts shared by the complainant, names of witnesses, if available.

**Case Status**

Measures taken; how did you leave things with the victim?

**Offices Involved**

Has victim reported the incident to the police? Has victim filed an internal complaint? Is victim working with an outside agency? Have you shared this information with any other offices?

**Has the Title IX Checklist been reviewed with Complainant?**

☐ Yes

☐ No

**Has the Complainant requested confidentiality?**

☐ Yes

☐ No

Is the incident Clery Act reportable?

☐ Yes

☐ No

Please enter this security code: **HJ QX**

Submit Report

*Last updated September 16, 2016.*

## Victims Rights

**Victims/survivors of sexual assault and interpersonal violence have the right to:**

- Be treated with respect and dignity.
- This means you can refuse to answer any questions about the sexual assault, your sexual orientation, your sexual history, your medical history (including HIV status), and your mental health history.
- Decide whether or not you want the police to investigate the assault.
- Not be judged based on your race, age, class, gender, or sexual orientation.
- Have a sexual assault counselor/advocate accompany you to medical, law enforcement, and legal proceedings.
- Request that someone you are comfortable with stay with you in the examination room.
- Ask questions and get answers regarding any tests, exams, medications, treatments, or police reports.
- Be considered a victim/survivor of sexual assault, regardless of the offender's relationship to you.

As a victim/survivor of sexual assault or interpersonal violence, some individuals may feel some of the following:

- Anger
- Fear
- Guilt
- Loss of control
- Powerlessness
- Embarrassment
- Depression
- Denial



- Shame
- Disbelief
- Confusion
- Isolation

These feelings are completely natural and every victim/survivor of sexual assault and interpersonal violence responds differently.

## Links

Connecticut State Colleges and Universities (CSCU)

Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy (<http://www.ct.edu/files/pdfs/hr-policy-sexual-misconduct.pdf>)

Connecticut Commission on Human Rights and Opportunities

Sexual Harassment Prevention Policy and Complaint Procedure (<http://www.ct.gov/chro/cwp/view.asp?a=2523&Q=315864>)

*Last updated August 26, 2016.*

## Domestic and Family Violence

The U. S. Department of Justice defines domestic violence as “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.”

Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

**Physical Abuse:** Hitting, slapping, shoving, grabbing, pinching, biting, and hair pulling are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

**Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to, marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.

**Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. This may include, but is not limited, to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.

**Economic Abuse:** Making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.

**Psychological Abuse:** Elements of psychological abuse include, but are not limited to, causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

[See Community Resources » \(/police-safety/title-ix-resources/#ert\\_pane1-1\)](#)

- Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender.
- Domestic violence affects people of all socioeconomic backgrounds and education levels.
- Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.
- Dating violence is a pattern of abusive behaviors used to exert power and control over a dating partner. These behaviors include physical, verbal, sexual, emotional, and electronic abuse.
- In Connecticut, it is illegal for someone to physically assault, stalk, or threaten you even if that person is a member of your family or household, or is someone you have dated.
- Connecticut defines family or household member to include any of the following persons, regardless of their age:
  - Spouse or former spouse
  - Parents or their children
  - Persons related by blood or marriage
  - Persons other than those related by blood or marriage but who presently reside together or have resided together (e.g., roommates)
  - Persons who have a child in common regardless of whether they have ever been married or lived together
  - Persons who are currently in or who have recently been in a dating relationship

C.G.S. § 46b-38a – Family violence prevention and response states that  
*“Family violence means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Verbal abuse or argument shall not constitute family violence unless there is present danger and the likelihood that physical violence will occur.”*

Sources: National Domestic Violence Hotline, National Center for Victims of Crime, and WomensLaw.org.

*Last updated September 16, 2016.*

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## What You Can Do

If someone tells you about a sexual assault or interpersonal violence:

- Listen and don't form opinions.
- Ensure that the victim/survivor is safe!
- Don't judge the severity of the situation based on the victim/survivor's response to it.
- Empower the victim/survivor to make his/her own decisions.
- Trust the victim/survivor's word and help him/her.
- Tell the victim/survivor that you believe him/her.
- Let the victim/survivor know that he/she is not alone.

[Report a Situation or Incident Now » \(../title-ix-incident-report/\)](#)

What to do if you are sexually assaulted:

- Go to a safe place.
- If you choose to report the crime, notify the police immediately. Call a friend, a family member, or someone else you trust who can be with you and give you support.
- Whether or not you choose to report the sexual assault to the police, you should seek medical attention immediately, even if you do not feel you have been seriously injured. A medical exam is important to check for sexually transmitted diseases or other infection/injuries and for pregnancy resulting from the sexual assault.
- Having a medical exam is also a way for you to preserve physical evidence of a sexual assault. Medical evidence needs to be collected within 72 hours of an assault in case you decide later to pursue a police complaint.
- Preserve all physical evidence of the assault.

- If you suspect that you may have been given a “rape drug,” ask the hospital or clinic where you receive medical care to take a urine sample. Drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
- Write down as much as you can remember about the circumstances of the assault, including a description of the assailant.
- Get information whenever you have questions or concerns. After a sexual assault, you have a lot of choices and decisions to make – e.g., about getting medical care, making a police report, and telling other people. [See Resources » \(/police-safety/title-ix-sexual-misconduct/title-ix-resources/\)](#)
- Talk with a counselor who is trained to assist sexual assault victims. Counseling can help you learn how to cope with the emotional and physical impacts of the assault. Call the Sexual Assault Crisis Service Statewide 24-hour toll free HOTLINE (1-888-999-5545; 1-888-568-8332 Espanol)

[Report a Situation or Incident Now » \(../title-ix-incident-report/\)](#)

*Last updated September 16, 2016.*

## Statement Regarding Sexual Violence

### MCC's Statement Regarding Sexual Violence

Manchester Community College is committed to creating a community that is safe and supportive of people of all gender and sexual identities; this statement pertains to the entire college community—students, faculty, and staff. Two of the college's primary concerns are the health and well-being of each individual and fostering healthy interpersonal relationships. The principles of the Connecticut State Colleges and Universities (CSCU) *Policy on Student Conduct*—integrity, equity, respect, and responsibility—address elements necessary for healthy interpersonal relationships and these principles are especially important when relationships become intimate. Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct—including sexual harassment, sexual assault, and intimate partner violence—against anyone is unacceptable and is both a crime under Connecticut State law and a violation of college policies, including but not limited to: *Policy on Student Conduct*, *Violence Prevention and Response Statement*, and *Statement Against Harassment*. The college is committed to providing an environment free of personal offenses.

### Reporting Is Encouraged

Manchester Community College strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedy or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. The college can 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 assault. The college will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. College employees, victim advocates or community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place.

### Agency Contact Information

It is the practice of Manchester Community College that whenever the college's Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, the College's Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for professional assistance in accessing and using college, local advocacy, counseling, health and mental health services.

## Connecticut State Colleges and Universities (CSCU) Policy

### Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy

*Last updated August 26, 2016.*

## Stalking

Stalking is a pattern of 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:

- Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.
- Repeatedly leaving or sending victim unwanted items, presents, or flowers.
- Following or laying in wait for the victim at places such as home, school, work, or recreation place.
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.
- Damaging or threatening to damage the victim's property.
- Harassing victim through the internet.
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.
- Obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family work, or neighbors, etc.

### What To Do If You Are Being Stalked

1. Trust your instincts. Victims of stalking often feel pressured by friends or family to downplay the stalker's behavior, but stalking poses a real threat of harm. Your safety is paramount.



2. Call the police if you feel you are in any immediate danger. Explain why even some actions that seem harmless—like leaving you a gift—are causing you fear.
3. Keep a record or log of each contact with the stalker. Be sure to also document any police reports.
4. Stalkers often use technology to contact their victims. Save all e-mails, text messages, photos, and postings on social networking sites as evidence of the stalking behavior.
5. Get connected with a local victim advocate to talk through your options and discuss safety planning.

[See More Resources » \(/police-safety/title-ix-sexual-misconduct/title-ix-resources/\)](#)

Source: Stalking Resource Center, National Center for Victims of Crime  
[www.victimsofcrime.org](http://www.victimsofcrime.org) (<http://www.victimsofcrime.org>)

*Last updated September 16, 2016.*

## MCC and Community Resources

MCC Resources      Community Resources

### MCC Resources

#### **G. Duncan Harris, Dean of Student Affairs**

SSC L287, 860-512-3203

- Patricia Lindo
- Umesh Vig
- Ta'Shema Odoms
- Theresa Grout

#### **Title IX Coordinator**

Pamela Mitchell

LRC B116, 860-512-2604

[pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu) (mailto:pmitchell1@manchestercc.edu)

#### **Student Success Advising Center/Women's Services**

SSC L120b, 860-512-3307

#### **MCC Police Department**

SSC L174, 860-512-3680

The MCC Police Department will give its full assistance in response to a report of sexual assault or domestic violence. If the incident occurred off campus, MCCPD can assist in contacting the police department of the town in which the incident occurred.

#### **Members of MCC Title IX Resource Team**

- Trent (TJ) Barber, Director of Student Activities  
SSC L149b, 860-512-3282
- Michael Davis, Lieutenant, MCC Police Department  
SSC L170, 860-512-3682
- Nicole Esposito, Faculty  
AST T307, 860-512-2763
- Pamela Mitchell, Associate Dean of Academic Affairs/Title IX Coordinator  
LRC B116, 860-512-2604
- Claire Hearn, Detective, Town of Manchester Police Department
- Patricia Lindo, Director, Human Resources  
SSC L134d, 860-512-3612
- Kristin Mesick, Clery Compliance Officer, MCC Police Department  
SSC L174, 860-512-3000
- Penni Micca, Advocate, Interval House
- Ta'Shema Odoms, Counselor  
SSC L120b, 860-512-3307
- G. Duncan Harris, Dean of Student Affairs  
SSC L285, 860-512-3202
- Umesh Vig, Assistant to the Dean of Student Affairs  
SSC L286, 860-512-3204

*Last updated August 29, 2016.*

## Definitions of Terminology

What is *Sexual Assault* or *Sexual Misconduct*?

**Sexual misconduct** incorporates a range of behaviors including sexual assault, sexual harassment, intimate partner violence, stalking, voyeurism, and any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person.

**Sexual harassment** includes requests for sexual favors, sexual advances or other sexual conduct when (1) submission is either explicitly or implicitly a condition affecting academic or employment decisions; (2) the behavior is sufficiently severe or pervasive as to create an intimidating, hostile or repugnant environment; or (3) the behavior persists despite objection by the person to whom the conduct is directed.

**Sexual Assault** is compelling by force, or the threat of force, the following: (1) Sexual penetration of the vagina or anus, including by a finger or an object; (2) Oral sex; (3) Contact with a person's genital area, groin, anus, inner thighs, buttocks, or breasts for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating the victim; (4) Subjecting another to such sexual contact without consent.

Sexual Assault is a crime and will not be tolerated at MCC. See MCC's Statement Regarding Sexual Violence

What is *Interpersonal Violence*?

**Interpersonal Violence** occurs when one person uses power and control over another through physical, sexual, or emotional threats or actions, economic control, isolation, or other kinds of coercive behavior. Some types of interpersonal violence are:

**Domestic/Family Violence** means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. (C.G.S. § 46b-38a)

**Dating/Relationship Violence** occurs when one intimate or romantic partner tries to maintain power and control over the other through words and actions that are physically and emotionally abusive. Dating violence can take many forms including physical violence, coercion, threats, intimidation, isolation, and emotional, sexual or economic abuse.

**Sexual Violence** is any type of sexual activity that a person does not agree to. It includes sexual assault; sexual exploitation; stalking; sexual harassment; voyeurism; exposure; and sexual activity resulting from emotional coercion.

#### What is *Consent*?

- Person must be old enough to consent. The age of consent in Connecticut is 16 years of age.
- Agreeing to specific sexual behavior willingly.
- Consent is active; both parties say "yes".
- Consent is ongoing and can be withdrawn at any time without fear or explanation.
- Obtaining consent is the responsibility of the individual initiating the sexual contact
- Consent is a must for every form of sexual activity every time. A person has the right to withdraw consent even if that person has consented to sexual activity with that individual in the past.

- Consent is not valid if there is force, threats, intimidation, or coercion used.
- Consent is not valid when judgment is impaired by the use of alcohol,/drugs or if the person not initiating is sleeping or unconscious.

Connecticut State Law is clear that having sexual intercourse with someone who cannot consent is *rape*.

*Last updated September 16, 2016.*

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# MCC's Statement Regarding Sexual Violence

Manchester Community College is committed to creating a community that is safe and supportive of people of all gender and sexual identities; this statement pertains to the entire college community—students, faculty and staff. Two of the college's primary concerns are the health and well-being of each individual and fostering healthy interpersonal relationships. The principles of the Board of Regents *Policy on Student Conduct*—integrity, equity, respect and responsibility—address elements necessary for healthy interpersonal relationships, and these principles are especially important when relationships become intimate. Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct—including sexual harassment, sexual assault and intimate partner violence—against anyone is unacceptable and is both a crime under Connecticut State law and a violation of college policies, including but not limited to: *Policy on Student Conduct*, *Violence Prevention and Response Statement*, and *Statement Against Harassment*. The college is committed to providing an environment free of personal offenses.

## Reporting Is Encouraged

Manchester Community College strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedy or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. The college can 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 assault. The college will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. College employees, victim advocates or community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place.

## Agency Contact Information

It is the practice of Manchester Community College that whenever the college's Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, the College's Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for professional assistance in accessing and using college, local advocacy, counseling, health and mental health services.

## Manchester Community College

Title IX Coordinator: Pamela Mitchell (LRC B116)

Phone: ..... 860-512-2604

Dean of Student Affairs  
and Enrollment Management Office (SSC L287)

Phone: ..... 860-512-3203

Student Success and Advising Center/  
Women's Services (SSC L108)

Phone: ..... 860-512-3320

MCC Police Department (SSC L174)

Phone: ..... 860-512-3680

The MCC Police Department will give its full assistance in response to a report of sexual assault or domestic violence. If the incident occurred off-campus, MCCPD can assist in contacting the police department of the town in which the incident occurred.

## Connecticut Sexual Assault Crisis Services

24-Hour Hotline (English): ..... 1-888-999-5545

24-Hour Hotline (Español): ..... 1-888-568-8332

Website: ..... [www.connsacs.org](http://www.connsacs.org)

All services are free and confidential.

## Connecticut Coalition Against Domestic Violence

24-Hour Hotline (English): ..... 1-888-774-2900

24-Hour Hotline (Español): ..... 1-844-831-9200

TDD/TTY: ..... 1-860-249-5384

Website: ..... [www.ctcadv.org](http://www.ctcadv.org)

All services are free and confidential.

## Interval House

A program for victims of domestic violence.

24-Hour Hotline: ..... 1-860-527-0550

Interval House East: ..... 1-860-645-4033

Website: ..... [www.intervalhousect.org](http://www.intervalhousect.org)

Towns served: Andover, Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, Ellington, Farmington, Glastonbury, Granby, Hartford, Hebron, Manchester, Marlborough, Newington, Rocky Hill, Simsbury, South Windsor, Tolland, Vernon, West Hartford, Wethersfield and Windsor.

## Domestic Violence Outreach Team (DVOT)

Specialized partnership program between the Manchester Police Department and Interval House.

Phone: ..... 1-860-643-3334

DVOT Interval House Advocate: ..... 1-860-643-3338

## Office of Victim Services, Connecticut Judicial Branch

Phone: ..... 1-800-822-8428

TDD/TTY: ..... Call 711 or 1-800-842-9710

Website: ..... [www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)

Information regarding services available to victims of a violent crime.

August 2016/PR



MANCHESTER  
COMMUNITY  
COLLEGE

# Sexual Assault or Sexual Misconduct on Campus

## A Guide for Faculty and Staff

### 3 STEPS

**to take if someone discloses  
a sexual assault to you:**

#### 1 CARE

Care for the person

- Ensure that the person is safe
- Provide non-judgmental support

#### 2 CONNECT

Connect the person with resources; resources are listed on the reverse

#### 3 CONTACT

Contact the Title IX Coordinator

**Title IX Coordinator:**

**Pamela Mitchell**

Office: LRC B116

860-512-2604

[pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu)

You must report the incident to the Title IX Coordinator.

#### What is Sexual Assault or Sexual Misconduct?

**Sexual misconduct** incorporates a range of behaviors, including sexual assault, sexual harassment, intimate partner violence, stalking, voyeurism and any other conduct of a sexual nature that is nonconsensual or has the purpose or effect of threatening, intimidating or coercing a person.

**Sexual harassment** includes requests for sexual favors, sexual advances or other sexual conduct when (1) submission is either explicitly or implicitly a condition affecting academic or employment decisions; (2) the behavior is sufficiently severe or pervasive as to create an intimidating, hostile or repugnant environment; or (3) the behavior persists despite objection by the person to whom the conduct is directed.

**Sexual assault** is compelling by force, or the threat of force, the following: (1) sexual penetration of the vagina or anus, including by a finger or an object; (2) oral sex; (3) contact with a person's genital area, groin, anus, inner thighs, buttocks or breasts for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating the victim; or (4) subjecting another to such sexual contact without consent.

**Sexual assault is a CRIME and will not be tolerated at MCC.**

**For more information about the  
MCC policy and resources, go to:  
[www.manchestercc.edu/title-IX](http://www.manchestercc.edu/title-IX)**



MANCHESTER  
COMMUNITY  
COLLEGE



# Who can I talk with about sexual assault or sexual misconduct?

## MCC Resources

### Dean of Student Affairs and Enrollment Management Office

SSC L287  
860-512-3203

### Title IX Coordinator: Pamela Mitchell

LRC B116  
860-512-2604  
pmitchell1@manchestercc.edu

### Student Success and Advising Center/ Women's Services

SSC L108  
860-512-3320

### MCC Police Department

SSC L174  
860-512-3680

The MCC Police Department will give its full assistance in response to a report of sexual assault or domestic violence. If the incident occurred off campus, MCCPD can assist in contacting the police department of the town in which the incident occurred.

### Members of MCC Title IX Resource Team

Trent (TJ) Barber, Director of Student Activities  
SSC L149b, 860-512-3282

Michael Davis, Lieutenant, MCC Police Department  
SSC L170, 860-512-3682

Nicole Esposito, Faculty  
ASTT307, 860-512-2763

G. Duncan Harris, Dean of Student Affairs  
SSC L285, 860-512-3202

Claire Hearn, Detective, Town of Manchester Police Department

Patricia Lindo, Director, Human Resources  
SSC L134, 860-512-3622

Kristin Mesick, Clery Compliance Officer,  
MCC Police Department, SSC L174, 860-512-3000

Penni Micca, Advocate, Interval House

Pamela Mitchell, Title IX Coordinator,  
Associate Dean of Academic Affairs  
LRC B116, 860-512-2604

Ta'Shema Odoms, Counselor  
SSC L108, 860-512-3307

Umesh Vig, Assistant to the Dean of Student Affairs and Enrollment Management  
SSC L286, 860-512-3204

## Local Resource

### Connecticut Sexual Assault Crisis Services

Statewide 24-Hour Toll-Free Hotline

1-888-999-5545 English

1-888-568-8332 Español

[www.connsacs.org](http://www.connsacs.org)

All services are free and confidential

Crisis services include:

- Hotline services, 24/7
- 24-hour crisis counseling
- Information and referral
- Short-term counseling for victims and their family and/or friends
- Support groups
- Community education programs dealing with sexual assault issues
- Community prevention programs dealing with safety concerns, etc.

August 2016/PR

For more information about the MCC policy and resources, go to

**[www.manchestercc.edu/title-IX](http://www.manchestercc.edu/title-IX)**

# Interpersonal and Domestic Violence

## A Guide for Faculty and Staff

### 3 STEPS

**to take if someone discloses  
an interpersonal or domestic  
violence situation to you:**

#### 1 CARE

Care for the person

- Ensure that the person is safe
- Provide non-judgmental support

#### 2 CONNECT

Connect the person with  
resources; resources are listed  
on the reverse

#### 3 CONTACT

Contact the Title IX Coordinator

**Title IX Coordinator:**

**Pamela Mitchell**

Office: LRC B116

860-512-2604

[pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu)

You must report the incident to the  
Title IX Coordinator.

#### What is Interpersonal Violence?

**Interpersonal Violence** occurs when one person uses power and control over another through physical, sexual or emotional threats or actions; economic control; isolation; or other kinds of coercive behavior. Some types of interpersonal violence are:

- **Domestic/family violence** – incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault including, but not limited to, stalking or a pattern of threatening between family or household members.
- **Dating/relationship violence** – when one intimate or romantic partner tries to maintain power and control over the other through words and actions that are physically and emotionally abusive. Dating violence can take many forms, including physical violence, coercion, threats, intimidation, isolation, and emotional, sexual or economic abuse.
- **Sexual violence** – any type of sexual activity that a person does not agree to. It includes sexual assault, sexual exploitation, stalking, sexual harassment, voyeurism, exposure and sexual activity resulting from emotional coercion.

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MCC policy and resources, go to:  
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MANCHESTER  
COMMUNITY  
COLLEGE

# Who can I talk with about interpersonal and domestic violence?

## MCC Resources

### Dean of Student Affairs and Enrollment Management Office

SSC L287  
860-512-3203

### Title IX Coordinator: Pamela Mitchell

LRC B116  
860-512-2604  
pmitchell1@manchestercc.edu

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LRC B116, 860-512-2604

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SSC L108, 860-512-3307

Umesh Vig, Assistant to the Dean of Student Affairs and Enrollment Management  
SSC L286, 860-512-3204

## Local Resources

### Connecticut Coalition Against Domestic Violence (CCADV)

1-888-774-2900 Toll-free 24-hour Hotline  
1-844-831-9200 Toll-free 24-hour Hotline (en español)  
www.ctcadv.org

Services are free and confidential.

### Domestic Violence Outreach Team (DVOT)

(Specialized partnership program between the Manchester Police Department and Interval House)

860-643-3334  
860-643-3338 DVOT Interval House Advocate

### Interval House

860-527-0550 Hotline  
860-645-4033 Hotline  
Interval House East (towns east of Hartford)  
www.intervalhousect.org

Towns served: Andover, Avon, Bloomfield, Bolton, Canton, East Granby, East Hartford, Ellington, Farmington, Glastonbury, Granby, Hartford, Hebron, Manchester, Marlborough, Newington, Rocky Hill, Simsbury, South Windsor, Tolland, Vernon, West Hartford, Wethersfield, and Windsor

August 2016/PR

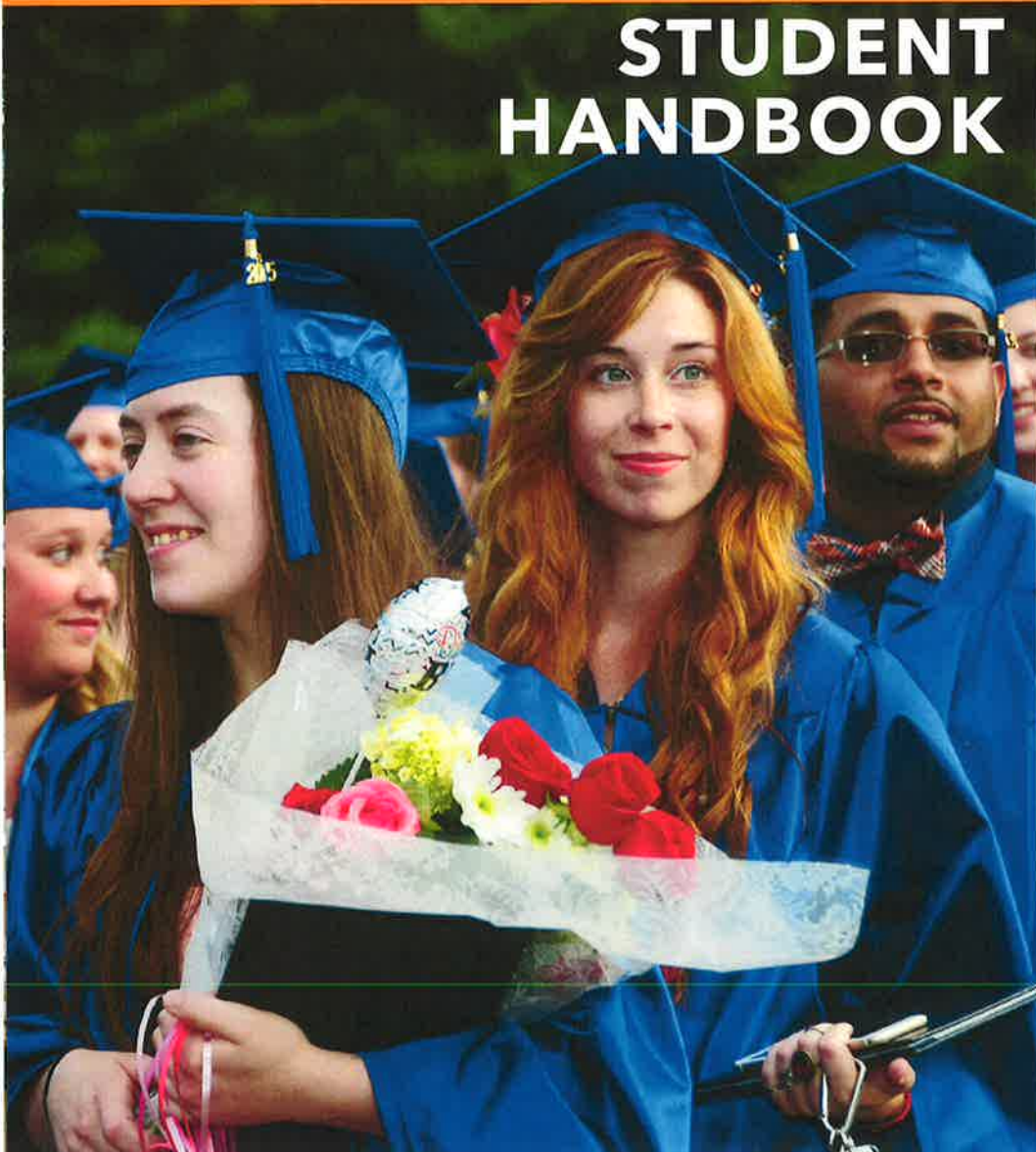
For more information about the MCC policy and resources, go to

**[www.manchestercc.edu/title-IX](http://www.manchestercc.edu/title-IX)**

MANCHESTER COMMUNITY COLLEGE

2016-2017

# STUDENT HANDBOOK



EMENT • PARTNERSHIPS • COLLEGE CULTURE • ACADEMIC EXCELLENCE  
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### **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.

## **Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy**

*(Policy statement from the Board of Regents for Higher Education (3/13/2014))*

### **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 or 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 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.

The BOR strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault 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 or 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 assault. Each and every BOR governed college or 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 advocates or community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place.

Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirma-



tively consensual at all times. Sexual misconduct, including sexual harassment, sexual assault, sexual exploitation and intimate partner violence, against anyone is unacceptable and is both a crime under State law and a violation of BOR policies. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Consensual sexual relationships between staff, faculty and students are discouraged pursuant to BOR policy.

### **Mandated Reporting**

The BOR requires that a report be made to the Connecticut Department of Children and Families whenever a person under eighteen (18) years of age may have been sexually assaulted. Further, pursuant to BOR Policy on Suspected Abuse or Neglect of a Child, any BOR or CSCU employee who 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 Board policy to report the incident as soon as practicable to their immediate supervisor as well. Employees are required to report possible sexual assault of persons 18 years old or older and those CSCU employees who qualify as Campus Security Authorities under the *Jeanne Clery Act* have a duty to report possible sexual assault regardless of the age of the reported victim.

### **Confidentiality**

When a BOR governed college or university receives a report of sexual assault 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 the 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, such as off campus counseling and psychological services, health services

providers, member(s) of the clergy, and the local Sexual Assault Crisis Center 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 assault or the person reported to have been assaulted 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 or university will provide a list of such confidential resources in the College or University's geographic region to victims of assault 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 a sexual assault to the extent reasonably possible.

### **Rights of Those Who Report**

Those who report any type of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, 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, including sexual harassment, sexual assault and intimate partner violence, 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 an assault feel ready

to make any decisions about reporting the assault to police, the Dean of Students or the Campus's Title IX Coordinator.

- Those who have been assaulted have the right to take both legal action (criminal/civil action) and action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s) and/or the Sexual Assault Crisis Center of Connecticut — all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

#### **Options for Changing Academic, Transportation and Working Arrangements**

The colleges or universities will provide assistance to those involved in a report of sexual harassment, sexual assault or intimate partner violence, 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 or 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, including sexual harassment, sexual assault or intimate partner violence, 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 campus, local advocacy, counseling, health, and mental health services. All CSU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

#### **Right to Notify Law Enforcement and Seek Protective and Other Orders**

Those who report being subjected to sexual misconduct, including harassment, sexual assault or intimate partner violence, 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;
  - relief from physical abuse by a family or household member or person in a dating relationship; and
  - family violence protective orders.

#### **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 harassment, sexual assault and intimate partner violence.

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 complainants and accused students.

Reported victims of such assault or violence shall have the opportunity to request that disciplinary proceedings begin promptly and such disciplinary proceedings shall be conducted by an official trained in issues relating to sexual assault and intimate partner violence and shall use the preponderance of the evidence standard in making a determination concerning the alleged

assault or violence. Both the reported victim of such assault or violence and the accused are entitled to be accompanied to any meeting or proceeding relating to the allegation of such assault or violence 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 each shall have the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding. Both the reported victim and accused are entitled to be informed in writing of the results of any disciplinary proceeding not later than one business day after the conclusion of such proceeding. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity. To the extent permitted under state or federal law or as necessary for the disciplinary proceeding, the college or university shall not disclose the identity of the reporter or the accused.

#### **Dissemination of this policy**

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

#### **Terms and Usage**

**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** may include 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. Sexual assault is further defined sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a of the 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.

**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).

**Intimate partner violence** 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 of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic violence as

designated under section 46b-38h of the general statutes. "The offenses that are designated as "domestic violence" are against family or household members or persons in dating relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Stalking is one person's repetitive and willful following or lying in wait behavior towards another person that causes that other person to reasonably fear for his or her physical safety. Relationship violence may also include physical abuse, threat of abuse, and emotional abuse.

## **Student Rights**

### **5.2.2 Policy on Student Rights**

#### **Section 1: Rights of Students**

It is the board policy that the educational offerings of the community colleges be available to students without regard to the individual's race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disability, genetic information, marital status, mental retardation, sexual orientation, learning disability, or physical disability, including, but not limited to, blindness, or prior conviction of a crime (unless the provisions of sections 46a-60(b), 46a-80(b), or 46a-81(b) of the Connecticut General Statutes are controlling or there is a bona fide occupational qualification excluding persons in one of the above protected groups). With respect to the foregoing, discrimination on the basis of sex shall include sexual harassment as defined in Section 46a-60(8) of the Connecticut General Statutes. Further, the system will not discriminate against any person on the grounds of political beliefs or veteran status.

Students are entitled to an atmosphere conducive to learning and to impartial treatment in all aspects of the teacher-student relationship. The student should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or his or her own part in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political

activism, or personal beliefs. Students are free to take reasoned exception to the data or views offered in any course of study, but they are responsible for learning the content of the course of study as defined by official college publications.

Community college students are both citizens and members of the academic community. As citizens they enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy, and as members of the academic community they are subject to the obligations which accrue to them by virtue of this membership.

## **Section 2 : Student Grievance Procedure**

1. *Definition:* A grievance is an allegation by a student that, as to him or her, an agent of the college has violated board or college policies relating to students other than assignment of grades or other academic evaluation (see Section 3: Review of Academic Standing).
2. *How to file a grievance:* A grievance is to be submitted in writing to the Dean of Students or such other college official as the President may designate (hereinafter, the Dean of Students), within thirty days of the date the grievant knew or reasonably should have known of the alleged violation. The written grievance shall specify the right claimed to have been violated and state briefly the underlying facts.
3. *Procedure for grievance resolution:* The Dean of Students and/or his designee shall investigate the grievance and, within thirty days from the time the grievance was submitted recommend to the President a disposition of the grievance, except as provided hereinafter:
  - a. In the course of each investigation, the Dean of Students shall consult with the dean responsible for the area of college operations in which the grievance arose.
  - b. In the case of a grievance alleging discrimination based on race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disorder, marital status, mental retardation or physical

disability, prior conviction of a crime, political beliefs, veteran status, or sexual preference, the Dean of Students shall consult with the college's Affirmative Action Officer during the course of the investigation.

c. In the case of a grievance against a dean, the grievance shall be filed with the President. The President may accept or reject the recommendation, or direct such further investigation as he or she deems appropriate. The President shall notify the student of the final disposition of the grievance within fifteen days of receiving the recommendation, except for good cause or as provided in 4.

4. *Advisory Committee:* The President may establish an advisory committee of students and staff which may be charged with the responsibility of making recommendations at either the level of the deans or the President. The President may appoint and remove members of the committee. If an advisory committee is appointed, the President shall establish a reasonable time frame within which the committee must make recommendations.

## **Section 3: Review of Academic Standing**

A student may seek review of the assignment of a grade or other decision affecting academic status in accordance with the following procedure:

1. The grade or academic decision affecting academic status should be discussed informally with the instructor or official responsible for the decision within fifteen calendar days of the student's awareness of the decision.
2. If the matter is not satisfactorily adjusted within ten calendar days of this appeal or the instructor is not available, the student may refer the matter to the academic dean by filing a written appeal. The appeal must be filed with the academic dean within thirty calendar days of the student's awareness of the decision which is being appealed.

Upon receipt of such appeal, the dean shall meet with the instructor, if he or she is available, to



## APPENDIX A: SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA TEMPLATE

**CSCU INSTITUTION:** Manchester Community College  
**REPORTING OFFICE/DEPARTMENT:** Diversity & Inclusion  
**INSTITUTION CONTACT:** Debi Freund  
**YEAR:** 2017

<b>I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS:</b>			
Program Category	Number of Programs:		
	<i>Prevention:</i>	<i>Awareness:</i>	<i>Risk Reduction:</i>
<i>Sexual Assault</i>	7	7	7
<i>Stalking</i>	7	7	7
<i>Intimate Partner Violence</i>	6	6	6
<b>Program Types:</b> <i>(List and Describe Each Program Type)</i>			
See Attached			

<b>II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS:</b>		
Campaign Category	Number of Campaigns:	
	<i>Prevention:</i>	<i>Awareness:</i>
<i>Sexual Assault</i>	4	4
<i>Stalking</i>	4	4
<i>Intimate Partner Violence</i>	4	4
<b>Campaign Types:</b> <i>(List and Describe Each Campaign Type)</i>		
See Attached		

III. TOTAL REPORTED INCIDENTS OF SEXUAL VIOLENCE:		
Incident Category	Number of Incidents Reported:	Number of Incidents Disclosed:
<i>Sexual Assault</i>	0	0
<i>Stalking</i>	0	0
<i>Intimate Partner Violence</i>	0	2

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

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

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

<b>V.b. FINAL OUTCOMES OF APPEALS OF ORIGINAL OUTCOMES OF CASES RELATING TO SEXUAL VIOLENCE (EMPLOYEES):</b>		
<b>Appeal Category</b>	<b>Outcome of Appeal Decision:</b>	
	<b>Upheld:</b>	<b>Overtured:</b>
<i>Sexual Assault</i>	0	0
<i>Stalking</i>	0	0
<i>Intimate Partner Violence</i>	0	0

<b>VI. TOTAL ANONYMOUS OR CONFIDENTIAL SEXUAL VIOLENCE REPORTS OR DISCLOSURES TO THE INSTITUTION:</b>				
<b>Category</b>	<b>Number of Reports:</b>		<b>Number of Disclosures:</b>	
	<b>Anonymous:</b>	<b>Confidential:</b>	<b>Anonymous:</b>	<b>Confidential:</b>
<i>Sexual Assault</i>	0	0	0	0
<i>Stalking</i>	0	0	0	0
<i>Intimate Partner Violence</i>	0	0	0	0

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. A copy of its most recent policies regarding sexual assault, stalking and intimate partner violence;
- II. A copy of its most recent concise written notification of the rights and options of a student or employee who reports or discloses an alleged violation of its sexual assault, stalking and intimate partner violence policy or policies;
- III. The number and type of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at the institution;
- IV. The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by the institution;
- V. The number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed to such institutions.
- VI. The number of confidential or anonymous reports or disclosures to the institution of sexual assault, stalking and intimate partner violence;
- VII. The number of disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence; and
- VIII. 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 outcome of any appeals of such final outcome to the extent reporting on such outcomes does not conflict with federal law.



## APPENDIX B: 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 of at least ten years, a portion of which may be suspended, except as provided in subdivisions (1) and (2) of this subsection, or 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. Notwithstanding the provisions of subsection (a) of section 53a-29 and except as otherwise provided in this subsection, a court may suspend a portion of a sentence imposed under this subsection and impose a period of supervised probation pursuant to subsection (f) of section 53a-29.

**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.

**Sec. 53a-73a. Sexual assault in the fourth degree: Class A misdemeanor or class D felony.** (a) A person is guilty of sexual assault in the fourth degree when: (1) Such person subjects another person to sexual contact who is (A) under thirteen years of age and the actor is more than two years older than such other person, or (B) thirteen years of age or older but under fifteen years of age and the actor is more than three years older than such other person, or (C) mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or (D) physically helpless, or (E) less than eighteen years old and the actor is such other person's guardian or otherwise responsible for the general supervision of such other person's welfare, or (F) 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 (2) such person subjects another person to sexual contact without such other

person's consent; or (3) such person engages in sexual contact with an animal or dead body; or (4) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (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 contact occurs by means of therapeutic deception; or (5) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (6) such person is a school employee and subjects another person to sexual contact who 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 (7) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects another person to sexual contact who 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 (8) such person subjects another person to sexual contact and (A) 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 (B) such other person is under eighteen years of age; or (9) such person subjects another person to sexual contact who 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 fourth degree is a class A misdemeanor or, if the victim of the offense is under sixteen years of age, a class D felony.

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

**Sec. 10a-55m. (a) (1)** "*Affirmative Consent*" means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

**Sec. 10a-55m. (a) (5)** "*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) (2) "Awareness programming"** means institutional action designed to inform the campus community of the affirmative consent standard used pursuant to subdivision (1) of subsection (b) of this section, and 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 or disclosed to 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) (6) "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, the following: 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.

Please direct all inquiries concerning this handbook to  
Gregory F. Daniels, Assistant Counsel,  
Connecticut State Colleges and Universities,  
at 860-723-0018 or [DanielsG@ct.edu](mailto:DanielsG@ct.edu).

## **Sexual Violence, Prevention and Awareness Programs**

### *MCC Title IX Resources Team*

In 2014, Manchester Community College created the Title IX Resources Team to provide leadership and direction to the College's efforts to develop and implement strategies for complying with federal and state requirements regarding sexual violence, dating violence, stalking and intimate partner violence.

The MCC Title IX Resources Team is composed of the following members:

- G. Duncan Harris, Dean of Student Affairs
- Debi Freund, Chief Diversity Officer, Title IX Coordinator
- Trent (TJ) Barber, Director of Student Activities
- Michael Davis, Lieutenant, MCC Police Department
- Nicole Esposito, Faculty
- Pamela Mitchell, Associate Dean of Academic Affairs/Title IX Coordinator
- Claire Hearn, Detective, Town of Manchester Police Department
- Patricia Lindo, Director, Human Resources
- Kristin Mesick, Clery Compliance Officer, MCC Police Department
- Penni Micca, Advocate, Interval House
- Ta'Shema Odoms, Counselor
- Umesh Vig, Assistant to the Dean of Student Affairs

The MCC Title IX Resources Team met on February 12, 2016, May 10, 2106 and November 8, 2016.

### *Threat Assessment and Behavioral Intervention Team*

MCC also has a Threat Assessment and Behavioral Intervention Team (TABI) which is a diverse group of campus staff who work together to ensure MCC maintains a safe and civil environment in which everyone is comfortable working and learning. While the focus of TABI is primarily proactive, the group is reactive when necessary and responds to perceived threats to campus safety by implementing appropriate resources to address issues. The group also works to ensure MCC remains current regarding best practices in campus safety and campus civility by periodically facilitating campus training and workshop opportunities for the campus at large.

TABI Team Membership is composed of the following members:

- Dr. G. Duncan Harris, Dean, Student Affairs and Enrollment Management
- Trent J. Barber, Director, Student Activities
- Dr. Tuesday Cooper, Division Director, Social Science, Business and Hospitality
- Michael Davis, Lieutenant, MCC Police Department

- David Dubiel, Assistant Professor, Criminal Justice
- Dr. Nicole Esposito, Program Coordinator, Disability Specialist
- Debra Freund, Chief Diversity Office/Title IX Coordinator
- Kathryn Kleis, Instructor, Criminal Justice
- Bryan Mulligan, Sergeant, MCC Police Department
- Dr. Pamela Mitchell, Associate Dean, Academic Affairs
- Joseph Navarra, Coordinator, Disability Services
- Tory Niles-Outler, Principal, Great Path Academy
- Ta'Shema Odoms, Counselor
- K. Umesh Vig, Assistant to the Dean, Student Affairs
- Sara Vincent, Director, Community Outreach

The TABI Team meets every other Monday throughout the year to keep up to date on issues, matters and concerns within the college community.

#### *Manchester Community College Police Department Policies*

Policies utilized by the Department include Sexual Assault Incident Response and Investigation, Domestic Violence Investigation, Domestic Violence Lethality Program and Clery Act/Title IX/Violence Against Women Act.

#### *Training for Title IX Resource Team and TABI Members*

During this period, the Title IX Resource Team and the Threat Assessment Behavioral Intervention Team attended *Understanding Sexual Violence Policies* training conducted by the YWCA of New Britain.

#### *The MCC Title IX Web Page*

The MCC Title IX Website contains the following:

- Title IX Incident Report Form - Anyone can complete the form and it is automatically sent to the Title IX Coordinator.
- Victims' Rights – this web page which directly links to the Connecticut State Colleges and Universities' Policy on Sexual Misconduct, Sexual Assault and Intimate Partner Violence Processes Policy, and the Connecticut Commission on Human Rights and Opportunities (CHRO) Sexual Harassment Prevention Policy and Complaint Procedure
- Domestic and Family violence – this page includes information on Physical Abuse, Sexual Abuse, Emotional Abuse, Economic Abuse and Psychological Abuse. The page also has a direct link to all of the Community Resources available to MCC employees and students
- Definitions of Terminology – this page includes answers on What is Sexual Assault, Sexual Misconduct and Sexual Harassment? Also, What is Interpersonal

Violence; and What is Consent? The page explains the legal definitions of each area.

- What You Can Do – this page is dedicated to what one should do if someone tells you about a sexual assault or interpersonal violence; and What to Do if You are Sexually Assaulted. The page also supplies direct links to the Incident Report form and to the MCC Community Resources Page.
- Statement Regarding Sexual Violence – includes the college's contacts and links to the CSCU Sexual Misconduct, Sexual Assault and Interpersonal Partner Violence policy.
- MCC and Community Resources – this page includes contact information for the Title IX Coordinator and the MCC Title IX Resource Team members. It also lists contact information for the Student Success Advising Center, the Women's Center and the MCC Police Department. It further lists contact information for Community Resources that assist with Domestic Violence and Sexual Assault related matters.
- Stalking – this page includes specific information about what to do if you are being stalked. A related link is provided to the Stalking Resources Center, National Center for Victims of Crimes, as well as a link to the list of MCC Resources.
- Title IX Checklist – this checklist for employees outlines what guidelines to use to complete a Title IX Incident Report. The page notes that all MCC employees are responsible employees and must report all incidents of sexual harassment, sexual violence, sexual misconduct, domestic/dating violence and stalking. It further includes the checklist to ensure discussions with any victim of sexual misconduct are handled appropriately.

During this year the Title IX Coordinator worked with the MCC Webmaster to ensure all pages on the Title IX website were up to date.

#### *Title IX Campus Climate Survey*

The Title IX Campus Climate Survey will once again be disseminated to all MCC employees and students during the Fall 2017 semester. The goal of the survey is to ascertain the perception of the college community on issues of sexual misconduct and interpersonal violence as well as the community's existing knowledge and understanding surrounding these issues.

#### *Rape Aggression Defense (RAD) Class*

Manchester Community College Police Department and the Manchester Police Department offer this free course to all students and staff. The goal of the program is to educate women with not only the physical tools to defend themselves from an attacker, but with the mental awareness to avoid a dangerous situation all together. The course is taught over four class sessions that meet once a week. The first three

classes empower the participants by giving them all of the tools and knowledge necessary for the final class which includes real life scenarios. Students put on protective gear and actually fight off attackers in various situations. This is an eye opening experience that is meant to empower women for the rest of their lives. The program was taught April 20, 27, May 4, 11, October 27, November 3, 10, and 17, 2016.

#### *Not Anymore*

Not Anymore is an online program designed for primarily incoming students on the issues of sexual harassment, assault and violence on campus and to provide the students with a listing of the college's policies and resources.

#### *Let's Talk: Rape Culture and the Impact of Language, November 6*

MCC offered another of its very successful *Let's Talk* programs this year on the subject of Rape Culture and the Impact of Language on It. This informal talk for students and staff was very well attended. The college will continue offering programs around these important subjects.

#### *FirstNet Training for Faculty and Staff*

The college requires mandatory online training for all staff, faculty and adjuncts in the areas of Sexual Harassment, Title IX, and Workplace Bully and Violence Prevention. Human Resources monitor fulfillment of this requirement.

#### *Public Safety Escort Services*

The MCC Police Department provides escort service for all students and staff to college parking areas upon request.

#### *Blue Light Safety Lights*

MCC has 18 Blue Light safety lights installed around the entire campus to assist students and staff who need immediate assistance, and to promote safety throughout the MCC community.

### **Sexual Violence Prevention and Awareness Campaigns**

#### *Dissemination of MCC Statement Regarding Sexual Violence*

Manchester Community College's Statement Regarding Sexual Violence is on the MCC Web Page dedicated to Title IX and has been placed in all public areas throughout the campus and distributed to staff and students. This information has

also been placed in the 2016-2017 MCC Student Handbook and distributed to every student each semester. This statement provides information for students on sexual violence, student rights, how to file a complaint, resources available to students, and contact information for the Title IX Coordinator, Office of Student Affairs, counseling and Advising Center, MCC Police Department, Public Safety, and the Connecticut Sexual Assault Crisis Services 24 hour hot line, Connecticut Coalition Against Domestic Violence's 24 hour hot line, Interval House's 24 hour hot line, Domestic violence Outreach Team and the Office of Victim Services, Connecticut Judicial Branch.

#### *MCC Non-Discrimination Notice*

Manchester Community College has complied with the federal law and mandate to publish a Continuing Notice of Nondiscrimination on the website, in catalogs, announcements, bulletins, application forms, recruitment announcements and in newspapers, magazines, publications and other types of written materials. The following is published in these types of announcements:

#### Annual Public Notice of Non-Discrimination

Manchester Community College does not discriminate on the basis of race, color, religious creed, age, sex, national origin, marital status, ancestry, present or past history of mental disorder, learning disability or physical disability, political belief, veteran status, sexual orientation, gender identity and expression, genetic information or criminal record in its programs and activities.

MCC offers associate in art and associate in science degrees in more than 40 disciplines, including: Accounting, Business, Business Office Technology, Computer Information Systems, Computer Science and Technology, Engineering and Technology, Fine Arts, Health Careers, Hospitality Management and Culinary Arts, and Human Services as well as General Studies, Humanities, and Liberal Arts and Science. In addition, certificate programs focusing on developing occupational skills are offered. Normally, admission to the College is open to high school graduates upon submission of a completed admissions application accompanied by official high school/college transcripts or diploma (or official copy of high school equivalency diploma), payment of the application fee and proof of immunization. Courses are also open to anyone with an interest in a subject area. Some programs of study have additional admissions requirements.

The following person has been designated to respond to inquiries regarding the non-discrimination policies: Debra Freund, Chief Diversity Officer (Title IX and Section 504/ADA Coordinator), Manchester Community College, Great Path, MS #9, P.O. Box 1046, Manchester, CT 06045-1046, SSC L277. Manchester Community College is an Affirmative Action/Equal Opportunity Employer and strongly encourages the applications of women, minorities, persons with disabilities, and veterans.

### Aviso Público Anual Anti-Discriminatorio

Manchester Community College no discrimina por motivos de raza, color, religión, credo, edad, sexo, nacionalidad, expresión o identidad de género, origen nacional, estado civil, ascendencia, historial presente o pasado de discapacidad intelectual, discapacidad de aprendizaje o discapacidad física, estatus de veterano, orientación sexual, información genética, o antecedentes penales.

MCC ofrece grados asociados en arte y ciencia en más de 40 disciplinas, incluyendo: Contabilidad, Administración de Empresa, Tecnología de Oficina, Sistemas de Información Computarizada, Ciencia de Tecnología Computarizada, Ingeniería y Tecnología, Bellas Artes, Carreras de Salud, Administración en Hospitalidad y Artes Culinarias, Servicios Humanos y Estudios Generales, Humanidades, Ciencia y Artes Liberales. En adición a grados asociados, ofrecemos certificados enfocados en el desarrollo de destrezas ocupacionales. Normalmente, admisión al Colegio es abierta a estudiantes graduados de escuela superior al someter y completar los requisitos de admisión. La aplicación de admisión debe acompañar prueba oficial de graduación de escuela superior, sea una transcripción o diploma (o equivalente), pago de la cuota para ser admitido y prueba de inmunización. Los cursos están abiertos al público con interés en cualquier disciplina o área de estudio. Algunos programas de estudio exigen requisitos de admisión adicionales.

La siguiente persona ha sido designada para responder consultas relacionadas a nuestra póliza anti-discriminatoria: Debra Freund, Directora de Diversidad (Título IX y la sección 504/ADA Coordinador) en Manchester Community College; Great Path, MS#9, P. O. Box 1046, Manchester, CT 06045-1046; SSC L277. Manchester Community College está bajo el plan de Acción Afirmativa / Empleador de Igualdad de Oportunidades y alienta encarecidamente las aplicaciones de mujeres, minorías, personas con discapacidad y veteranos.

### *Syllabus Insert*

The following insert is now included at the top of all syllabi at the College. The statement is also directly emailed to all students and it is included in all course offerings, brochures and handbooks.

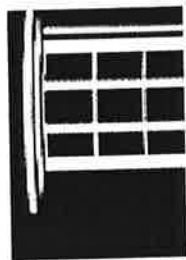
Manchester Community College is committed to fostering a safe and productive learning environment. Title VII, Title IX, Connecticut State Colleges and Universities, and MCC policies prohibit harassment, discrimination, and sexual misconduct. Sexual harassment (including sexual violence) has the purpose or effect of interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive work or academic environment. Sexual harassment in any form will not be tolerated at MCC. We encourage anyone who experiences harassment, discrimination, sexual misconduct to talk with someone about what



happened to them so they can get the support they need and MCC can respond appropriately. There are confidential and non-confidential resources and reporting options available to you. MCC faculty and staff are required to report incidents of sexual misconduct to MCC's Title IX Coordinator and thus cannot guarantee anyone confidentiality. A list of resources is available at [www.manchestercc.edu/title-9](http://www.manchestercc.edu/title-9). If you wish to report sexual misconduct or have questions about school policies and procedures regarding sexual misconduct, please contact MCC's Title IX Coordinator Debi Freund, SSC #L277, 860-512-3107, [dfreund@mcc.commnet.edu](mailto:dfreund@mcc.commnet.edu).

*Placement of Sexual Violence Materials in Areas Highly Frequently by Students*

Information concerning sexual violence is placed throughout the College on bulletin boards, the Admissions Office, Academic Support Center, MCC Police Department and the Dean of Student Affairs Office. Material is available to all faculty and staff. This information includes MCC Contacts and Community Resources and 24 hour numbers.



MANCHESTER  
COMMUNITY  
COLLEGE

# Personal Safety and Crime Prevention Guide

This guide provides information about the College's Annual Security Report and reminds everyone about crime prevention and personal safety.

## MCC's Annual Security Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 (34CFR668.46), also known as the "Clery Act", is a federal law that requires colleges and universities to disclose information about crime on and around their campuses. The act is named in memory of Jeanne Clery, a 19-year old Lehigh University freshman who was assaulted and murdered in her residence hall on April 5, 1986.

Manchester Community College's Annual Security report has been prepared to meet the requirements of this act. It presents college policies concerning campus security (e.g. policies concerning alcohol and drug use, crime prevention, and the reporting of crimes) and statistics for the previous three years concerning reported crimes that occurred on campus and on public property immediately adjacent to and accessible from the campus.

The Annual Security Report is available on the MCC website at:  
[www.manchestercc.edu/offices/police/ASR.php](http://www.manchestercc.edu/offices/police/ASR.php)

A copy of the report can also be obtained by contacting the MCC Police Department (L-170) at (860) 512-3680.

## Connecticut's Office of Victim Services (OVS)

1-800-822-8428

(8:00 am to 4:30 pm Monday through Friday)

[www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)

Information regarding services available for crime victims (pursuant to C.G.S. § 54-222a)

**Domestic Violence:** Advocacy, emergency shelter, counseling, and other services: 1-888-774-2900 Statewide Toll-Free

**Sexual Assault:** Counseling and advocacy

1-888-999-5545 Statewide Toll-Free

(En español: 1-888-568-8332)

**To Report a police, fire or medical emergency,  
call the MCC Police:**

From campus phone: 3111

From cell phone: (860) 512-3111

From blue pole emergency phone: push the call button

**To report to Town of Manchester 911 Dispatch Center**

From campus phone 9-911

From cell phone: 911

## Reduce Your Vulnerability To Crime

Personal safety and crime prevention starts with *you*, *your* use of common sense, and *your* actions.

**Be aware of your surroundings.** Pay attention to what you're doing, where you are, and who is around you.

**Don't leave valuables unattended.** Don't leave your purse, wallet, backpack, cellphone, or textbooks on a table and walk away. It only takes a second for someone to grab them.

Textbooks are expensive and therefore a target of theft. To reduce their value to a thief (who wants to re-sell them), write your name on the inside cover and put identifying marks on several pages (e.g. your driver's license number of the same page of each book you own). This will assist you, the Bookstore, and the police identify a book if it is stolen.

**Keep your car locked at all times.** This means when you're parked on campus, in your driveway, or when you're driving down the street.

- Park in well-lit areas and have your keys in your hand when you leave a building to go to your car. (You won't be fumbling around for your keys when you reach your car and the keys can be used as a defensive weapon.)
- Check the back seat when you get into the car.
- Keep any valuables (purse, cell phone, electronics, textbooks) out of sight. Lock valuables in the trunk of your vehicle.

**If you are alone and feel uncomfortable walking to your car:** contact the MCC Police at ext 3680 and an escort will be provided to you.

**If you feel that you're being followed or you sense something is wrong, take action.** Head for a well-lit area where there are other people or go to an emergency phone where you will be in direct contact with the police. Blue emergency phones are strategically located throughout the campus. Don't isolate yourself or try to hide. **Don't hesitate to contact the police.**

**Report it.** Report any suspicious activities, persons, or vehicles on campus to the MCC Police immediately.

Crime prevention is a team effort and the police would always prefer checking on something that turned out to be "nothing" rather than *not* learning something that turned out to be serious.

## When an audible alarm or warning is sounded:

- Leave the building immediately by the nearest exit and alert others to do the same.
- Do not question whether an alarm or warning is false; simply evacuate.
- Do not use the elevator.
- Assist others who may need help in evacuating.
- Evacuate in a calm and orderly manner.
- Take only those belongings you can gather immediately (e.g. purses, keys) and dress appropriately for the weather.
- Do not use the phone system except to sound the alarm or report the location of casualties or people with disabilities who may need assistance.
- Do not enter or return to an evacuated building until told to do so by public safety officials.
- Do not assume that because an audible alarm has been silenced, it means you can return to an evacuated building.

## When an announcement is made to Shelter-in-Place:

If the reason is a fire or hazardous material spill, the goal is to seek shelter in a classroom or office and to seal the room to the extent possible and to call attention to yourself.

- Use clothing or any other available material to seal an entry way against smoke or fumes.
- Place something (a piece of cloth or paper) in a window or on a door that would signal rescuers your location.
- Await notification that it is safe to evacuate.

If the reason is an armed hostile intruder, the goal is to seek shelter in a classroom or office and to hide.

- Secure (lock and/or barricade) the classroom or office door(s)
- Keep the room dark and silent. (Turn off the lights and any equipment that makes noise or light, silence cell phones, close any window treatments.
- Stay quiet and out of sight.
- Await notification that it is safe to evacuate.

**R.A.D.**

**RAPE  
DEFENSE  
SYSTEMS**

**Can You Defend Yourself?**

***RAPE PREVENTION  
Women-Only Seminar***



This **12** hour seminar has its foundations in education and awareness. The course includes lecture, discussion and self-defense techniques suitable for women of all ages and abilities. It is easy to learn, to retain and employ during real confrontational situations. **FREE! LIMITED** seats available!!!

**April 20, 27, May 4, 11 2016**

**6:00 PM to 9:00 PM**

**Register at the MCC Police Department (L-174)**



The course is presented by The Manchester Police Department.  
It is co-sponsored by the Manchester Community College Police Department.  
To register and for details : Contact Kristin Mesick — MCC Police Department L-174  
(860) 512-3680 or [KMesick@manchestercc.edu](mailto:KMesick@manchestercc.edu)

**R.A.D.**

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**\*\*Attendance to all 4 classes is required\*\***

**October 27, November 3, 10, 17\*\***

**6:00 PM to 9:00 PM**

**To register, please visit the MCC Police Department (L-174)**



The course is presented by The Manchester Community College Police Department.

It is co-sponsored by the Manchester Police Department.

To register and for details : Contact Kristin Mesick — MCC Police Department L-174

(860) 512-3683 or [KMesick@manchestercc.edu](mailto:KMesick@manchestercc.edu)



**You have the right to be safe...**  
**We can help you develop a plan for your safety...**  
**A safety plan includes steps you can take to protect**  
**yourself and your children from potentially dangerous**  
**situations.**

A domestic violence safety plan includes steps that you can take to protect yourself from your abusive partner. A safety plan can be used by victims of any age who may be abused by or afraid of their current or former spouse, boyfriend, girlfriend or family member. A safety plan can help you to develop steps to take in advance of a potentially dangerous situation.

#### TIPS TO PROTECT YOURSELF FROM ABUSE

- Use your instincts and judgment to keep yourself and your children safe. Call 911 if you need help.
- Decide and plan where you will go if you ever have to leave home.
- Practice getting out of your home safely. Identify which doors, windows, elevator, or stairwell to use.
- Identify one or more neighbors you can tell about the violence, and ask them to call the police if they hear a disturbance coming from your home.
- Teach your children to call 911 when there is an emergency.

**If you need help or just someone to talk to...**  
**Call our confidential domestic violence helpline.**

**888-774-2900**

**Oficina de Servicios a las Víctimas (OVS)**  
**1-800-822-8428**

**Lunes a viernes de 8:00 a.m. a 4:30 p.m.**

[www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)

**Información relativa a los servicios disponibles a las**  
**víctimas del delito (conforme a CGS 54-222a).**

#### INFORMACIÓN Y SERVICIOS DE APOYO

**OVS..... 1-800-822-8428**  
*(OVS para recibir información, amparo, asesoramiento,*  
*derivaciones, notificación y compensación para víctimas)*  
 Informaciones (24 horas)..... 211  
 Agresión sexual (CONNSACS) (24 hs) ..... 1-888-999-5545  
     *En español (24 hs) ..... 1-888-568-8332*  
 Violencia doméstica (CCADV) (24 hs)..... 1-888-774-2900  
 Abuso de ancianos ..... 1-888-385-4225  
 Línea de atención para abuso infantil (24 hs) ... 1-800-842-2288  
 Madres en contra de conducir en estado de  
 ebriedad (MADD) (24 hs)..... 1-800-544-3690  
 Sobrevivientes de víctimas de homicidio (24 hs) 1-888-833-4764  
 Oficina del amparador de víctimas ..... 1-888-771-3126

Número de teléfono del departamento de policía

Número de causa y dirección del tribunal

**Office of Victim Services (OVS)**  
**1-800-822-8428**

**8:30 a.m. to 4:30 p.m. Monday through Friday**

[www.jud.state.ct.us/faq/crime](http://www.jud.state.ct.us/faq/crime)

**Services are available for victims of crimes that result**  
**in physical injury (pursuant to C.G.S. § 54-222a).**

#### INFORMATION AND SUPPORT SERVICES

**OVS..... 1-800-822-8428**  
*(OVS for information, advocacy, counseling*  
*referral, notification and victim compensation)*  
 INFO-Line (24 hour service)..... 211  
 Sexual Assault (CONNSACS) (24 hr.)..... 1-888-999-5545  
     *En Español (24 hr.)..... 1-888-568-8332*  
 Domestic Violence (CCADV) (24 hr.)..... 1-888-774-2900  
 Elder Abuse (24 hr.)..... 1-888-385-4225  
 Child Abuse Care Line (24 hr.)..... 1-800-842-2288  
 Mothers Against Drunk Driving (MADD) (24 hr.) 1-800-544-3690  
 Survivors of Homicide..... 1-888-833-4764  
 Office of Victim Advocate..... 1-888-771-3126

POLICE DEPT. AND TELEPHONE NO.

CASE NUMBER AND COURT LOCATION

<b>Ansonia</b> The Umbrella Center for Domestic Violence Services HOTLINE: (203) 736-9944	<b>Hartford</b> Interval House HOTLINE: (860) 527-0550	<b>Norwalk</b> Domestic Violence Crisis Center HOTLINE: (203) 852-1980
<b>Bridgeport</b> The Center for Family Justice HOTLINE: (203) 384-9559	<b>Meriden</b> Meriden-Wallingford Chrysalis HOTLINE: (203) 238-1501	<b>Sharon</b> Women's Support Services HOTLINE: (860) 364-1900
<b>Danbury</b> Women's Center HOTLINE: (203) 731-5206	<b>Middletown</b> New Horizons HOTLINE: (860) 347-3044	<b>Stamford</b> Domestic Violence Crisis Center HOTLINE: (203) 588-9096
<b>Dayville</b> Domestic Violence Program United Services, Inc. HOTLINE: (860) 774-8648	<b>New Britain</b> Prudence Crandall Center, Inc. HOTLINE: (860) 225-6357	<b>Torrington</b> Susan B. Anthony Project HOTLINE: (860) 482-7133
<b>Enfield</b> Network Against Domestic Abuse HOTLINE: (860) 763-4542	<b>New Haven</b> The Umbrella Center for Domestic Violence Services HOTLINE: (203) 789-8104	<b>Waterbury</b> Safe Haven Greater Waterbury HOTLINE: (203) 575-0036
<b>Greenwich</b> Domestic Abuse Service HOTLINE: (203) 622-0003	<b>New London</b> Safe Futures HOTLINE: (860) 701-6000	<b>Willimantic</b> Domestic Violence Program United Services, Inc. HOTLINE: (860) 456-9476

## Office of Victim Services (OVS)

**1-800-822-8428**

**8:30 a.m. to 4:30 p.m. Monday through Friday**

[www.jud.state.ct.us/faq/crime](http://www.jud.state.ct.us/faq/crime)

**Domestic Violence:** Advocacy, emergency shelter, counseling, and other services: **1-888-774-2900 Statewide Toll-Free**

**Sexual Assault:** Counseling and advocacy  
**1-888-999-5545 Statewide Toll-Free**  
(En Español: 1-888-568-8332)

**Immediately following a crime, victims have rights, including the right to:**

- ♦ Help getting emergency medical care.
- ♦ Be notified about arrest and court proceedings. Arraignment may occur the day after arrest. Contact the clerk of court to check on status, court date and location.
- ♦ Timely disposition of the case after arrest of the accused.
- ♦ Reasonable protection from the accused.
- ♦ Get information on services and agencies that help victims.
- ♦ Apply to OVS for crime-related financial assistance (OVS 1-888-286-7347).
- ♦ Return of property the police took for investigating the crime.
- ♦ Be treated with fairness and respect throughout the criminal justice system process.

**The Office of Victim Services, Connecticut Judicial Branch**  
**1-800-822-8428**

## Oficina de Servicios a las Víctimas (OVS)

**1-800-822-8428**

**Lunes a viernes de 8:00 a.m. a 4:30 p.m.**

[www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)

**Violencia doméstica:** apoyo, albergue de emergencia, asesoramiento, y otros servicios: **1-888-774-2900**  
(llamada gratuita dentro del estado)

**Agresión sexual:** asesoramiento y apoyo  
**1-888-999-5545** (llamada gratuita dentro del estado)  
(En español: 1-888-568-8332)

**Inmediatamente después de cometerse un delito, la víctima tiene el derecho de:**

- ♦ Recibir ayuda para procurar atención médica de urgencia.
- ♦ Ser notificada del arresto y las actuaciones judiciales. La instrucción de cargos puede tener lugar el día siguiente al arresto. Comuníquese con la secretaria del tribunal para verificar la situación, hora y lugar.
- ♦ La resolución oportuna de la causa a partir del arresto del acusado.
- ♦ Recibir una protección razonable contra el acusado.
- ♦ Recibir información sobre servicios y organizaciones que ayudan a las víctimas.
- ♦ Solicitar ayuda financiera a OVS por gastos relacionados con daños personales. (OVS 1-888-286-7347).
- ♦ La devolución de bienes incautados por la policía durante la investigación.
- ♦ Ser tratado con justicia e respeto durante todo el proceso judicial.

**Oficina de Servicios a las Víctimas,**  
**Rama Judicial de Connecticut 1-800-822-8428**

## Hotlines:

Connecticut Coalition Against  
Domestic Violence (CCADV):  
1- 888-774-2900

Connecticut Sexual Assault  
Crisis Services (CONNSACS):  
1-888-999-5545  
Para Español: 1-888-568-8332

Love is Respect  
Dating Abuse Hotline:  
1-866-331-9474



For more information  
please visit:

Connecticut Coalition Against  
Domestic Violence Teen Help  
[www.ctcadv.org/find-help/  
teensyouth/](http://www.ctcadv.org/find-help/teensyouth/)

CONNSACS:  
[www.connsacs.org/](http://www.connsacs.org/)

Love is Respect:  
[www.loveisrespect.org](http://www.loveisrespect.org)



Office of the Victim Advocate  
505 Hudson Street, 5<sup>th</sup> Floor  
Hartford, CT, 06106  
860-550-6632  
Toll Free 1-888-771-3126  
Fax: 860-560-7065  
[www.ct.gov/ova](http://www.ct.gov/ova)

## Teen Dating Violence: What You Should Know





## What is teen dating violence?

- ◆ Teen dating violence is a pattern of physical, sexual, emotional or verbal abuse by one dating partner towards another dating partner.
- ◆ Dating violence affects people of any race, gender, sexual orientation, citizenship status, or ethnicity.

## The Stats

- ◆ **One in three** adolescents in the U.S. is a victim of physical, sexual, emotional or verbal abuse from a dating partner, a figure that far exceeds rates of other types of youth violence.
- ◆ **One quarter** of high school girls have been victims of physical or sexual abuse.
- ◆ **One in ten** high school students has been purposely hit, slapped or physically hurt by a boyfriend or girlfriend.

## How do you know if you are in an abusive relationship?

### Some signs of an abusive partner may include:

- ◆ Embarrassing you with bad names and insults.
- ◆ Controlling where you go and who you spend time with.
- ◆ Taking your money or forcing you to ask for money.
- ◆ Destroying your property or threatening to hurt your pets.
- ◆ Shoving, slapping, or hitting you.
- ◆ Forcing you to engage in sexual acts against your will.
- ◆ Monitoring your texts or emails.

## How can victims of teen dating violence get help?

- ◆ Speak with a school counselor.
- ◆ Report the abuse to the local police.
- ◆ Maintain open communication with loved ones.

Understand that being a victim of dating violence is **NOT** your fault.

## How can friends and family help victims?



- ◆ Listen; don't judge.
- ◆ Make a safety plan with your loved one.
- ◆ Create a code word that can be used when the victim is in imminent danger.
- ◆ Learn where local protective shelters are located.
- ◆ Identify trustworthy people who live close to the victim so they can help.
- ◆ Ensure your loved one understands that they are not alone.
- ◆ Encourage them to reach out for help.





# CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE

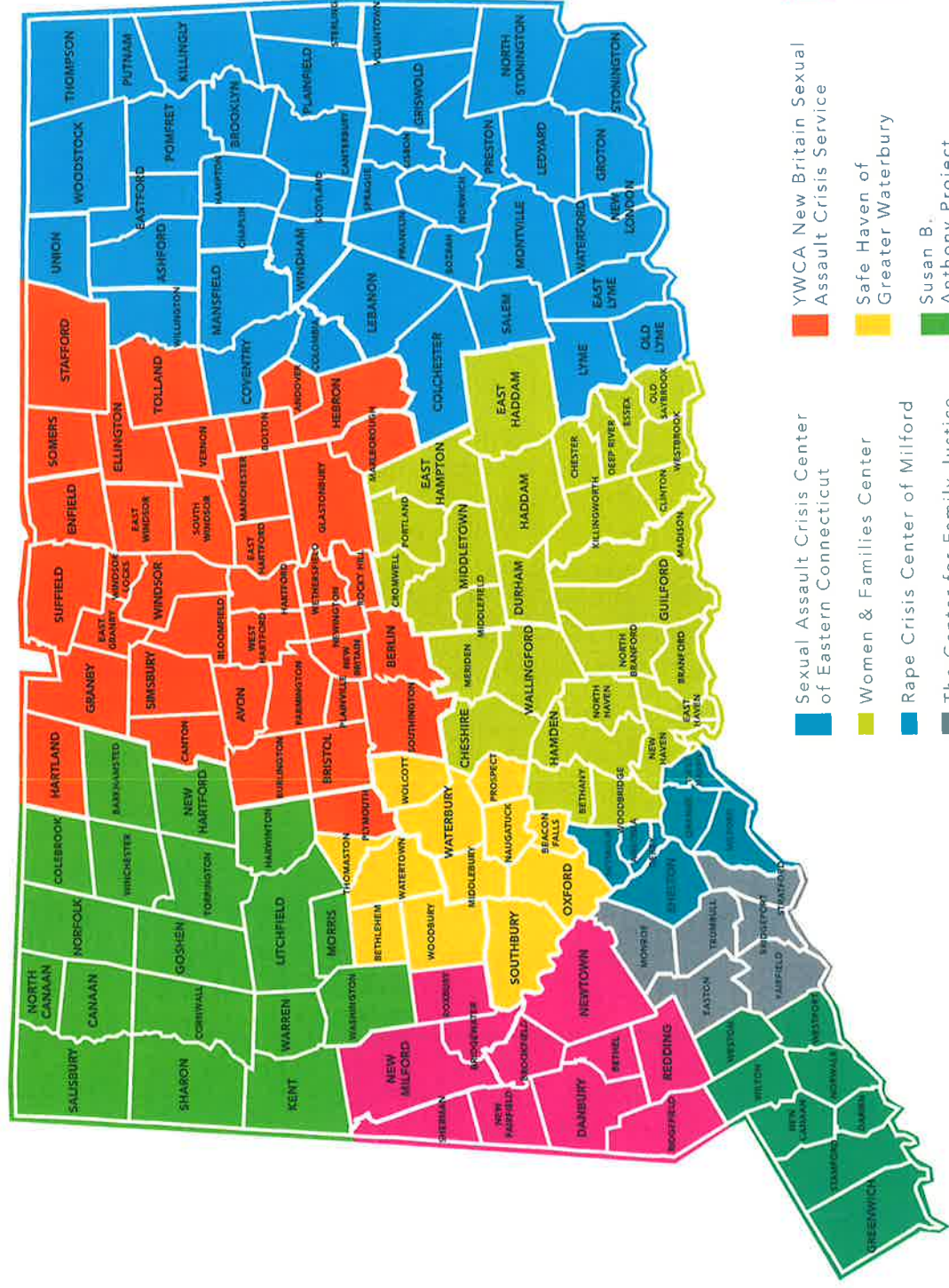
Support. Advocate. Prevent.

formerly CONNSACS

## 24-Hour, Toll-Free Hotlines:

1-888-999-5545 (English) | 1-888-568-8332 (Español)

Connecticut Alliance to End Sexual Violence is a statewide coalition of individual sexual assault crisis programs whose mission is to end sexual violence and to ensure high-quality, comprehensive, culturally competent sexual assault victim services.



All services are free and confidential.

The sexual assault crisis programs provide:

- certified sexual assault victim advocates
- 24/7 hotline services in English and Spanish
- short-term counseling for individuals and groups
- information and referrals to other social and legal services
- accompaniment and support in hospitals, police departments and courts



**The Center for Family Justice**  
Bridgeport Office: 203-334-6154  
**Hotline: 203-333-2233**  
President and CEO: Deb Greenwood  
Program Director: Amanda Posila



**Women's Center of Greater Danbury**  
Danbury Office: 203-731-5200  
**Hotline: 203-731-5204**  
President and CEO: Patricia Zachman  
Chief Operating Officer: Suzanne Adam



**Susan B. Anthony Project**  
Torrington Office: 860-489-3798  
**Hotline: 860-482-7133**  
Executive Director: Jeanne Fusco  
Program Director: Michelle Marone-Pillsbury



**Safe Haven of Greater Waterbury**  
Waterbury Office: 203-575-0388  
**Hotline: 203-753-3613**  
Executive Director: Lee Schlesinger  
Program Director: Melissa Malagutti



**Rape Crisis Center of Milford**  
Milford Office: 203-874-8712  
**Hotline: 203-878-1212**  
Executive Director: Antonio Vitti  
Director of Victim Services: Peggy Pisano



**The Center for Sexual Assault Crisis Counseling and Education**  
Stamford Office: 203-348-9346  
**Hotline: 203-329-2929**  
Executive Director: Ivonne Zucco



**Sexual Assault Crisis Center of Eastern Connecticut**  
Willimantic Office: 860-456-3595  
**Hotline: 860-456-2789**  
New London Office: 860-442-0604  
**Hotline: 860-437-7766**  
Executive Director: Georgette Katin  
Associate Director: Maria Busineau



**Women & Families Center**  
Meriden Office: 203-235-9297  
Middletown Office: 860-344-1474  
New Haven Office: 203-389-5010  
**Hotline: 203-235-4444**  
Executive Director: Robyn Jay-Bage  
Program Director: Carissa Conway



**YWCA New Britain**  
**Sexual Assault Crisis Service**  
New Britain Office: 860-225-4681  
**Hotline: 860-223-1787**  
Hartford Office: 860-225-4681  
**Hotline: 860-547-1022**  
Executive Director: Robin Sharp  
Program Director: Caitlin Reese



**CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE**  
Support. Advocate. Prevent.  
**24-Hour, Toll-Free Hotlines:**  
1-888-999-5545 (English)  
1-888-568-8332 (Español)  
**www.endsexualviolencect.org**  
96 Pitkin Street, East Hartford CT 06108  
**Office: 860-282-9881 | Fax: 860-291-9335**

## What You Can Do

No one has the right to abuse you.

1. If an argument seems unavoidable, try to move it to an area that has access to an exit. Stay away from the kitchen, bathrooms, and any area where there is a weapon.
2. Keep a packed bag ready in an undisclosed and accessible place in order to leave quickly.
3. Leave money, an extra set of keys, copies of important documents and extra clothes with someone you can trust so you can leave quickly.
4. Identify a neighbor you can tell about the violence and ask her to call the police if she hears a disturbance coming from your home.
5. Keep our Interval House 24-hour hotline number at hand. Our counselors will talk with you about your rights and options and our services and shelter.
6. Call the police. Domestic violence is a crime regardless of the relationship between the two parties. The police are required by law to make an arrest if they have reason to believe that a crime has been committed. If the police do not make an arrest, you have the right to file a complaint.
7. If injured, seek medical treatment.
8. Go to the home of a friend or family member.
9. When things are calm, do not abandon your plans to get help or get out. Do not fool yourself that things will remain this way.



## Never Another Battered Woman

**TDD/TTY  
Statewide Hotline**

**Interval House**

*Program For Victims of Domestic Violence*

Box 340207 Hartford, CT 06134-0207

A member of the  
Connecticut Coalition Against Domestic Violence

**1-860-249-5384  
1-888-774-2900**

Community Education & Outreach

Information and Referral

Court Services

Victim Advocacy

Children's Programs

Counseling

Support Groups

Safety Planning

Safe Emergency Shelter  
for battered women and their children

**24-Hour Hotline**

**860-527-0550**

**Support Services for  
Victims of Domestic Violence**

Working toward ending domestic violence

**interval house**

**24-Hour Hotline** 1-860-527-0550  
**Interval House East** 1-860-645-4033  
**Interval House West** 1-860-658-7227

[www.intervalhousect.org](http://www.intervalhousect.org)



## RETRIEVAL OF PROPERTY

Offenders who are prohibited from entering their dwelling are allowed a one-time escort by the police to retrieve personal belongings.

- Initiation of the retrieval shall be at the discretion of the agency in a time period that is reasonable and practical.
- The officer must verify the order and that the retrieval has not already been completed by another officer.
- The officer must contact the protected party to arrange a time for the retrieval and give ample notice.
- If the officer is unable to make contact with the protected party, or if children are present, retrieval should occur at a later date/time.
- The officer is to accompany the offender throughout the entire retrieval. The protected party has the choice to accompany the offender and officer during retrieval.
- Retrieval should last no longer than 10-15 minutes as only essentials (clothes, toiletries, medications, etc.) are being retrieved. Other non-essential or valuable items are not to be removed (groceries, electronics, jewelry, furniture, etc.)
- Officers must document the retrieval has occurred.
- The offender must not be allowed to use the retrieval process as a means of harassing the protected party.

*For more information about Family Violence Response Best Practices, please see the **Statewide Model Policy** housed on the **POSTC website**...*

[www.ct.gov/post](http://www.ct.gov/post)  
(click on "publications")

This document is a collaboration between:

The Office of the Victim Advocate  
CT Coalition Against Domestic Violence  
Brooklyn Cares Program, Brooklyn Correctional Institution



Brooklyn Cares



Brooklyn Correctional Institution

cca|DV

Connecticut Coalition Against Domestic Violence

# Family Violence Law Enforcement Response Best Practices

## **FAMILY VIOLENCE DEFINED (CGS § 46b-38a(1))**

"Family Violence" means an incident resulting in physical harm, bodily injury or assault; or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including but not limited to, stalking or a pattern of threatening, between family or household members.

## **DECISION TO ARREST (CGS § 46b-38b(a))**

If an officer determines upon speedy information that a family violence crime has been committed, the officer "shall arrest the person or persons" suspected of its commission. This includes violation of protective and restraining orders.

## **SELF DEFENSE (CGS § 46b-38b(b))**

"Where complaints are made by two or more opposing parties, the officer shall evaluate each complaint separately to determine whether such officer should make an arrest or seek a warrant for an arrest... [W]hen a peace officer reasonably believes that a party in an incident of family violence has used force as a means of self defense, such officer is not required to arrest such party."

## **ARREST WARRANTS**

If after arresting one party the officer is uncertain whether or not the other party's violence was justified or not, the officer should submit an arrest warrant. Warrants for any family violence arrest should be expedited as quickly as possible to the state's attorney's office. It is recommended to follow-up with the state's attorney on the status of a warrant.

## **PROHIBITED ACTIONS (CGS § 46b-38b(b))**

"No peace officer investigating an incident of family violence shall threaten, suggest or otherwise indicate the arrest of all parties for the purpose of discouraging requests for law enforcement intervention by any party."

Statewide Domestic Violence Hotline

888.774.2900 (English)

844.831.9200 (Español)

## REPORT DOCUMENTATION

- 911 Call information and/or recording
- Video evidence (in-car cameras, body cameras, etc.)
- Chronological order of events with times (timeline)
- Officer's observations (include diagram if relevant)
- Photos with scale of scene, including property damage, victim/offender injuries or lack of injuries
- History of family violence (same or other victims)—SPRC printout and/or previous calls to department
- Existence of protective/restraining orders or warrants
- Victim/offender relationship; basic demographics (DOB, address, etc.)
- Neighborhood, family member, co-worker canvass
- Investigate any abuse of domestic animals
- Family Violence Offense Report (DPS-230-C)
- Firearms present or owned by either party

## VICTIM REPORTING

- Medical attention offered and whether denied or received (if received, name of provider and signed release)
- Victim's written and/or verbal statement
- Safe phone number to contact victim (may include phone number of a friend or family member who will be able to contact the victim)
- All claims of violence and/or self-defense investigated
- All claimed injuries (visible and non-visible) documented
- Lethality Assessment Program (LAP) Screen
- Arrest process and right to file arrest affidavit explained
- Arraignment information and date/court location provided
- Short-term safety plan discussed
- Victim assistance information provided including local domestic violence organization phone number and victim assistance card
- U or T Visa considerations
- Notify the victim of the offender's release and encourage them to call the department anytime for updates on the offender's custody status.

## OFFENDER REPORTING

- Notice of Rights when appropriate
- Statements made by offender including spontaneous or excited utterances, statements against penal interest, written/verbal statements
- Determine existing access to weapons
- Seizure of weapons used/threatened to be used or in possession (CGS § 46b-38b(a))

## LETHALITY ASSESSMENT SCREENING QUESTIONS

Ask each victim...

1. Has he/she ever used a weapon against you or threatened you with a weapon?
  2. Has he/she threatened to kill you or your children?
  3. Do you think he/she might try to kill you?
  4. Does he/she have a gun or can he/she get one easily?
  5. Has he/she ever tried to choke you?
  6. Is he/she violently or constantly jealous or does he/she control most of your daily activities?
  7. Have you left him/her or separated after living together or being married?
  8. Is he/she unemployed?
  9. Has he/she ever tried to kill himself/herself?
  10. Do you have a child that he/she knows is not his/hers?
  11. Does he/she follow or spy on you or leave threatening messages?
- 1 or more positive response to 1-3 = high risk; negative responses to all of 1-3, but 4 or more positive responses to 4-11 = high risk.**  
**Call the domestic violence hotline.**

## ORDERS OF PROTECTION

### Civil Restraining Order (CGS § 46b-15)

Issued by the civil/family court after an application process by the applicant/victim of family violence; may include custody or no contact orders. (*Criminal Violation of a Restraining Order* CGS § 53a-223b)

### Civil Protection Order (CGS § 46b-16a)

Issued by the Superior Court after an application process to victims of sexual abuse, sexual assault or stalking who do not qualify to a civil restraining order/do not meet the definition of family or household member. (*Criminal Violation of a Civil Protection Order* CGS § 53a-223c)

### Foreign Order of Protection (CGS § 46b-15a)

An order of protection issued by a court in another state which shall be accepted and enforceable as if the order were issued by a CT court. (*Criminal Violation of a Foreign Order of Protection* CGS § 53a-223b)

### Criminal Protective Order (CGS § 46b-38c(e))

Issued by the criminal court after an arrest has been made in a family violence crime. (*Criminal Violation of a Protective Order* CGS § 53a-223)

### Standing Criminal Protective Order (CGS § 53a-40e)

Issued by the criminal court during the conviction or disposition of a family violence criminal matter. (*Criminal Violation of a Standing Criminal Protective Order* CGS § 53a-223a)

**\*see inside for additional information on violations of orders**

## NON-FINANCIAL CONDITIONS OF RELEASE (CGS § 54-63c)

Law enforcement officers may set non-financial conditions of release for any person arrested for a family violence offense. Conditions of release remain in effect until the defendant's arraignment in court. If such defendant violates the non-financial conditions set by the officer, he/she can be charged with violation of conditions of release in addition to any other crime that may be committed. (Enter file 20 in system)

- If released on a felony charge—Violation of Conditions of Release 1st degree (CGS § 53a-222)
- If released on misdemeanor charge—Violation of Conditions of Release 2nd degree (CGS § 53a-222a)

## RELEASE BY BAIL COMMISSIONER (CGS § 54-63d)

The police department shall promptly comply with the order of release of the bail commissioner, except that if the department objects to the order or any of its conditions, the department shall promptly advise a state's attorney or assistant state's attorney, the bail commissioner and the arrested person. The state's attorney or assistant state's attorney may authorize the police department to delay release until a hearing can be held before the court.

## VIOLATIONS OF ORDERS OF PROTECTION/ CONDITIONS OF RELEASE

Orders of protection including no contact orders or residential stay away orders can only be modified by the court. No contact means no contact of any kind, including emails, texts and phone calls. If the named protected person allows or invites the offender to visit, the offender is still in violation of the order—the law has been violated. The named protected person on an order of protection CANNOT violate/be charged with violation of an order of protection.

Investigate and arrest for all other crimes for which there is probable cause (e.g., criminal trespass, harassment, threatening, burglary, assault, intimidation of a witness, etc.).

## STRANGULATION BEST PRACTICES

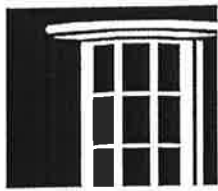
- Encourage the victim to seek immediate medical attention!
  - Because of possible underlying brain damage due to a lack of oxygen during the strangulation, some victims have died up to several weeks later.
  - More than 1/2 of strangulation victims will not have visible physical injuries, but the risk for brain damage and potential death still exists. Use the questions below to help detect evidence of strangulation.
- Once the victim reports being choked or strangled, treat the case like a felony, not a misdemeanor.
- Relevant statutes—Strangulation 1st CGS § 53a-64aa, Strangulation 2nd CGS § 53a-64bb, Strangulation 3rd CGS 53a-64cc
- "Strangle" vs. "choke": strangle means to obstruct seriously or fatally a normal breathing person; choke means to have the windpipe blocked by a foreign object such as food
- Use the word "strangle" in your incident report; however, victim statements must be in their own words—if the victim says "choke," that is the word that should be used in her/his statement.

### Identifying Non-Visible Injuries

- Was victim shaken simultaneously while strangled?
- Was victim thrown against wall, floor, ground?
- Did victim have difficulty breathing or hyperventilate? (*key question*)
- Complaints of pain to the throat? Trouble swallowing?
- Victim voice changes? Raspy voice? Coughing? Difficulty talking?
- Victim feels dizzy, faint or close to losing consciousness? Vomiting?
- Did strangulation cause victim to urinate or defecate her/himself?

### Identifying Visible Injuries

- Injuries behind ears, all around neck, chin, jaw, eyelids, shoulders or chest area?
- Spots around eyes/face from ruptured capillaries (petechiae)
- Bruising
- Impression marks
- Rope or cord burns
- Swelling of the neck
- Bleeding from the mouth



# MANCHESTER COMMUNITY COLLEGE

## POLICE DEPARTMENT

General Order: 710-1

Rescinds: January 10, 2007

Date Revised: July 13, 2012

Issuing Authority:

Lt. Michael Davis

Chief of Police

### Sexual Assault Incident Response and Investigation

**PURPOSE:** The purpose of this order is to provide department personnel with guidelines for responding to complaints of sexual assault.

**POLICY:** All department personnel involved in responding to and/or investigating a sexual assault complaint will perform their appointed functions efficiently, professionally and humanely, giving first priority to the physical and emotional condition of the victim.

MCC/PD may request assistance from the Manchester Police Department in the investigation of complaints of serious sexual assault.

#### DEFINITIONS:

Sexual Assault – Sexual Assault, as referred to in this policy, includes any forcible or non-forcible non-consensual sex acts as defined by law. Refer to Connecticut General Statutes 53a-70 through 53a-73a.

#### STANDARDS AND GUIDELINES:

##### A. Initial Complaint Response:

###### 1. Responsibilities of Communications Personnel

###### a. Obtain the following information:

- 1) Determine if the sexual assault has just occurred; ascertaining information regarding the safety of the victim, needs and location, time of the incident, description of the offender and direction/mode of travel; any weapons used, e.g., knife, gun, etc.

- If the assault was recent, advise the victim not to change clothing, shower, or touch anything in the immediate area of the crime scene.

- 2) Determine if there is an immediate need for medical attention.

- If medical attention is required, 911 will be called.

###### b. Dispatch an officer to the scene.

###### c. Immediately notify the Commanding Officer and the Officer-in-Charge of the complaint.

###### 2. Responsibilities of Responding Officers

###### a. Victim Assistance

- 1) Render necessary first aid and request emergency medical assistance if required.
- 2) The officer will introduce him/herself to the victim and attempt to gain the victim's trust and confidence by showing understanding, patience and respect for personal dignity.
- 3) Explain the investigatory and evidentiary process to the victim.
- 4) Help the victim to locate family or friends for emotional support, if that is the victim's wish.



5) Inform the victim of the availability of medical, psychological and/or counseling services.

- If the victim requests such services, an officer will assist in obtaining that service.

b. Initial investigation

1) Initial interview of victim

- Determine the victim's emotional and physical ability to answer questions concerning the assault and limit questioning accordingly.
  - Use language appropriate to the age, intelligence and emotional condition of the victim.
- Limit the investigative questioning to those matters necessary to identify the victim; to determine the nature of the assault; to determine the location and scope of the crime scene; and to describe and locate the suspect.
- Generally, avoid asking detailed, intimate questions regarding the assault at the scene.
- Interviewing should be conducted in a setting where the victim feels safe and there is privacy.

2) Crime Scene

- Protect the crime scene, if the sexual assault just occurred, and secure physical evidence for later collection and preservation.

3) Medical Examination

- If the nature of the complaint warrants, request the victim's consent to undergo a medical examination, emphasizing its importance to investigative and apprehension efforts.
- To preserve evidence, the victim should be advised not to change clothes, bathe or shower, urinate, brush teeth or use mouthwash, comb hair, or take other action to clean up before going to the hospital.
- Physical evidence should be collected within 72 hours of the assault by qualified medical personnel.

4) Witnesses

- Determine if there are any witnesses to the incident.
- Obtain any witnesses names and contact information.

5) Manchester Police Department – Request for Assistance

The Commanding Officer, or in his absence the Officer-in-Charge, will decide if the facts, circumstances, and nature of the complaint warrant a request for assistance from the Manchester Police Department.

- Manchester Police Department has agreed to provide investigatory assistance in serious sexual assault cases and in cases involving juvenile victims (i.e. 15 years of age or younger).

**B. Follow-Up Investigation**

An investigating officer will be assigned to the follow-up investigation as soon as possible after the initial complaint and will remain responsible for the case until it is closed or removed from his/her responsibility.

1. The investigating officer shall:

- a. Receive the preliminary report from the officer taking the initial report.

- b. Assume control of the investigation and crime scene and request additional personnel and/or assistance if necessary.
- c. Conduct an in-depth interview with the victim and all witnesses.
- d. Assume control of the evidence collection process by ensuring that:
  - The crime scene is searched and any evidence is properly collected.
  - That any evidence obtained from a medical examination of the victim is properly secured.
  - Necessary photographs are taken.
  - The chain of custody of all evidence is maintained and documented.
- e. Maintain contact with the victim and keep him/her informed on the investigation.
- f. Identify, interview, and apprehend suspect(s), as appropriate.
- g. Affect the arrest of suspect(s) in conformance with state statutes
- h. Prepare reports and complete all necessary paperwork.

### **C. Report of Sexual Assault Occurring Off Campus**

If it is determined that the sexual assault occurred off campus, the responding officer or investigator will:

- Provide support to the victim.
- Determine the location of incident.
- Contact the appropriate police department.
- Assist the other police department, if necessary.
- Advise the victim of availability of campus support services.

### **D. Report of Sexual Assault Involving MCC Staff Member**

If it is determined that the sexual assault involved an MCC staff member, the Director of Human Resources, or in her absence Holly Foetsch, Human Resources Specialist, will be notified.

- If it is determined that the victim is an MCC staff member, Human Resources will be advised of the incident but the victim's name will not be disclosed without the victim's expressed permission.
- If it is determined that the suspect/accused is an MCC staff member, the procedures delineated in MCC/PD General Order 510-2 (Internal Affairs) will be followed.

### **E. Support Services**

- a. **Office of Victim Services (OVS)** 1-800-822-8428 ([www.jud.state.ct.us/faq/crime](http://www.jud.state.ct.us/faq/crime)) - The Office of Victim Services, Connecticut Judicial Branch, is the state's lead agency established to provide services to victims of violent crime. OVS is located in Wethersfield, Connecticut and can be reached by calling:

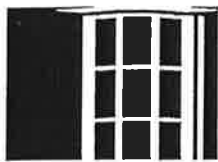
Office of Victim Services	Phone	TDD	Toll-free
Administration	860-263-2760	860-263-2778	
Services	860-263-2760	860-263-2778	800-822-8428
Compensation	860-263-2761	860-263-2779	888-286-7347

- b. **CONNSACS** – Connecticut Sexual Assault Crisis Services, Inc. is a statewide coalition of individual sexual assault crisis programs, which work to end sexual violence through victim assistance, community education, and public policy advocacy. It provides a statewide 24 hour, toll free Hotline. Its programs offer crisis intervention, short term counseling, and support groups and are available to work within the court setting to provide support, information, and referrals.  
1-888-999-5545 (English) 1-888-568-8332 (Espanol)
- c. **Connecticut Coalition Against Domestic Violence (CCADV)** (24 hr Hotline) 1-888-774-2900

**F. Timely Warning**

- a. **A Timely Warning shall be sent out to the campus community as soon as possible after the crime on campus has been reported. The warning should contain as much information as possible without divulging the victim's information.**

**If the victim wishes not to pursue the investigation, the warning must still go out to the campus.**



## Police Department

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### 710-2 Domestic Violence Investigation

#### I. PURPOSE

The purpose of this order is to establish guidelines for the Manchester Community College Police Department in responding to and handling family violence complaints and to reaffirm the officer's responsibility for making arrest decisions in such cases in accordance with traditional probable cause standards, existing state statutes and the Family Violence Prevention and Response Act.

#### II. POLICY

It is the policy of the Manchester Community College Police Department that family violence be treated as violent criminal behavior and, consistent with this policy, that officers fully comply with the Family Violence Prevention and Response Act and the Police Response to Crimes of Family Violence Model Policies, Procedures and Guidelines as established by POST to:

1. Make arrest decisions in such cases in accordance with traditional probable cause standards and existing state statutes;
2. Protect victims of domestic violence and provide them with relevant information regarding the availability of community services and support, and
3. Promote officer safety when dealing with family violence situations.

Officers will thoroughly investigate all instances of and to take positive and aggressive action to protect persons from domestic violence on MCC property. At no time will the decision of whether or not to arrest be influenced by the wishes of the victim or the relationship of the parties. Officers will not threaten or in any way indicate the potential exists for the arrest of all parties involved in order to discourage requests for intervention by any party. Officers will not attempt to mediate family violence disputes where probable cause to arrest exists. Responding officer will also promote and exercise officer safety when dealing with family violence situations.

Officers will consider Title IX, and the Violence Against Women Act while investigating crimes of Family Violence. ( refer to G.O. 920-2 )

The Police Department assigns domestic or family violence calls a high priority. The nature and seriousness of crimes committed between family or household members are not mitigated because of the relationships or living arrangements of those involved. Therefore, officers must exercise leadership in the college community in responding to domestic violence. An immediate police response can make a major difference in the disputants' lives. With all due consideration for their own safety, officers responding to a domestic disturbance call shall (1) restore order; (2) arrest persons when probable cause exists that a crime has occurred; (3) provide safety and security for the crime victim(s); and (4) help participants contact appropriate agencies to help prevent future occurrences.

### III. DEFINITIONS

**"Family Violence"** means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault between family or household members. Family or household members are those defined below and include persons in, or who have recently been in, a dating relationship, regardless of the age of such persons. Verbal abuse or argument shall not constitute family violence unless there is present danger and the likelihood that physical violence will occur. [CGS §46b-38a(1)]

**"Family violence crime"** means a crime as defined in CGS §53a-24, other than a delinquent act as defined in CGS §46b-120, which, in addition to its other elements, contains as an element thereof an act of family violence to a family or household member and shall not include acts by parents or guardians disciplining minor children unless such acts constitute abuse. [CGS §46b-38a(3)]

**"Family or household member"**

means

- A. spouses, former spouses;
- B. parents and their children;
- C. persons eighteen years of age or older related by blood or marriage\*;

\*Reference to "related by blood or marriage" includes, but is not limited to: adult sibling; cousin; aunt; uncle; brother-in-law; sister-in-law; mother-in-law; or father-in-law;

- D. persons sixteen years of age or older not related by blood or marriage who presently are residing together or who have resided together;
- E. person who have a child in common, regardless of whether or not they have been married or have lived together at any time; and
- F. persons in, or who recently have been in, a dating relationship, regardless of the age of such persons.\*\* [CGS §46b-38a(2)]

## **“Stalking”**

Stalking is a pattern of 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:

- Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.
- Repeatedly leaving or sending victim unwanted items, presents, or flowers.
- Following or laying in wait for the victim at places such as home, school, work, or recreation place.
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.
- Damaging or threatening to damage the victim's property.
- Harassing victim through the internet.
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.
- Obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family work, or neighbors, etc.

**\*\*Dating relationship is not specifically defined as to its nature, duration or time of involvement. Note: Pursuant to Section 3 of PA 11-152, officers are mandated to make an arrest when parties are or have been in a dating relationship, in the same manner as they are for other categories of "family or household member".**

#### IV. PROCEDURES

When receiving a complaint regarding family violence, a dispatcher or police officer will obtain as much information about the situation as possible. Particular attention will be paid to obtaining information concerning physical violence, injuries, the need for medical assistance, the use of drugs and/or alcohol by the involved persons, and the presence and types of weapons available at the location where the incident is occurring. All information obtained from the caller and in-house records will be relayed to the responding police officers. The dispatcher or police officer will make every attempt to stay on the line with the victim of an active family violence call. If the offender has fled, information about the individual and vehicle information should be obtained. A call for service involving family violence will never be cancelled based on the request of the caller or information that the offender has fled.

##### A. Dispatching Calls for Service

As a guide, when taking a call for service Dispatchers will attempt to obtain, record and relay to the responding officer(s) the following information:

1. the caller's name and relationship to the offender;
2. the caller's call-back telephone number;
3. the current location of the victim and the alleged offender (if offender is not present, a description and possible whereabouts);
4. the victim's name and the offender's name, and their relationship to each other;
5. the nature of the abuse, suspected or sustained injuries;
6. weapon(s)/electronic defense weapons/ firearms suspected or used - any at location / anyone with access or possession of them;
7. the location of the incident;
8. if children are involved;
9. if alcohol, drugs, or mental illness are involved;
10. if this is an active or static family violence scene? If active, a back-up should be dispatched.
11. previous complaint history;
12. whether the victim has a current *Protective Order*, *Restraining Order*, *Condition of Release Order* and/or *Standing Criminal Protective Order*;
13. ask whether the offender is subject to a court ordered condition of release that s/he have "no contact with the victim" or that s/he "not use or possess a dangerous weapon;"
14. check the Connecticut Protective Order Registry- File 20;
15. if department has received a copy of an Order of Protection or a Condition of Release, information regarding such orders should be relayed to the responding officer;

16. that after assessing the situation with reasonable judgment, dispatch the necessary unit(s) for appropriate police and/or EMS response;
17. log time(s) of police/EMS dispatch, arrival and clearance for every call.
18. The Connecticut State Police Firearms database should be checked for the subject's registered weapons information.

## **B. Responding Officers**

A police response to the scene is required for all family violence calls.

1. A minimum of two officers will be sent to all family violence complaints and the Sergeant or Officer-in-Charge will be informed of the complaint and should respond if necessary. The first arriving officer should wait for the arrival of the second officer unless it is believed that immediate intervention is required to prevent death or serious physical injury. If immediate intervention is necessary, the first arriving officer will inform Dispatch of the necessity and the second officer will respond to the scene in emergency mode.
2. Medical treatment will be provided to injured persons at the scene. Ambulance personnel should be told not to enter the scene until the officers at the scene have determined that it is safe for them to do so. The officers may communicate this directly to ambulance personnel or the information may be communicated to the ambulance personnel through Dispatch.
3. Officers arriving at the scene of a family violence complaint should contact the dispatcher as soon as practical to advise the dispatcher of the situation, request additional assistance if required or to broadcast descriptions of involved persons or vehicles that have left the scene. The relationship between the victim and the offender should be established as soon as possible. Written statements for the victim(s) must be taken.
4. If probable cause exists to arrest people who are at the scene when officers arrive, arrests will be made at that time. Officers must make an individualized determination about whether probable cause to arrest a person exists. Officers will not opt to apply for an arrest warrant rather than making an on-scene arrest unless extenuating circumstances exist which prevent the officer from making any type of arrest, custodial or non-custodial, at that time.



5. If the person has left the scene prior to police arrival, an immediate attempt will be made to locate the person and make an arrest if probable cause exists. A case report must be completed prior to the end of the investigating officer's shift. . If the offender is not located prior to the end of the shift, the investigating officer will make every reasonable effort to complete the investigation, case report and any appropriate arrest warrant applications prior to going off duty.
6. If probable cause is not developed at the scene, an on-scene arrest will not be made. A criminal investigation will be conducted, and an arrest warrant application will be completed if probable cause is developed. All witnesses should be interviewed and written statements taken. Gather all physical evidence pertinent to the case and document the condition of the scene being as specific as possible.
7. Family violence cases will be given high priority and investigated without haste. Officers will submit arrest warrant applications to court only if the officer believes probable cause to make the arrest exists. Officers will not use the court to determine whether or not probable cause exists. The investigating officer will make every reasonable effort to complete the investigation, case report, and any appropriate arrest warrant applications prior to going off duty.
8. Whenever necessary, other jurisdictions will be called upon to secure statements from victim's witnesses and offenders in order to complete family violence investigations. The subject's hometown jurisdiction should also be contacted for information about prior family violence incidents and/or general contact information.
9. All arrest warrants submitted to the court will have the words "DOMESTIC VIOLENCE" stamped clearly in red lettering on the warrant face sheet. This procedure will be the responsibility of the police administration office.

10. The lieutenant must be made aware of any reported family violence incident. In any family violence case where probable cause for an arrest exists and does not result in an immediate arrest or application for an arrest within 48 hours of the incident, the lieutenant must be updated daily by the investigating officer until the arrest warrant application is applied for. Any delays in securing an arrest warrant will be thoroughly documented by the lieutenant in a detailed timeline.

## **V. CASE REPORT, EVIDENCE AND INJURY DOCUMENTATION**

*The following should be considered when documenting family violence cases:*

### **A. Minor Injury**

Investigations of crimes involving assaults with minor injuries, and most family violence misdemeanor crimes, should contain a minimum of the following steps:

1. **Victim Statement:** Describing the incident, history of violence, threats made by abuser, pain and injury sustained, and the method duration and location of violence.
2. **Photographs of Injuries:** Photograph the injuries as observed on scene. If using point and shoot cameras, be careful not to get closer than the camera will allow focus
2. **Medical Release:** If the victim is injured and may seek treatment, obtain a medical release for pertinent records.
3. **Firearms Seizure:** Seize firearms in plain view, or on the person of the accused. When necessary, do a warrant for the seizure.
4. **Prosecutor's Report:** Prepare a report that satisfies the elements of the crime. Paint a picture of the conditions on the scene including visible injuries, corroborating evidence, statements made by the defendant, emotional state and fear of the victim, and identification of, and contact information for witnesses

### **B. Serious Injury**

Investigations involving crimes with serious injury, felony charges, strangulation cases, those indicating a pattern of escalation, and other cases with indicators of a high degree of lethality should contain a minimum of the following steps:

1. **Victim Statement:** More time should be spent on the history of abuse. In strangulation cases it is important to obtain detailed information on exactly how it occurred. Document a loss in consciousness, hoarseness, trouble swallowing, or involuntary urination or defecation.

2. Photographs of Injuries & Scene: Photograph both obvious and subtle injuries. Look for evidence of strangulation if alleged. Make arrangements for follow-up photos. (Assistance on follow-up photos may have to be obtained from detectives, court investigators, or other support personnel.) Photograph the location of the assault.
3. Medical Releases: Obtain a release for the current incident and any past incidents involving the same victim / offender. Make sure it is the proper release for the medical facility providing treatment.
4. Firearms Seizure: Make sure you inquire as to the existence of firearms and seize when allowed by law.
5. Accused Statement: Allow the accused to commit to any cover stories or tall tales, before he has time to weave the "perfect story." Use warning and waiver when required.
6. Witness Statements: Obtain statements from witnesses. Document their knowledge of the incident, prior violent history, and mental state (fear) of the victim.

## VI. Arrest Considerations

- Whenever an officer determines upon speedy information that a family violence crime, as defined in CGS §46b-38a(3), has been committed within such officer's jurisdiction, such officer shall arrest the person or persons suspected of its commission and charge such person or persons with the appropriate crime(s). [CGS §46b-38b(a)]
- The FVPRA does not alter standards for arrest. Traditional constitutional and statutory standards, including CGS §54-1f guidelines, should direct decisions and procedures for making and processing family violence arrests. **An officer must determine that probable cause exists for any charge which forms the basis for an arrest.**
- Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether probable cause to arrest exists. [CGS §46b-38b(b)], as amended by PA 04-66 to consider self defense.
- When two or more parties make complaints of violence, the officer should consider whether either party acted in self-defense.
- Notwithstanding the provisions of CGS §46b-38b(a), when a peace officer reasonably believes that a party in an incident of family violence has used force as a means of self defense, such officer is not required to arrest such party under this section.

- No officer investigating an incident of family violence shall threaten, suggest or otherwise indicate the arrest of all parties for the purpose of discouraging requests for law enforcement intervention by any party. [CGS §46b-38b(b)]
- An officer should emphasize to the parties the criminal nature of family violence and that the criminal action is being initiated by the State, not the victim.

## **Jurisdiction**

### ***Misdemeanor Arrests***

- An officer (who does not have statewide jurisdiction) may arrest for misdemeanor crimes only within the geographical boundaries of the territory covered by his/her department, with two exceptions:  
Speedy Information- An officer may arrest outside of his/her jurisdiction anywhere within Connecticut if there is probable cause based on "speedy information" that the crime(s) occurred within his/her precinct and the officer is in immediate pursuit of the suspect.  
 [CGS §54-1f(c)]

### ***Felony Arrests***

- An officer may arrest anywhere within Connecticut if s/he has probable cause to believe the suspect has committed a felony.
- "Speedy information" **is not required** for a felony arrest; **however**, absent speedy information, it is recommended that the officer obtain an arrest warrant unless there is a concern for **safety and/or flight**.
- A criminal violation of an order of protection is a felony crime, and could be deemed to impact the safety of the victim. If a warrantless arrest is not made, an arrest warrant application and an execution of a warrant should be expedited.

## **VII. DUAL COMPLAINTS AND SELF-DEFENSE**

In family violence situations, it is not uncommon for the victims of family violence to defend themselves from abusive partners. It is also not unusual for offenders to claim that they were acting in self-defense in an effort to justify their violent or threatening act or to attempt to punish the victim for summoning law enforcement. As a result, when officers respond to complaints of family violence they often face dual complaints from multiple parties. Such situations require responding officers to investigate each complaint separately and determine if either party used force as a means of self-defense.

The FVPRA requires officers to arrest a person **only if there is probable cause to believe that person committed a family violence crime**. Officers are prohibited from threatening, suggesting or otherwise indicating the arrest of all parties involved in an incident of family violence for the purpose of discouraging requests for law enforcement intervention by any party.

**Dual arrests should be made only when probable cause exists to charge each party with a crime.** In some instances, officers may receive dual complaints, but thorough investigation may only establish probable cause to arrest one of the parties. In other instances, there may be probable cause to arrest one party for a family violence crime and the other for a non-family violence charge, such as interfering with an officer. This does not constitute a dual arrest. Officers should thoroughly document in the report all claims and complaints, as well as any facts and/or circumstances that either corroborate or disprove the claim or complaint. An officer should determine what type of arrest is necessary and appropriate under the circumstances, e.g., a misdemeanor summons arrest, a custodial arrest, or, in limited situations, a later arrest by warrant.

### **Self-Defense**

- Subsection (b) of C.G.S. §46b-38 [The FVPRA] is significant because it provides an **exception to the mandated arrest required by subsection (a)**.

*“Notwithstanding the provisions of subsection (a) . . . , when a peace officer reasonably believes that a party in an incident of family violence has used force as a means of self-defense, such officer is not required to arrest such party under this section.”*

#### **(1) C.G.S §53a-19. Use of physical force in defense of person:**

This statute defines self-defense and the defense of others. In pertinent part, it provides that *“a person is justified in using reasonable physical force upon another person to defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force, and he may use such degree of force which he reasonably believes to be necessary for such purpose; except that deadly physical force may not be used unless the actor reasonably believes that such other person is (1) using or about to use deadly physical force, or (2) inflicting or about to inflict great bodily harm.*

## VIII. "OFFICER-INVOLVED" DOMESTIC VIOLENCE CASES

Police departments must recognize that the law enforcement personnel, whether sworn or civilian, are not immune from committing domestic violence against their intimate partners or being victims of domestic violence. Although no person is exempt, whatever his or her occupation, from the consequences of his or her actions that result in a violation of law, the dynamics between the responding and accused officers have the potential for making on-scene decisions additionally difficult. The following incident and response protocols are critical components to the integrity of the law enforcement profession and the trust of the community.

### **Sworn Personnel from an Outside Agency:**

- If an officer from another police agency is involved in a family violence incident and probable cause exists for the officer's arrest, the officer shall be arrested.
- The highest-ranking on-duty shift supervisor shall notify the officer's agency as soon as possible, but no later than by the end of the Supervisor's shift.

### **Sworn Personnel from within the Law Enforcement Agency:**

- If an officer from a law enforcement agency is involved in a family violence incident and probable cause exists for the officer's arrest, the officer shall be arrested.
- The highest-ranking on-duty Shift Supervisor shall notify the following personnel:

- Chief of Police, or in his absence the  
Officer in Charge

- The family violence incident will be criminally investigated by an officer at least one (1) rank higher than the officer involved in the incident.
- An Internal Affairs investigation will be conducted during or upon the conclusion of the criminal investigation, if such a division exists within the law enforcement agency.
- If a court order (i.e., Protective or Civil Restraining Order) is issued against the officer, the following will be done:
  - The officer shall surrender all law enforcement agency issued firearms to the Chief of Police or his/her designee,
  - The officer shall be prohibited from carrying a firearm while the Order is in forcing effect.

- Further, in accordance with Connecticut General Statutes, the officer will:

Surrender all other firearm(s) or electronic defense weapon(s) to the Public Safety Commissioner (DESPP), or a federally licensed firearms dealer, as required by (CGS 29-36k) Provide the Chief of Police or his/her designee with the proof of this requirement.

- If the officer possesses an issued pistol permit from his/her agency, he/she will surrender the permit to the Chief of Police within the guidelines of the court order.

- The Chief of Police or his/her designee may:

Suspend the officer without pay.

Assign the officer to administrative duties.

Pursuant to CGS 4b-38b (d) ensure that the investigating agency:

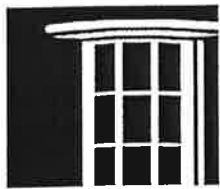
- Assist victim to obtain medical treatment if such treatment is required.
- Notify the victim of the right to file an affidavit for a warrant for arrest.
- Inform the victim of services available and referring the victim to the Office of Victim Services or trauma informed care community provider in the region, and
- Provide assistance in accordance with the uniform protocols for treating established pursuant to subsection (g) of this section,
- Remain at the scene for a reasonable judgment of the officer, the likelihood of further imminent violence has been eliminated.

- The law enforcement investigator shall help the victim to develop a short-term safety plan.

### Important Numbers for Victim Services

- Interval House Support Services 860-527-0550





# MANCHESTER COMMUNITY COLLEGE

## POLICE DEPARTMENT

General Order: 710-2a  
Date Issued: February 26, 2015  
Revised:

Authority: Lt. Michael Davis  
Chief of Police

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### Domestic Violence Lethality Assessment Program

**Purpose and Background:** Law Enforcement Officers are regularly assigned to investigate incidents of domestic violence. It is critical that Law Enforcement Officers approach these incidents with professionalism while vigorously pursuing a thorough and comprehensive investigation. Law Enforcement Officers should make every effort to consider and identify the potential for escalating violence during these investigations.

This Policy establishes protocol to implement the use of a domestic violence lethality assessment at domestic violence calls for service. The provisions of this policy shall operate in addition to, and not in lieu of, the requirements of Connecticut General Statutes § 46b-38b concerning the investigation of family violence crimes by Connecticut Peace Officers, and the Connecticut Police Response To Crimes of Family Violence - Policies, Procedures and Guidelines. To the extent that any of the provisions of this policy may be interpreted to be in conflict with the provisions of Connecticut General Statutes § 46b-38b concerning the investigation of family violence crimes by Connecticut Peace Officers, and the referral of the victims of such crimes for enumerated services, the statutory requirements shall prevail.

### **Definitions:**

1. **Intimate Partners** are persons involved in an intimate relationship who:
  - a. Are married, separated, or divorced;
  - b. Live or have lived together;
  - c. Have children in common; or
  - d. Are dating, or have dated, but do not live, or never have lived together.
2. **Lap Assessment Screen** is a lethality assessment utilizing the Connecticut Coalition Against Domestic Violence's (CCADV) Form, the Lethality Assessment Screen For First Responders (lethality assessment screen).

3. **"Screened In"** is a term that refers to situations when a victim's responses initiate a "protocol referral."
4. **Protocol Referral** is the process of initiating a LAP call to the regional domestic violence service provider and speaking to a LAP Victim Advocate from that agency.
5. **Lethality Assessment** is the identification of victims who are at the highest risk of danger or serious injury by their abuser.
6. **Lethality Assessment Program (LAP)** is a two-pronged intervention process that features a research based lethality screening questionnaire and an accompanying protocol referral that provides direction for law enforcement, medical personnel, clergy, social workers and others to initiate appropriate action based upon the results of the screening process.

**Policy:** It is the policy of the Manchester Community College Police Department to identify victims of domestic violence involving intimate partners in potentially lethal situations, and to place those victims in immediate and direct contact with a domestic violence advocate trained in LAP. The Domestic Violence Assessment shall be used at the scene of a domestic violence incident to assist the officers in identifying high risk situations and follow the established criteria to place the victim in direct contact at the scene with a domestic violence program counselor. Officers conducting a Lethality Assessment will ask the victim the Lethality Screening Questions included in the accompanying document titled, "Domestic Violence Lethality Screen for Law Enforcement Officers," and when a victim is assessed as being in danger, will contact CONSACS and ask the victim to speak with an advocate.

**Procedure:** Officers shall perform a Lethality Assessment Screen with the victim when the domestic violence incident involves an intimate partner relationship and:

1. The officer reasonably believes there has been an assault or other act of domestic violence, and/or
2. The officer reasonably believes that the victim may face danger once the officer leaves, and/or
3. This agency has investigated previous domestic violence incidents at the home or previous incidents involving the family or household members, and/or
4. When the officer's training and experience indicates the situation is dangerous, but the officer may lack probable cause to make an arrest.

The officer should remain at the scene for a reasonable time until, in the judgment of the officer, the likelihood of further imminent violence has been eliminated or the officer has helped the victim with a safety plan in conjunction with an advocate after completing the LAP screen.

The process for conducting a lethality assessment in domestic violence incidents involving intimate partners is as follows:

1. Determine if any party present is in immediate need of medical attention.
2. Interview all persons present including the victim, suspect and witnesses.
3. Assess the scene. If, based on physical observations and/or information gathered from the interviews, the officer believes that the victim could be in danger or is at risk of serious injury, the officer shall complete a lethality assessment screen.

**Lethality Screening Questions:** The eleven questions that comprise the Lethality Screen are specified in the accompanying document. The investigating officer shall:

- a. Advise the victim that he or she will be asked a series of questions to help the officer determine the immediate potential for danger to the victim.
- b. Ask the questions in the order that they are listed on the form.
- c. Ask all the questions in assessing the victim. The more questions the victim responds to positively, the clearer and more immediate the potential for danger is to the victim.

**Assessing the Responses to the Lethality Questions:**

After the responding officer asks the questions on the Lethality Screening, the information shall be handled as follows:

- a. A **single** “yes” or positive response by the victim to questions #1, 2 or 3 signifies a high danger situation and automatically triggers the protocol referral.
- b. If the victim gives negative responses to questions #1 – 3, but positive responses to **four** or more of questions #4 through 11, this also signifies a high danger situation and triggers the protocol referral.
- c. “No” or negative responses, to all of the assessment questions, or positive responses to less than four of questions #4 through 11, may still trigger the referral if the investigating officer believes it is appropriate. The officer should ask the victim the following clarifying questions:
  - i. ‘Is there anything else that worries you about your safety?’ If the victim answers, “Yes;” then ask, “What worries you?” The response to this question may aid in your decision.
  - ii. Trust your instincts. Use of the domestic violence lethality screen takes into account your training and experience as a police officer. It’s flexible and relies on the investigating officer acting on that training and experience. If the victim’s responses don’t trigger the referral, but the officer’s assessment of the situation indicates high danger, the officer should still initiate the referral.

**Lethality Screening Questions:** The eleven questions that comprise the Lethality Screen are specified in the accompanying document. The investigating officer shall:

- d. Advise the victim that he or she will be asked a series of questions to help the officer determine the immediate potential for danger to the victim.
- e. Ask the questions in the order that they are listed on the form.
- f. Ask all the questions in assessing the victim. The more questions the victim responds to positively, the clearer and more immediate the potential for danger is to the victim.

**Assessing the Responses to the Lethality Questions:**

After the responding officer asks the questions on the Lethality Screening, the information shall be handled as follows:

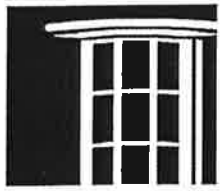
- d. A **single** "yes" or positive response by the victim to questions #1, 2 or 3 signifies a high danger situation and automatically triggers the protocol referral.
- e. If the victim gives negative responses to questions #1 – 3, but positive responses to **four** or more of questions #4 through 11, this also signifies a high danger situation and triggers the protocol referral.
- f. "No" or negative responses, to all of the assessment questions, or positive responses to less than four of questions #4 through 11, may still trigger the referral if the investigating officer believes it is appropriate. The officer should ask the victim the following clarifying questions:
  - iii. 'Is there anything else that worries you about your safety?' If the victim answers, "Yes;" then ask, "What worries you?" The response to this question may aid in your decision.
  - iv. Trust your instincts. Use of the domestic violence lethality screen takes into account your training and experience as a police officer. It's flexible and relies on the investigating officer acting on that training and experience. If the victim's responses don't trigger the referral, but the officer's assessment of the situation indicates high danger, the officer should still initiate the referral.
- a. If the victim agrees to speak with an advocate, the officer will advise the advocate that the officer has completed an assessment that indicates danger or that the officer believes that the victim may be in danger and would like the advocate to speak with the victim.
- b. Officers should not provide the name of the victim and their contact information to the advocate without the consent of the victim.
- c. During the conversation between the victim and the advocate, the advocate may ask to speak with the officer regarding the situation.
- d. The officer will then be guided by the discussion with the advocate for further assistance.
- e. Officers should provide reasonable assistance to the victim if the victim wants to leave the residence.

### **Reporting Recommendations:**

It is recommended that all lethality assessment screens be signed by a supervisor and sent to (Domestic Violence Provider) regardless of whether the victim screened in, as soon as possible.

It is further recommended that the Manchester Community College Police Department complete and forward to the (Domestic Violence Provider) the Lethality Assessment Reporting Template by the 15<sup>th</sup> of each month which contains the following information:

1. The number of lethality assessment screens that were attempted.
2. The number of victims screened to be "at risk."
3. The number of victims screened to be as not "at risk.
4. The number of victims who did not respond to the screening questions.
5. The number of victims who were screened and spoke with a domestic violence advocate.



# MANCHESTER COMMUNITY COLLEGE

General Order: 920-2

Date Issued: April 14, 2014

Authority: Michael Davis  
Chief of Police

## Police Department

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### Clery Act / Title IX / Violence against Women Act

**Purpose:** Under federal law the Manchester Community College Police Department is required to disclose information about crime on and around the campus. The Clery Act is named in memory of Jeanne Clery, a 19-year old Lehigh University freshman who was assaulted and murdered in her residence hall on April 5, 1986.

**Policy:** The Manchester Community College Police Department will comply with the Jeanne Clery Act., the Federal Title IX guidelines, and the Violence against Women Act., by maintaining this General Order, publishing the MCC Annual Security Report which includes Clery, Title IX, and V.A.W.A. statistics, and other pertinent safety information. The Manchester Community College Police Department will publish the Annual Security Report on the College's Web Site, and will make said information available to the campus community throughout the calendar year; and upon request. A direct link to the Annual Security Report will go out to faculty, staff, and students at the beginning of each Fall Semester.

### **Annual Security Report**

#### MCC Police Department:

The mission of the MCC Police Department is to provide a safe and secure educational environment to the College's diverse and dynamic population. This is accomplished by providing professional police service, active crime prevention, and proactive patrol with fairness, responsiveness, integrity and respect. The Manchester Community College Police Department has primary jurisdiction on the College campus and has complete police authority to apprehend and arrest anyone involved in illegal acts on campus.

MCC Police Department personnel include sworn Police Officers, Buildings and Grounds Patrol Officers, Telecommunications Operators and student workers. Sworn police officers are trained at the State of Connecticut Police Officers Standards & Training Council Academy and have full police powers. Buildings and Grounds Patrol Officer enforce college policies and regulations. All officers enforce campus safety policies, traffic and parking regulations, and respond to emergencies.

MCC Police personnel, when on duty, will respond to all complaints, emergencies, and criminal activity on campus. Assistance may be requested from the Manchester Police Department and/or the Connecticut State Police.

MCC Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the Town of Manchester Police and Fire Departments. MCC Police is also part of the Manchester 911 Emergency System.

The Town of Manchester Police Department will respond to complaints, emergencies, and criminal activity at MCC when MCC Police personnel are not on duty and when the MCC Police Department does not have adequate resources to respond to an incident and requests assistance from the Town.

If minor offenses involving College rules and regulations are committed by an MCC student, MCC Police personnel may refer the individual to the Dean of Student Affairs for College disciplinary action.

The MCC PD maintains a C.O.L.L.E.C.T. terminal (inquiry only) which provides access to the NCIC (National Crime Information Computer system), NLETS (National Law Enforcement Telecommunications Network), CSBI (Connecticut State Bureau of Identification) and Connecticut DMV databases. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state, and federal law enforcement information.

### **Emergencies:**

To report a crime or an emergency on campus, dial **3-1-1-1** from any campus phone. **3111** is the direct emergency line to the MCC Police Communications Center, or activate a **blue light emergency phone**.

Emergency telephones are strategically located throughout the college campus. These blue or red phones are directly connected to the police communications center. A call on a **blue emergency phone** also activates the blue strobe light at the telephone.

If you dial 3111 or use an emergency phone, the dispatcher can locate the phone from which you are calling and will dispatch an officer.

If there is a fire and no telephone is immediately available, activate one of the fire alarms located throughout the campus.

When MCC Police personnel are not on duty, the 3111 line and all emergency phones are connected directly to the Town of Manchester's 911 Operator.

### **Non-Emergencies:**

For non-emergency calls for assistance, call the MCC Police at 860-512-3680 (3680 from campus phone). The MCC Police Communications Center is located in the Lowe Building - room # 170 and 174.

### **Reporting Crimes**

The College encourages anyone who is the victim or witness of a crime to promptly report the incident to the police.

All crimes occurring on campus should be reported immediately to the MCC Police Department. If you call the MCC Police Department, please provide the following information:

- Your name
- Location of the incident you are reporting



- A description of the scene and suspects
- A description of any vehicles involved in the incident, especially a license plate number

The MCC Police maintains a Daily Crime Log that lists incidents report to that department. This Log is available for public inspection at the Police Communications Center (L-174).

Additionally, the College strongly encourages everyone to report any suspicious activity to the Police Department at any time. Please remember that suspicion of a crime does not require proof. Crimes can be averted and suspects apprehended more quickly if suspicious activity is reported promptly. If someone's behavior or a situation is disturbing, threatening, or "out of the ordinary", call the MCC Police immediately. The police will assess the situation and take any appropriate action.

Crimes occurring off-campus should be reported immediately to the law enforcement agency having jurisdiction.

### **Voluntary and Confidential Reporting of Crimes:**

Except as noted below, the College does not have a reporting system for annual crime statistics that is both voluntary and confidential.

Victims or witnesses to a crime are encouraged to report what they know about a crime to the police. The MCC Police welcome such information and, under some circumstances, will guarantee confidentiality. However, the College cannot guarantee confidentiality in all instances, particularly when that information pertains to an offense or an alleged offender that may affect the safety of others on campus or is mandated to be reported.

### **Access To and Maintenance of Campus Buildings and Grounds**

Manchester Community College is located in the southwest corner of the Town of Manchester. It is an open campus situated on approximately 72 acres of a 160-acre tract. It has eleven buildings (Student Services Center, Learning Resource Center, SBM Charitable Foundation Building, Great Path Academy, six single story "Village" buildings, and a Maintenance garage), approximately three miles of

roadway, two miles of walkways, and five parking lots. It has a combined enrollment of approximately 15,000 students, all of whom commute.

Buildings are patrolled and checked by MCC Police personnel who are equipped with two-way radios and have communications capabilities with the Town of Manchester Police and Fire Departments.

The college is open on the following schedule.

Monday 6:30 AM to 10:30 PM

Tuesday 6:30 AM to 10:30 PM

Wednesday 6:30 AM to 10:30 PM

Thursday 6:30 AM to 10:30 PM

Friday 6:30 AM to 10:00 PM

Saturday 7:30 AM to 5:00 PM

During normal business hours, the College buildings are open to students, employees, and visitors. All buildings are secured each night and no one should be in the College buildings outside normal business hours.

Buildings, facilities, and landscaping are maintained in a manner that minimizes hazardous conditions. MCC Police officers regularly patrol the campus and report malfunctioning lights or other unsafe physical conditions to facilities management for correction. In addition, MCC invites reports of physical hazards or potential safety issues.

The college campus is equipped with emergency telephone and fire detection systems which are directly connected to the MCC Police Communications Center. When police personnel are not on duty, the emergency phone is connected to the town of Manchester E-911 system.

### **Crime Alerts and Timely Warnings:**

In the event that a situation arises, either on or off campus, that, in the judgment of the Police Chief, or designee constitutes an ongoing or continuing threat, a campus-wide

"timely warning" will be issued. Depending upon the situation, the media used may include: "All Points" e-mail to faculty and staff; Everbridge text message; the MCC and MCC PD Police websites ([www.mcc.commnet.edu](http://www.mcc.commnet.edu) and [www.mcc.commnet.edu/offices/police](http://www.mcc.commnet.edu/offices/police)); written notices on campus monitors; and in-person warnings from police personnel.

Anyone with information warranting a timely warning or campus alert should report the circumstances to MCC Police by calling 512-3680 or in person at L-170.

### **Sexual Assault Investigation and Prevention:**

Sexual assaults continue to be a great concern on college campuses throughout the U.S. It also continues to be an under-reported crime with many rapes and sexual assaults never reported to the police.

The College and its Police Department urges anyone who is the victim of such an assault to report the incident to the police. The police will vigorously investigate all reported sexual assault cases and will work closely with victims, other law enforcement agencies, and the courts.

If you are the victim of a sexual assault:

- Whether or not you choose to report the sexual assault to the police, you should seek medical attention immediately, even if you do not feel you have been seriously injured.
- A medical exam is important to check for sexually transmitted diseases or other infection/injuries and for pregnancy.
- Medical evidence needs to be collected within 72 hours of an assault - in case you decide now or later to pursue a police complaint.
- To preserve evidence, you should not wash, bathe, douche, brush your teeth or use mouthwash, comb your hair, change your clothes, or take other action to clean up before going to the hospital.

- If you may have been given drugs to facilitate an assault ("date rape drug"), it is best to wait to urinate until you reach the hospital and a urine sample can be collected.
- If you are a sexual assault victim, the police will not reveal your name to others except as provided by law. Even court records are afforded some degree of protection. Similarly, if you choose to report your victimization to a faculty or staff member, they will not reveal your identity to the police or others without your permission. The police and staff may share some demographic data for purposes of crime statistics, but this does not include a sexual assault victim's identity.

There are victim services available to assist a victim in dealing with a sexual assault.

**Office of Victim Services (OVS)** 1-800-822-8428 (<http://www.jud.ct.gov/crimevictim/>) - The Office of Victim Services, Connecticut Judicial Branch, is the state's lead agency established to provide services to victims of violent crime. OVS is located in Wethersfield, Connecticut and can be reached by calling:

Office of Victim Services	Phone	TDD / TT	Toll-free
Administration	860-263-2760	711 or 800-842-9710	800-822-8428
Services	860-263-2760	711 or 800-842-9710	800-822-8428
Compensation	860-263-2761	711 or 800-842-9710	888-286-7347

**CONNSACS** - Connecticut Sexual Assault Crisis Services, Inc. is a statewide coalition of individual sexual assault crisis programs, which work to end sexual violence through victim assistance, community education, and public policy

advocacy. It provides a statewide 24 hour, toll free Hotline. Its programs offer crisis intervention, short term counseling, and support groups and are available to work within the court setting to provide support, information, and referrals.

1-888-999-5545 (English) 1-888-568-8332 (Espanol)

**Connecticut Coalition Against Domestic Violence (CCADV)** (24 hr Hotline) 1-888-774-2900

**Sex Offender Registration:** The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in the State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

In the State of Connecticut, convicted sex offenders must register with the State of Connecticut's Department of Public Safety - Connecticut Sex Offender Registry Unit.

To determine if a person is a registered sex offender, click on the following link to the [State Police Sex Offender Registry](#). Once in the registry your search will reveal the photograph and relevant information of any matching registrants.

### **Alcoholic Beverages**

The consumption of alcoholic beverages on campus is prohibited and is subject to College disciplinary action.

The only time alcoholic beverages may be served on campus is during a College-sponsored program with prior approval of the College President or his expressly designated agent. All State laws pertaining to the sale and consumption of alcohol will be strictly enforced.

The unlicensed sale of alcoholic beverages on campus is prohibited by State law. Therefore, no financial arrangements between the sponsor of an event and guests are permitted whenever alcohol is to be served (i.e. no admission fees can be charged, donations accepted, nor tickets sold).

### **Drugs and Controlled Substances**

The use, sale, or possession of any controlled substance, narcotic substance, or drug paraphernalia, as defined by Connecticut General Statutes Section 21a, is prohibited by applicable state and federal laws.

Additionally, MCC students may be disciplined under the College's Student Discipline Code for "Knowingly possessing, using, transmitting, selling, or being under the influence of any dependency-producing drug on the College campus or off the College campus at a College-sponsored activity."

### **Weapons**

All firearms (as defined by C.G.S. section 53a-3) and other weapons (as defined by C.G.S. section 53-206) are prohibited from college property (see C.G.S. 29-28(e)). Any faculty member or student required or permitted to carry a firearm because of employment with a local, state or federal law enforcement agency, as well as retired law enforcement officers who are in compliance with the Patriot Act, must report to the MCC Police Department Commanding Officer. **Permitted firearms are to be kept concealed at all times.**

### **Crime Statistics**

#### **Collection of Statistics for Annual Security Report:**

The MCC Police Department is responsible for collecting statistics, identifying reportable crimes, reporting crimes to the FBI and the Department of Education, and publishing statistics to the public. Under law, these statistics must be reported in the categories specified by each agency. FBI statistics include ONLY crimes occurring on the campus that are reported to the police. The Clery Act requires

reports from a wider geographic area (e.g. adjacent public property); from a broader scope of "reporters" (e.g. "campus security authorities"); for disciplinary referrals as well as arrests for drug, alcohol, and weapons violations; and for different crimes (e.g. forcible sexual assault vs. rape and attempted rape).

Statement re: off campus geographic areas - The Clery Act requires a statement of policy concerning the monitoring and recording, through local police agencies, of criminal activity in certain geographic locations associated with the institution. These locations include: on campus; in or on a non-campus building or property; and on public property within or immediately adjacent to and accessible from the campus.

"MCC on Main" is a non-campus property at 903 Main Street in Manchester which is leased by the MCC Foundation and houses an art and video gallery, entrepreneurship center, cafe, and seminar and conference rooms. The college monitors and records information about criminal activity at this property through the Town of Manchester Police Department.

MCC monitors and records information about criminal activity on the public property immediately north of the campus (Town's "Bike Trail") and around MCC on Main through the Town of Manchester Police Department.

### **Campus Security Authorities**

**The Clery Act defines a campus security authority as:**

- A member of the MCC Police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute the MCC Police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student

discipline and campus judicial proceedings. (An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.)



## Title IX Checklist

Employees should use the following guidelines and complete a [Title IX Incident Report \(/police-safety/title-ix-sexual-misconduct/title-ix-incident-report/\)](#) in discussing sexual misconduct with the Title IX Committee. Note: If you are not an employee but wish to report an incident or situation, [click here \(/police-safety/title-ix-sexual-misconduct/title-ix-incident-report/\)](#).

Manchester Community College takes its obligations to comply with Title IX of the Education Amendments of 1972 (Title IX) very seriously. Title IX prohibits discrimination on the basis of sex in any federally funded education program or activity. The Office of Civil Rights of the Department of Education considers sexual misconduct (including sexual harassment, sexual violence, sexual assault and intimate partner violence) to be a form of sexual discrimination and requires the college to take immediate and effective steps to respond to sexual misconduct.

To satisfy the requirement that the college take immediate action to eliminate sexual misconduct, prevent its recurrence and address its effects, the MCC's Title IX Coordinator reviews every Title IX Incident Report made to college employees and determines the appropriate course of action to investigate the report. This means that the Title IX Coordinator may contact identified victims, alleged perpetrators, and witnesses. In addition to ensuring that all reports of sexual misconduct and discrimination are properly investigated by the college, the Title IX Coordinator identifies and addresses any patterns or systemic problems that arise during the review.

All incidents of sexual misconduct must be reported to:

Pamela Mitchell, Associate Dean of Academic Affairs and Title IX Coordinator  
Office: LRC B116

Phone: 860-512-2604

Email: [pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu)

[\(mailto:pmitchell1@manchestercc.edu\)](mailto:pmitchell1@manchestercc.edu)

Responsible employees (*all* Manchester Community College employees are considered “responsible” employees for the purpose of Title IX) **must** complete this report immediately no matter when the incident occurred, if anyone (e.g., faculty, staff, students or third parties) reports or discloses a situation that may constitute sexual misconduct to include sexual harassment sexual violence, domestic/dating violence and stalking. ***If you have any questions about the report, contact Pamela Mitchell at 860-2604 or [pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu) (<mailto:pmitchell1@manchestercc.edu>).***

You may also be obligated to complete MCC’s Clery Act reporting form if you have been identified as a Campus Security Authority (CSA) by the college. If you are unclear about your status as a CSA, please contact Lt. Michael Davis, Commanding Officer, MCC Police Department at 860-512-3682, or Kristin Mesick, Clery Compliance Officer, MCC Police Department at 860-512-3680.

### Definition

**Sexual misconduct** is a term used to encompass unwanted or unwelcome conduct of a sexual nature that is committed without consent. Sexual misconduct may be committed by anyone, including but not limited to, a friend, a stranger, an intimate partner, a student, an acquaintance, a supervisor or a faculty member. Males and females can be victims of sexual misconduct, and misconduct can occur between people of the opposite sex or the same sex. It can involve conduct that occurs on campus or at an off-campus location. It can consist of verbal utterances, threats and/or coercion, nonverbal behavior, violence or behavior that could be characterized as stalking. For further definitions of types of conduct that may constitute sexual misconduct such as sexual assault, domestic violence, dating violence and stalking, please visit [www.manchestercc.edu/title-9 \(/title-9\)](http://www.manchestercc.edu/title-9 (/title-9))

Directions for completing the report:

1. **Review the attached checklist** to ensure you are discussing the items with any victim of sexual misconduct. The items do not need to be discussed in any particular order but are arranged in a manner that can help you with your discussion.
2. **Fill in the fields as requested – name, date, etc.**
  - **Complainant** – is defined as the individual who has been impacted or targeted by the sexual misconduct.
  - **Against Whom** – if the complainant reveals the name of the alleged perpetrator you must include that information here. If the complainant does not reveal the name of the alleged perpetrator, other types of information can be noted such as the individual's affiliation to MCC, if the perpetrator is a student at another school, a visitor, a vendor, etc.
  - **Description of the Incident** – try to get as much information about the events that happened as revealed by the complainant, such as the circumstances of the conduct, what conduct was disturbing and how, names of witnesses or others involved, etc. Refrain from judgment and describe the facts that were told to you or that you witnessed.
3. **Email the report** to Pamela Mitchell at [pmitchell1@manchestercc.edu](mailto:pmitchell1@manchestercc.edu) (<mailto:pmitchell1@manchestercc.edu>).

Please review the checklist and ensure you are discussing all of the items with any victim of sexual misconduct. These items do not need to be discussed in any particular order. Additional copies of this form are available at [www.manchestercc.edu/title-9 \(/title-9\)](http://www.manchestercc.edu/title-9 (/title-9)).

- Determine if the victim requires immediate medical assistance. If so, call 860-512-3111 (ext. 3111 on college phone).
- Ask the victim if he or she would like you to contact the police immediately. If so, call 860-5212-3111 for MCCPD. If not, you should respect the victim's wishes.

- Advise the victim that you can protect their privacy, but you cannot promise confidentiality. Tell the victim that you are required to report the incident to the college's Title IX Coordinator, but you will not tell anyone else. Let the victim know that the Title IX Coordinator may be in touch with him or her. (Confidentiality will be provided by Connecticut Sexual Assault Crisis Services [CONNSACS] and member agencies of the Connecticut Coalition Against Domestic Violence [CCADV].)
- Remind the victim that acts of sexual misconduct, such as sexual assault, relationship violence and stalking are never the fault of the victim. Thank the victim for telling you what happened and reassure him/her that you have information to share which might be useful, and then provide him/her with the list of resources. Resources are provided on-line at [www.manchestercc.edu/title-9 \(/police-safety/title-ix-sexual-misconduct/title-ix-resources/\)](http://www.manchestercc.edu/title-9 (/police-safety/title-ix-sexual-misconduct/title-ix-resources/)) and in college brochures available from the Title IX Coordinator.
- Discuss the options he/she has (CONNSACS, CCDAV, counseling, police report, etc.), if you are comfortable and have the knowledge to do so. The Title IX Coordinator or members of the MCC Title IX Resource Team can also provide resources and information for victims.
- Advise the victim that he or she has the right to file a complaint or not to file a complaint with the college. Title IX information is available at [www.manchestercc.edu \(/\)title-9](http://www.manchestercc.edu (/)title-9) which describes the filing process, or the victim may be in touch with the Title IX Coordinator directly to better understand the process.
- Advise the victim that there may be times when the college must take action against a perpetrator, even if that is against the victim's wishes. The college undertakes these decisions very carefully and would inform the victim and take appropriate steps to ensure the victim's safety prior to taking any action against the perpetrator.
- Advise the victim that he or she has the right to contact or not to contact the police at any time. An incident on campus should be referred to the MCC Police Department. An incident off-campus should be referred to the appropriate police jurisdiction. The MCC Police Department will give its full assistance in response to a report of sexual misconduct or interpersonal violence on campus. If the

incident occurred off-campus, MCCPD can assist in contacting the police department of the town in which the incident occurred.

- Some victims are in situations where they don't feel safe going to classes, going home or going to work. Let the victim know that there are people on campus that can help them. Advise the victim that assistance can be provided by the college (Title IX Coordinator or Dean of Student Affairs) for changing academic situations and working situations, if requested by the victim and if reasonably available, regardless of whether the victim chooses to report the situation to the police.
- Inform the victim that retaliation by the alleged perpetrator or anyone else is prohibited and will be punished by the college. The college wants to make certain the fear of retaliation does not prevent the victim from reporting the incident either to the police or formally to the college. If the victim experiences any retaliation, he or she should immediately contact the Title IX Coordinator at the college.

[Title IX Incident Report \(/police-safety/title-ix-sexual-misconduct/title-ix-incident-report/\)](#)

*Last updated August 26, 2016.*



MANCHESTER  
COMMUNITY  
COLLEGE

# **Manchester Community College**

## **Student Code of Conduct**

**Revised: July 15, 2015**

**Effective: Immediate**

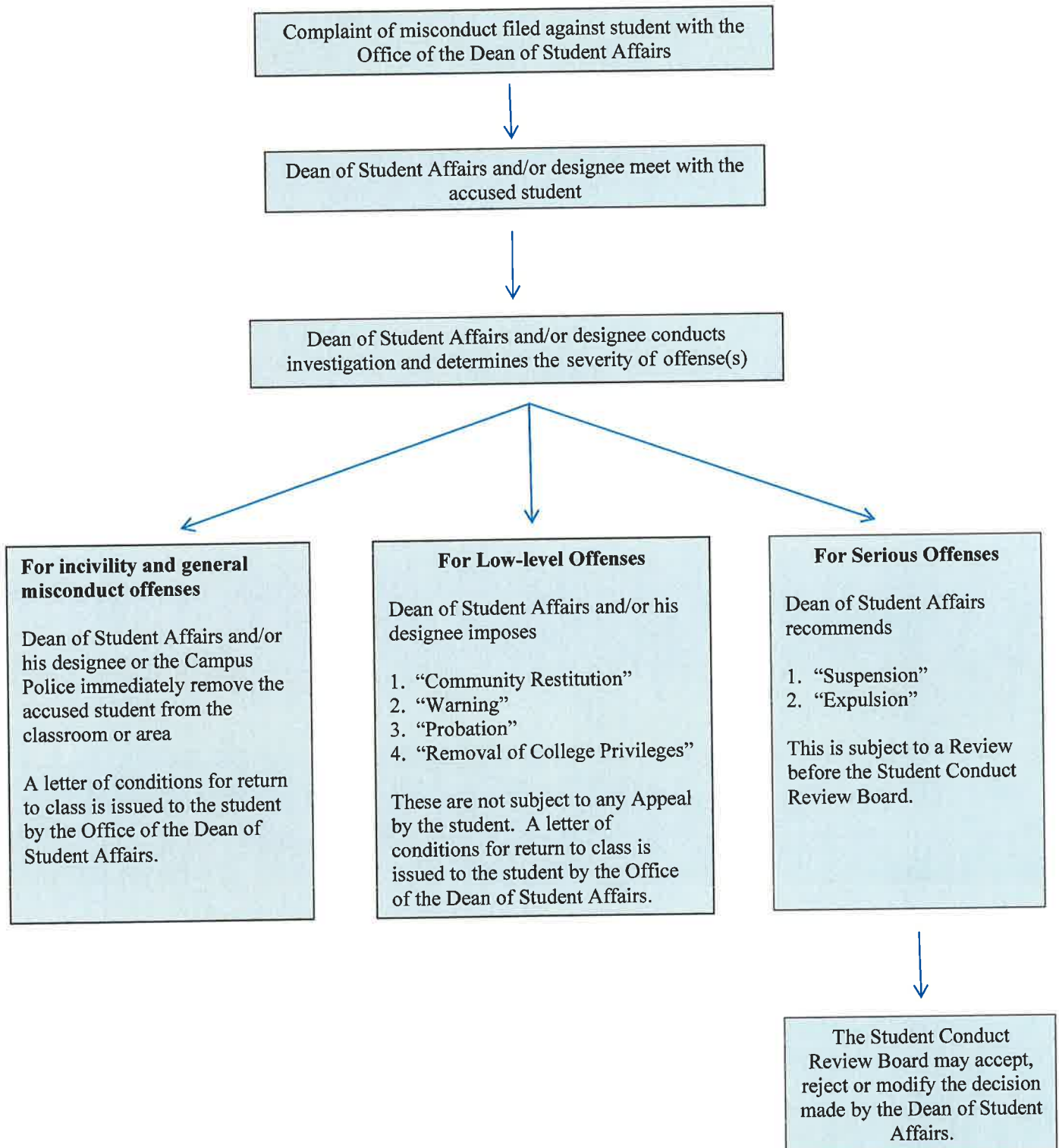
## Table of Contents

Overview of the Student Conduct Process.....	3
Preamble.....	4
Introduction.....	4
Definitions.....	4
Application, Distribution, and Administration of the Student Code of Conduct.....	6
Scope of Authority.....	7
Prohibited Conduct.....	8
Hearing Procedures for Sexual Misconduct, Sexual Intimate Partner, and Domestic Violence Cases.....	12
Conduct and Disciplinary Records.....	13
Interpretation and Revision.....	13
Disciplinary Procedures (Academic and Non-Academic).....	13
Disciplinary Sanctions .....	15
Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy.....	16
Student Rights.....	20
Student Grievance Procedure.....	21
Review of Academic Standing.....	21
Student Records.....	22
Student Code of Conduct Process.....	24
Academic Integrity and Plagiarism.....	27
Confidentiality and Release of Directory Information .....	28

### **Note:**

**For details please refer to the Student Code of Conduct as outlined in the Student Handbook 2015-2016 – Copies of which are available in the Office of the Dean of Student Affairs.**

## Overview of the Student Conduct Process





# **Student Code of Conduct (BOR/CSCU)**

## **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 on 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, and Domestic Violence Cases**

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, the accuser and the accused student shall each have the following rights:

1. At any meeting or proceeding, both the alleged victim and accused 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;
2. The alleged victim of sexual misconduct, sexual exploitation, sexual harassment, sexual assault, intimate partner or domestic violence is entitled to request that disciplinary proceedings begin promptly;
3. Any hearing regarding an accusation of sexual misconduct, sexual assault, sexual exploitation, sexual harassment, intimate partner or domestic violence shall be conducted by an impartial hearing party or panel trained in issues relating to sexual misconduct, sexual, intimate partner and domestic violence;
4. In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused and the alleged victim have the right to keep their identities confidential;
5. Normally no later than within one business day of the conclusion of a hearing, receive a written report from a CSCU Official indicating the determination of the impartial party or panel and the sanction(s) imposed on the accused student, if any;
6. Request review of the decision of the impartial panel or party.

#### **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.

### **III. Conduct and Disciplinary Procedures Applicable To Community College Students**

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

#### **Part A: Disciplinary Procedures (Academic and Non-Academic Misconduct)**

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

1. Information that a student may have violated the Code should be submitted to the Dean of Student Affairs, 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 p.m. 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.

*(Policy statement from the Board of Regents for Higher Education approved 3/13/2014; amended 4/17/2014)*

## **Sexual Misconduct, Sexual Assault and Intimate Partner Violence 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 or 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 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.

The BOR strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault 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 or 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 assault. Each and every BOR governed college or 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 advocates or community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place.

Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, including sexual harassment, sexual assault, sexual exploitation and intimate partner violence, against anyone is unacceptable and is both a crime under State law and a violation of BOR policies. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Consensual sexual relationships between staff, faculty and students are discouraged pursuant to BOR policy.

### **Mandated Reporting**

The BOR requires that a report be made to the Connecticut Department of Children and Families whenever a person under eighteen (18) years of age may have been sexually assaulted. Further, pursuant to BOR Policy on Suspected Abuse or Neglect of a Child, any BOR or CSCU employee who 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 Board policy to report the incident as soon as practicable to their immediate supervisor as well. Employees are required to report possible sexual assault of persons 18 years old or older and those CSCU employees who qualify as Campus Security Authorities under the Jeanne Clery Act have a duty to report possible sexual assault regardless of the age of the reported victim.

### **Confidentiality**

When a BOR governed college or university receives a report of sexual assault 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 the 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, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center 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 assault or the person reported to have been assaulted 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 or university will provide a list of such confidential resources in the College or University's geographic region to victims of assault 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 a sexual assault to the extent reasonably possible.

### **Rights of Those Who Report**

Those who report any type of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, 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, including sexual harassment, sexual assault and intimate partner violence, 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 an assault feel ready to make any decisions about reporting the assault to police, the Dean of Students or the Campus's Title IX Coordinator.
- Those who have been assaulted have the right to take both legal action (criminal/civil action) and action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s) and/or the Sexual Assault Crisis Center of Connecticut – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

### **Options for Changing Academic, Transportation and Working Arrangements**

The colleges or universities will provide assistance to those involved in a report of sexual harassment, sexual assault or intimate partner violence, 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 or 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, including sexual harassment, sexual assault or intimate partner violence, 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 campus,

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, including harassment, sexual assault or intimate partner violence, 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;
  - relief from physical abuse by a family or household member or person in a dating relationship; and
  - family violence protective orders.

### **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 harassment, sexual assault and intimate partner violence.

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 complainants and accused students.

Reported victims of such assault or violence shall have the opportunity to request that disciplinary proceedings begin promptly and such disciplinary proceedings shall be conducted by an official trained in issues relating to sexual assault and intimate partner violence and shall use the preponderance of the evidence standard in making a determination concerning the alleged assault or violence. Both the reported victim of such assault or violence and the accused are entitled to be accompanied to any meeting or proceeding relating to the allegation of such assault or violence 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 each shall have the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding. Both the reported victim and accused are entitled to be informed in writing of the results of any disciplinary proceeding not later than one business day after the conclusion of such proceeding. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity. To the extent permitted under state or federal law or as necessary for the disciplinary proceeding, the college or university shall not disclose the identity of the reporter or the accused.

### **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.

## Terms and Usage

**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** may include 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. Sexual assault is further defined sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a of the 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.

**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).

**Intimate partner violence** 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 of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic violence as designated under section 46b-38h of the general statutes. "The offenses that are designated as "domestic violence" are against family or household members or persons in dating relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Stalking is one person's repetitive and willful following or lying in wait behavior towards another person that causes that other person to reasonably fear for his or her physical safety. Relationship violence may also include physical abuse, threat of abuse, and emotional abuse.

*(Policy statement from the Board of Regents for Higher Education (3/13/2014))*

## **Student Rights**

### **5.2.2 Policy on Student Rights**

#### **Section 1: Rights of Students**

It is the Board Policy that the educational offerings of the community colleges be available to students without regard to the individual's race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disability, genetic information, marital status, mental retardation, sexual orientation, learning disability, or physical disability, including, but not limited to, blindness, or prior conviction of a crime (unless the provisions of sections 46a-60(b), 46a-80(b), or 46a-81(b) of the Connecticut General Statutes are controlling or there is a bona fide occupational qualification excluding persons in one of the above protected groups). With respect to the foregoing, discrimination on the basis of sex shall include sexual harassment as defined in Section 46a-60(8) of the Connecticut General Statutes. Further, the system will not discriminate against any person on the grounds of political beliefs or veteran status.

Students are entitled to an atmosphere conducive to learning and to impartial treatment in all aspects of the teacher-student relationship. The student should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or his or her own part in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs. Students are free to take reasoned exception to the data or views offered in any course of study, but they are responsible for learning the content of the course of study as defined by official college publications.

Community college students are both citizens and members of the academic community. As citizens they enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy, and as members of the academic community they are subject to the obligations which accrue to them by virtue of this membership.

#### **Section 2: Student Grievance Procedure**

1. **Definition:** A grievance is an allegation by a student that, as to him or her, an agent of the college has violated board or college policies relating to students other than assignment of grades or other academic evaluation (see Section 3: Review of Academic Standing).
2. **How to file a grievance:** A grievance is to be submitted in writing to the Dean of Students or such other college official as the President may designate (hereinafter, the Dean of Students), within thirty days of the date the grievant knew or reasonably should have known of the alleged violation. The written grievance shall specify the right claimed to have been violated and state briefly the underlying facts.
3. **Procedure for grievance resolution:** The Dean of Students and/or his designee shall investigate the grievance and,

within thirty days from the time the grievance was submitted recommend to the President a disposition of the grievance, except as provided hereinafter:

- a. In the course of each investigation, the Dean of Students shall consult with the dean responsible for the area of college operations in which the grievance arose.
  - b. In the case of a grievance alleging discrimination based on race, color, religious creed, sex, age, national origin, ancestry, present or past history of mental disorder, marital status, mental retardation or physical disability, prior conviction of a crime, political beliefs, veteran status, or sexual preference, the Dean of Students shall consult with the college's Affirmative Action Officer during the course of the investigation.
  - c. In the case of a grievance against a dean, the grievance shall be filed with the President. The President may accept or reject the recommendation, or direct such further investigation as he or she deems appropriate. The President shall notify the student of the final disposition of the grievance within fifteen days of receiving the recommendation, except for good cause or as provided in 4.
4. *Advisory Committee:* The President may establish an advisory committee of students and staff which may be charged with the responsibility of making recommendations at either the level of the deans or the President. The President may appoint and remove members of the committee. If an advisory committee is appointed, the President shall establish a reasonable time frame within which the committee must make recommendations.

### **Section 3: Review of Academic Standing**

A student may seek review of the assignment of a grade or other decision affecting academic status in accordance with the following procedure:

1. The grade or academic decision affecting academic status should be discussed informally with the instructor or official responsible for the decision within fifteen calendar days of the student's awareness of the decision.
2. If the matter is not satisfactorily adjusted within ten calendar days of this appeal or the instructor is not available, the student may refer the matter to the academic dean by filing a written appeal. The appeal must be filed with the academic dean within thirty calendar days of the student's awareness of the decision which is being appealed.

Upon receipt of such appeal, the dean shall meet with the instructor, if he or she is available, to determine that step 1 has taken place or is not possible and to receive relevant information from the instructor responsible for the decision. The dean may then refer the matter to the academic supervisor for informal consideration prior to step 3 below.

3. The academic dean or other designated official(s) shall afford review as provided below. The President may designate an official or an academic appeals committee to provide review at this step in lieu of the academic dean.

The student shall be afforded the right to present a statement of appeal and relevant information in support of it. It is the student's responsibility to show that the decision in question is arbitrary, i.e., without a reasonable basis, or was made for improper reasons in violation of section 1 of this policy. The student is entitled to a written response within thirty days of the completion of his or her presentation. A decision to change the grade or modify the decision which has been appealed is advisory to and subject to the approval of the President.

4. The foregoing decision may be appealed to the President by filing a statement of appeal within ten calendar days of the date of the decision. Review by the President shall be on the basis of the written record unless he or she decides that fairness requires broader review. The decision of the President shall be final.
5. The time frames provided herein may be modified by the President for good cause shown.

*(Adopted October 18, 1976; amended February 19, 1979, April 20, 1981, July 20, 1981, November 16, 1987, February 26, 1990, March 16, 1998, and November 15, 1999; technical amendment May 1, 2002 in compliance with Public Acts 98-180 and 01-28.)*

## **Student Records**

### **5.7 Notification of Rights under the Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the college receives a request for access. Students should submit to the Registrar, Dean of Student Affairs, Dean of Academic Affairs, or head of the academic department, written requests that identify the record(s) they wish to inspect. The college official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the college official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request amendment of an education record that the student believes is inaccurate. Students may ask an appropriate college official to amend a record that they believe is inaccurate. The student should write to the college official, clearly identify the part of the record he or she wants changed, and specify why he/she believes it is inaccurate. The college will notify the student of the decision. If the college decides not to amend the record as requested by the student, the college will advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

NOTE: FERPA is not intended to provide a process to question substantive judgments that are correctly recorded. For example, the right of challenge does not allow a student to contest a grade in a course because the student believes that a higher grade should have been assigned.

3. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. FERPA permits disclosure without consent to school officials with legitimate educational interests. A "school official" includes but is not limited to the following: a person employed by the college in an administrative, supervisory, academic, research or support staff position (including law enforcement and security personnel, counseling and health staff); a person or company with whom the college has contracted (such as an attorney, auditor, collection agent or official of the National Student Clearinghouse); a person serving on the Board of Regents for Higher Education who is authorized to act on its behalf; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities.

FERPA also permits disclosure of education records without consent in connection with, but not limited to:

- To comply with a judicial order or a lawfully issued subpoena;
- To appropriate parties in a health or safety emergency;
- To officials of another school, upon request, in which the student seeks or intends to enroll;
- In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;
- To certain officials of the U.S. Department of Education, the Comptroller General, to state and local educational authorities, in connection with certain state or federally supported education programs;
- To accrediting organizations to carry out their functions;

- To organizations conducting certain studies for or on behalf of the college;
  - The results of an institutional disciplinary proceeding against the alleged perpetrator of a crime of violence to the alleged victim of that crime with respect to that crime.
  - Directory information as defined in the Board Policy of the Board of Regents.
4. The right to refuse to permit the college to release directory information about the student, except to school officials with a legitimate educational interest and others as indicated in paragraph 3 above. To do so, a student exercising this right must notify the Registrar in writing (room L157 in the Student Services Center). Once filed, this notification becomes a permanent part of the student's record until the student instructs the college, in writing, to remove it.
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by colleges to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:
- Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605**

*(Board Policy)*

## **Student Code of Conduct Process**

The Disciplinary Process is initiated once a complaint is filed against a student by a member of the College community with the Office of the Dean of Student Affairs. This policy is not intended to prevent members of the College Community from attempting to resolve matters informally. Failure to cooperate with the College's investigation of an alleged Student Code of Conduct violation will result in the student forfeiting his/her rights to a hearing or appeal and/or may result in disciplinary action.

### **Conduct Procedures**

#### **I. PURPOSE**

To provide the College Community with clear guidelines and procedures to deal with student disciplinary issues/problems or potential disciplinary issues/problems.

#### **II. POLICY**

1. Students are expected to abide by the Student Discipline Policy on Student Conduct as outlined in the **BOR/CSCU Student Code of Conduct (Approved 3/13/2014; amended 4/17/2014)**. Manchester Community College's **Student Code of Conduct** is outlined in the **Student Handbook 2015-2016** copies of which are available in the Division of Student Affairs offices and all Division of Academic Affairs offices.
2. The **BOR/CSCU Student Code of Conduct (Approved 3/13/2014; amended 4/17/2014)** is available online at <http://www.ct.edu>.
3. **Formal disciplinary problems should be reported in writing or by email to the Dean of Student Affairs at [GHarris@manchestercc.edu](mailto:GHarris@manchestercc.edu) and/or designee (Assistant to the Dean of Student Affairs) at [UVig@manchestercc.edu](mailto:UVig@manchestercc.edu) and/or in addition you can call to report or discuss the case at 860-512-3203/860-512-3204 and /or in case of a disruptive student and an emergency you can call to report to the MCC Police Department at 860-512-3680 (Emergency: 860-512-3111) as well.**

### III. PROCEDURES

1. All significant disciplinary problems shall be reported to the Dean of Student Affairs and/or designee, or in an emergency, to the MCC Police Department.

2. Student disciplinary reports may be formal or informal depending upon the nature of the occurrence. The Dean of Student Affairs and/or designee is available for consultation or to review alternative actions.

#### 3. **Informal Disciplinary Action**

a. Instructors **should inform in writing or by email** the Office of the Dean of Student Affairs.

b. The Division Director/Supervisor shall be notified by the faculty/staff member of all problems and kept informed of all the procedures followed.

c. Suggested Progressive Disciplinary Process for Faculty and Staff:

- The faculty/staff member shall clearly state, verbally and in writing, his/her personal expectations for standards of behavior. All faculty/staff should distribute written expectations to students in their course syllabus.
- When an incident occurs, a verbal warning shall be issued to the student whose behavior is unacceptable. Students shall be addressed respectfully at all times and privately if at all possible.
- If the problem is not resolved and the behavior persists, the faculty/staff member may initiate a formal disciplinary referral.

#### 4. **Formal Disciplinary Referrals**

a. Should the behavior persist after the verbal warning, the faculty/staff member should forward a written statement of the incident to the Office of the Dean of Student Affairs using the Faculty Complaint Interview Form and/or the Disruptive Student Behavior Referral Report.

b. These forms are available in the Faculty Handbook, in all Division offices and the Office of the Dean of Student Affairs. **If you are unable to retrieve the aforementioned forms, please email the Dean of Student Affairs at [GHarris@manchestercc.edu](mailto:GHarris@manchestercc.edu) and/or designee (Assistant to the Dean of Student Affairs) at [UVig@manchestercc.edu](mailto:UVig@manchestercc.edu).** This procedure is the avenue available to remove a student from the class/area.

c. The **Board of Regents for Higher Education for Connecticut** has set forth the **Student Code of Conduct** as outlined in the **Student Handbook 2015-2016 – Copies of which are available in the Office of the Dean of Student Affairs.**

d. Upon receipt of the faculty/staff member's statement the Dean of Student Affairs and/or designee will initiate an investigation including notification to the student in writing that he/she has the right to explain her/his position. The Dean of Student Affairs and/or designee will also confer with the faculty/staff member.

e. Preliminary response and/or action taken will be communicated to the faculty/staff member within 24 hours and/or prior to the next class meeting. Subsequent actions taken will be communicated to the faculty/staff member within the context of the Family Educational Rights and Privacy Act (FERPA) (34CFR Part 99) (Revised as of December 09, 2008), within one week of the action being taken. (<http://www2.ed.gov/legislation/FedRegister/finrule/2008-4/120908a.pdf>)

## 5. Emergency Student Disciplinary Problems

(Situation in which the faculty/staff member/students feel seriously threatened or endangered).

- a. The faculty/staff member should immediately contact the MCC Police Department and/or the Office of the Dean of Student Affairs.
- b. The Police Officer will confirm if the faculty/staff member would like the student to be removed from the area and/or if the faculty/staff member would like a direct warning given to the student. The Dean of Student Affairs and /or designee and the Police Officer will issue a direct warning and/or will remove the student from class/area.
- c. If the student is to be removed, the student will be escorted to the Office of the Dean of Student Affairs or to the MCC Police Department for appropriate action.
- d. Using the Faculty Complaint Interview Form and/or the Disruptive Student Behavior Report a follow-up written memorandum of the incident is required from the faculty/staff member preferably within 24 hours addressed to the Division Director/Supervisor and the Dean of Student Affairs and/or designee. The MCC Police Department will file separate reports as required per their procedures.
- e. Preliminary response and/or action taken will be communicated to the faculty/staff member within 24 hours and/or prior to the next class meeting.
- f. The student who has been removed from the class will be allowed to return to the class subject to the conditions set forth in a **Letter (Conditions for Return) issued to the student by the Office of the Dean of Student Affairs**. The student is required to bring this letter to the class upon return. **A copy of the Letter (Conditions for Return) will be sent to the faculty member for record**. Subsequent actions taken will be communicated to the faculty/staff member within the context of the Family Educational Rights and Privacy Act (FERPA) (34CFR Part 99) (Revised as of December 09, 2008), within one week of the action being taken. (<http://www2.ed.gov/legislation/FedRegister/finrule/2008-4/120908a.pdf>)

## 6. Sanctions

A student found in violation of the College's Student Code of Conduct shall be subject to one or more of the following sanctions:

- a. Verbal Warning
- b. Community Restitution
- c. Written Warning
- d. Probation
- e. Removal of College Privileges
- f. Suspension
- g. Expulsion

The intent of the College is to impose sanctions in a progressive manner, beginning with the least punitive sanction. However, depending on the nature and severity of a student's violation the College reserves the right to impose any of the above-referenced sanctions at any time.

## 7. Review

The Accused Student can only appeal the sanctions of Suspension or Expulsion imposed by the Dean of Student Affairs. The request for a hearing must be received by the Office of the Dean of Student Affairs by 5:00 p.m. on the following business day of the Accused Student receiving a sanction of Suspension or Expulsion by the Dean of Student Affairs.

- a. If the student requests a hearing, he/she is entitled to be heard, within five (5) business days, or as soon as reasonably possible by the Student Conduct Review Board.
- b. The Student Conduct Review Board shall issue a written decision after the hearing with the student. The Student Conduct Review Board may accept, reject or modify the Dean of Student Affairs' decision or sanction.
- c. A written request for review of the decision by the Student Conduct Review Board must be received by the President with three (3) calendar days after the student is notified of the decision by the Student Conduct Review Board and must clearly identify the grounds for review.

**Note :**

**For details please refer to the Student Code of Conduct as outlined in the Student Handbook 2015-2016 – Copies of which are available in the Office of the Dean of Student Affairs.**

### **Academic Integrity and Plagiarism**

It is the policy of Manchester Community College that each faculty member has the right to set his or her own policy to handle any act/s of cheating or plagiarism. The faculty member's policy should be clearly stated in the syllabus for the course, so that each student knows at the very beginning of the course, the consequences for violating the Student Code of Conduct for Academic Integrity. If a faculty member determines that a student has cheated or plagiarized, it is within the faculty member's rights to exercise one of the options identified below. The faculty member should discuss the intended course of action with their Division Director and with the Office of the Dean of Student Affairs.

Examples of options include:

- 1) The student can be assigned an "F" for the assignment/exam.
- 2) The student can be required to redo the assignment/exam.
- 3) The student can be required to complete an alternate assignment or examination.
- 4) The student can be failed for the course.
- 5) An alternate resolution as deemed appropriate.

### **Academic Misconduct Withdrawal Procedure**

If a student receives a final grade of "F" in a course due to academic misconduct, the student may not obtain a transcript notation of "W" for that course. Instructors must report instances of academic misconduct to the Office of the Dean of Student Affairs in a timely manner and be specific about all academic misconduct policies in their syllabi.

**However, any act/s of cheating or plagiarism is a violation of the Student Conduct Policy (Student Code of Conduct) set forth in the Board of Regents for Higher Education for Connecticut Policy Manual and may result in additional sanctions as determined by the Office of the Dean of Student Affairs in compliance with the Student Conduct Policy (please refer to the Student Handbook 2015-2016, pages 12-31 for more details of the aforementioned Policy).**

**Please Note:**

**Faculty members should report in writing or by email any cases of cheating or plagiarism to the Dean of Student Affairs at [GHarris@manchestercc.edu](mailto:GHarris@manchestercc.edu) and/or designee (Assistant to the Dean of Student Affairs) at [UVig@manchestercc.edu](mailto:UVig@manchestercc.edu). The Office of the Dean of Student Affairs maintains records of student violations of the Student Code of Conduct.**

The following statements are in the MCC college catalog, under “Student Responsibilities”:

## **Academic Integrity**

Manchester Community College is committed to academic integrity. An academically honest student submits for evaluation only such work, including tests, papers, reports, presentations or ideas that have been written, performed or created solely by that student. On those occasions when the stated rules of a course permit collaborative efforts, the contributions of other individuals and sources should be appropriately acknowledged. It is, at all times, the responsibility of the student to maintain conduct consistent with the concept and definition of academic integrity, including not only the avoidance of plagiarism, but also other actions further outlined under the **Student Code of Conduct** in the **Student Handbook 2015-2016**.

## **Plagiarism**

Plagiarism is the act of taking someone else’s idea, writing or work, and passing it off as one’s own. If you fail to give credit to the source of the material, whether directly quoted or put in your own words, this lack of credit constitutes plagiarism. Whether you take, buy or receive material from the Internet, from a book, from another student or from any other source, and you fail to give credit, you are stealing ideas; you are engaged in plagiarizing. Plagiarism is a serious violation of academic standards and has serious academic consequences for the student. At the discretion of the instructor, plagiarism may result in failure of the submitted work or failure for the course and as an act of academic dishonesty, may result in additional disciplinary action by the College, as outlined under the **Student Code of Conduct** in the **Student Handbook 2015-2016**.

## **Confidentiality and Release of Directory Information**

The Board has designated the following as directory information: student names and addresses, dates of attendance, full vs. part-time student status, awards, major/program of study, honors and graduation date. For purposes of access by military recruiters only, telephone listings and, if known, age, level of education and major are also designated as directory information.

Colleges may disclose directory information without prior consent, unless a student has exercised the right to refuse to permit the College to release directory information in accordance with the **Board Policy**.

The right to refuse to permit the college to release directory information about the student, except to school officials with a legitimate educational interest and others as indicated in the **Board Policy**. To do so, a student exercising this right must notify the Registrar’s office in writing. The Registrar’s office is located in room L157 in the Lowe Building. Once filed, this notification becomes a permanent part of the student’s record until the student instructs the college, in writing, to remove it.

A copy of the **Board Policy** is available online at <http://www.ct.edu>.

/kuv



## Family Violence Offense Report

Submit this form to DPS only if an arrest was made

CTL NUMBER – OFFICE USE ONLY

(Print or type all entries. See other instructions on the reverse side of this form.)

1. Arrest Yes <input type="checkbox"/> No <input type="checkbox"/>	2. If Zero Reporting, Enter Period Covered (MM/YY)	3. Case Number	4. Local PD Name	5. Offense Town Code	6. Offense Date	7. Offense Time
<b>OFFENSE CODES</b> A. Homicide B. Assault C. Kidnapping D. Sexual Assault E. Criminal Mischief F. Risk of Injury G. Breach of Peace H. Disorderly Conduct I. Other/Violation Court Order				8. Enter letter(s) to indicate type(s) of offense(s): _____		
<b>WEAPONS CODES</b> A. Firearm B. Knife C. Other Dangerous Weapon (specify) _____ D. Hands, Fists, Feet, etc.				9. Enter the NUMBER of weapons used by type A. _____ C. _____ B. _____ D. _____		
<b>INJURY CODES</b> A. Serious Physical Injury B. Minor/Physical Injury C. No Apparent Physical D. Fatal				10. Enter a letter for the most serious type of injury to any victim or "C" if none: _____		
<b>STATUS CODES</b> V. Victim * O. Offender * B. Both/All * Only when arrested for actual family violence		<b>RELATIONSHIP CODES:</b> A. Spouse B. Former Spouse C. Other relative residing in the home D. Other relative NOT residing in the home E. Persons who are presently living together, have lived together, or ever had a child together. F. Persons in, or who have recently been in, a dating relationship.				
11. STATUS CODES	12. Last Name	13. First Name	14. MI	15. SEX	16. DOB	17. Relationship of VICTIM to Offender code (enter if status is V Victim or B Both/All)
						18. Liquor/Drugs involved? Enter for all persons involved
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
						Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>
19. Prior Court or Foreign Orders? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown						
20. A Child under 18 years old was: <input type="checkbox"/> A. Involved <input type="checkbox"/> B. Present <input type="checkbox"/> C. N/A						
21. Remarks (optional)						
22. Officer's Name & Rank						
23. Badge Number						
24. Date of Report						
25. Supervisor's Signature & Rank						

## Instructions

Box 1: Check "Yes" if an arrest was made as a result of this incident.  
Box 2: For local police agencies only. If, at the end of any month, a police department has not submitted an offense report for which an arrest was made, that agency shall submit a "zero report" by completing only boxes 2, 4, 5 and 24-25 on an otherwise blank form. In block #2 enter the month and year using two digits for the month and four digits for the year, i.e., 01/00 represents January 2000.

Boxes 3-5: Self explanatory.

Box 6-7: If an offense is ongoing, choose a date and time that the offense is reported to have begun.

Box 8: Self explanatory, except threatening, harassment, and reckless endangerment can be reported as either a breach of peace or as disorderly conduct. Report codes for EACH type of offense present in the offense.

Box 9: Enter the NUMBER of each type of weapon used, although it is **not** necessary to quantify each body part (hand, fist, foot, tooth, etc) used. If "other dangerous weapon" is selected, write in the object used.

Box 10: If more than one victim, use the injury code which best describes the most serious type of injury sustained by any **victim**.

Box 11: Status: enter V for victim, O for offender and B for both when both or all parties were arrested. Do **not** include those persons arrested for related charges, such as interfering. Persons identified as offenders or both must have been arrested for violence against domestic members.

Boxes 12-16: Self explanatory. If DOB is unknown enter the age or approximate age.

Box 17: Describe the relationship of the VICTIM to the offender. If more than one offender, describe the closest relationship to any offender. Enter relationship when both/all parties are arrested as victim/offenders (status code "B").

Box 18: Indicate for each participant whether drug/alcohol usage is believed to be involved.

Box 19: Indicate whether a prior court order(s), including foreign order(s), applies to the offense participants.

Box 20: A child is someone under 18 years old who is not functioning in an adult relationship, e.g., not a parent, live-in or boyfriend/girlfriend.

Box 21: Use REMARKS to explain entries that appear confusing, e.g., same last names but unrelated parties.

Boxes 22-25: Self explanatory.

### IF AN ARREST IS MADE:

#### Distribution of Forms

#### **Local Police Officers**

Send the completed original form (*white copy*) to Department of Public Safety, Crimes Analysis Unit, 1111 Country Club Road, Middletown, CT 06457.

The second copy (yellow) is directed to the State's Attorney of the appropriate court.

Retain the pink copy in local agency files.

#### **State Police Troopers**

Send the completed original form (*white copy*) to Department of Public Safety, Crimes Analysis Unit, 1111 Country Club Road, Middletown, CT 06457.

Second copy (yellow) is directed to the State's Attorney of the appropriate court.

The third copy (pink) is sent to Reports & Records with the investigation report.

Make two photocopies, one for the troop incident file and one for the arresting trooper's files.

### IF NO ARREST IS MADE:

#### **Local Police Officers**

Keep all three copies in department files.

#### **State Police Troopers**

Send original to Reports & Records.

Retain second and third copies in troop incident files.