



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

**INSTITUTION INFORMATION**

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**Reporting Office/Department:** Office of Diversity & Equity Programs ("Diversity Office") **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:**

**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 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
- ☒ The number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed to such institution

### 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



## Institution Narrative

Norwalk Community College is the educational center of the community, providing opportunities for intellectual inquiry, open dialogue, multicultural awareness and lifelong learning. NCC strives not only to create a leaning community, but a safe community dependent upon trust, and respect for its constituent. In furtherance of these objectives, NCC is committed to policies programs and services that identify, and prevent criminal conduct.

Through its policies and programs NCC consistently affirms that the NCC community will not tolerate sexual misconduct, by or against students, staff or visitors, whether it comes in the form of intimate partner violence, sexual assault or stalking.

The attached report contains statistics, data and programming materials, which reflect the manner in which NCC continues to work to educate members of the NCC community on the impact of sexual violence, and the support services we provide to survivors of sexual violence. This report provided NCC with an opportunity to inventory and review the various methods in place to prevent violence and increase awareness on issues of sexual violence.

During the reporting period, NCC staff received one (1) disclosure of stalking. During the reporting period the college made sexual violence crime prevention and awareness a priority. The College's Title IX Coordinator, Counseling center and Campus Resource Team provided staff and students with access to a variety of information and programs, including the Take a Stand Campaign, The Clothesline Project and Haven-Understanding Sexual Assault. The College is committed to continuing to provide opportunities to spotlight the devastating impact of sexual violence on communities, and offer tools to combat sexual violence.

# **POLICIES**

**REGARDING SEXUAL  
ASSAULT, STALKING,  
AND INTIMATE  
PARTNER VIOLENCE**



**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:



Sexual Misconduct Reporting  
Support Services and Processes Policy

***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



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- 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



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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



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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:



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- 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



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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.



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

***Dissemination of this Policy***

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



## **Policy on Consensual Relationships**

**BOR approved 11/21/13; annual distribution to employees required. Rescinds Connecticut State University System Policy regarding Consensual Relationships adopted pursuant to BR#05-13**

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

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

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

### **Policy**

#### **Prohibited**

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

#### **Strongly Discouraged**

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

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



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

**In the event of a Sexual Harassment Charge**

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

**Sanctions**

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



## **Policy Regarding Reporting Suspected Abuse or Neglect of a Child**

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. 18





## BOR/CSCU STUDENT CODE OF CONDUCT

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# I. STUDENT CODE OF CONDUCT

## PREAMBLE

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

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

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

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

## INTRODUCTION

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

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



**PART A: DEFINITIONS**

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

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



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



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

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

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

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

The Student Code shall apply to Students and to University Student Organizations. The term "student" shall generally apply to the student as an individual and to a Student Organization as a



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

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

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

#### PART C: SCOPE OF AUTHORITY

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

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

Community College students conduct is subject to the Code on campus and off-campus whenever such conduct impairs College-related activities or affairs of another member of the College community or creates a risk of harm to a member or members of the College community. Students must be aware that, as citizens, they are subject to all federal and state laws in addition to all CSCU regulations governing student conduct and responsibilities. Students do not relinquish their rights nor do they shed their responsibilities as citizens by becoming members of the CSCU Community. However, where a court of law has found a student to have violated the law, an institution has the right to impose the sanctions of this Code even though the conduct does not impair institution-related activities of another member of the university or college community and does not create a risk of harm to the college or university community. The decision to exercise this right will be in the sole discretion of the President of the impacted institution or his/her designee.



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

#### **PART D: PROHIBITED CONDUCT**

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

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

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

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

2. Acts of dishonesty, including but not limited to the following:
  - a. Misuse of University or College documents, including, but not limited to forging, transferring, altering or otherwise misusing a student fee card, student payroll card, identification card or other College or University identification document, course registration document, schedule card, transcript, or any other institution-issued document or record.
  - b. Knowingly furnishing false information to any CSCU Official, faculty member or office.
3. Theft of property or services, or damage to, defacement or destruction of, or tampering with, real or personal property owned by the State of Connecticut, CSCU/BOR, the institution, or any member of the CSCU Community.
4. Actual or threatened physical assault or abuse, threatening behavior, intimidation, or coercion.
5. Sexual misconduct may include engaging in one of more behaviors:



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

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

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

A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. Consent cannot be assumed because there is no physical resistance or other negative response. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent). 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-Appearance of Accused Student at Disciplinary Hearing: If an Accused Student does not appear at a disciplinary hearing, the Hearing Body shall enter a plea of "not responsible" on behalf of such student and the hearing shall proceed in the normal manner of hearing evidence, weighing facts, and rendering judgment. The failure of an Accused Student to appear at the disciplinary hearing shall not be considered by the Hearing Body to constitute evidence of responsibility.
- g. Advisors and Support Persons: The Reporting Party, any alleged victim, and the Accused Student shall each have the right to be accompanied by an Advisor and Support Person. The Advisor and the Support Person should be someone whose schedule allows attendance at the scheduled date and time for the disciplinary hearing because delays will not normally be allowed due to the scheduling conflicts of an Advisor or Support Person.
- h. Presentation of Evidence: Only evidence introduced at the hearing itself may be considered by the Hearing Body in determining whether it is more likely than not that the alleged violation was committed by the accused student.
- i. Evidence of Prior Convictions or Disciplinary Actions: Evidence of prior criminal convictions or University disciplinary actions may be presented to the Hearing Body only after a determination of responsibility has been made and only for consideration in connection with determining the sanction.
- j. Accommodation of Witnesses: The Hearing Body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, the Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting



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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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



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



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

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



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

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

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



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

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

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

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

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



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

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



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

#### **PART B: DISCIPLINARY SANCTIONS**

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

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

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



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



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

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

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

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

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

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

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

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



**PART B: DISCIPLINARY PROCEDURES**

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

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



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

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

*On-site:*

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

*Via the Phone:*

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



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

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

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

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

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

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

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

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



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

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

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



# **WRITTEN NOTIFICATION**



## Ortiz, Stefanie

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**From:** NK-Campusnews  
**Sent:** Thursday, September 08, 2016 10:58 AM  
**Subject:** Student of Concern Reporting

I hope that everyone is settling into the new semester. At NCC, we care deeply about student success and realize that students sometimes face challenges in their personal and academic lives. Faculty and staff are often the first to notice behaviors that may interfere with a student's ability to be successful and function in the learning environment.

Faculty, staff, and others who are concerned about a student's behavior are encouraged to report the concern through the online student of concern form. This includes emotional/behavioral concerns, disruptive behaviors, threatening words or actions, academic concerns, personal needs, as well as reports of sexual assault, stalking, and intimate partner violence. All reports are taken seriously, therefore, it is essential to provide as much information as possible. Your name will remain confidential, however, the appropriate party may need to contact you for additional information.

The form is located on the NCC website under the Student Services pull-down menu. Here is the link to the form:

[http://norwalk.edu/student\\_of\\_concern/](http://norwalk.edu/student_of_concern/)

If you have any questions, feel free to contact me.

Cathy Miller  
Chair, Behavioral Intervention Team  
[cmiller@norwalk.edu](mailto:cmiller@norwalk.edu)  
203-857-3342

*Please do not reply to this email.* The CampusNews mailbox is not checked regularly, and your email will not go to your intended recipient. Instead, please refer to any contact information within the body of this email for questions, replies, etc. Thank you.



SELECT LANGUAGE ▼

SEARCH...

ABOUT US

ADMISSIONS

RECORDS/REGISTRATION

ACADEMICS

EXTENDED STUDIES

STUDENT SERVICES

RESOURCES

## CREATE YOUR FUTURE @NCC

## Online Early Alert Report

\* indicates a required field

## CareNetwork Report

## Student of Concern Form

The Student of Concern Form is used to report students who are exhibiting issues or behavior causing some concern. This includes Emotional/Behavioral Concerns, Academic Concerns, personal needs such as food/clothing/transportation/housing, as well as Reports of Sexual Assault, Stalking or Intimate Partner Violence.

All reports are taken seriously, therefore it is essential to provide as much information as possible. Your name will remain confidential, however, the appropriate party may need to contact you for additional information.

If there is an imminent threat to anyone's personal safety or if there is an emergency in progress, please call 911 or campus security (203)857-7223.

## Reporting Party Information

Your Name\*

What is your role?

☐ Student ☐ Faculty ☐ Staff ☐ Other

Email Address\*

Phone Number

Report Type

Select ONLY ONE.

- ☐ Behavioral, Emotional or Mental Health
- ☐ Academic Progress
- ☐ Academic Issues
- ☐ Basic Needs Referral
- ☐ Sexual Misconduct, Stalking or Intimate Partner Violence

## Student of Concern Information

First and Last Name\*

Please include full name and student ID if available. For academic issues, also include the CRN



# ASSISTANCE FOR STUDENTS WHO HAVE EXPERIENCED SEXUAL MISCONDUCT

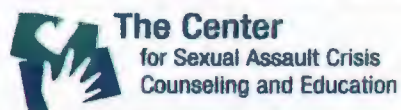
Sexual Harassment; Gender Based Harassment; and Sexual Violence

(Sexual Assault, Dating and Domestic Violence, Stalking)



## SEEK EMOTIONAL SUPPORT

Attending to your emotional health can be an important part of your healing process. The following support services are available to assist you.



733 Summer Street, Suite 503

Stamford, CT 06901

Office: 203-348-9346

24-hour hotline: 203-329-2929

### FREE & CONFIDENTIAL Services Include:

Up to 12 counseling sessions

24-hour hotline

Support Groups

Victim Advocacy

**Confidential**

## NCC Campus Mental Health Counselor

Andrea Arnold, M.S.W. FCA

Student Success Center

203-857-7022

Tuesdays & Wednesdays 9am-1pm

**Confidential**



## SEEK MEDICAL ATTENTION

Seeking medical attention can be critical to assessing your overall health needs, testing for sexually transmitted infections and pregnancy, and collecting evidence that may be used in legal proceedings.

*Contact your Primary Care Physician or local Hospital.*



### Norwalk Hospital

203-852-2000

34 Maple St. Norwalk, CT 06856

At the hospital you will have the option to have a Sexual Assault Forensic Exam (sometimes called a "rape kit") completed. An exam can take place up to 120 hours after an assault and the cost is covered by the Connecticut Office of Victim Services.

### ABOUT COMPLAINTS FILED ON CAMPUS

A complaint does not obligate a student to file a police report or interact with the alleged assailant. A complaint begins an investigation in which involved parties are met with individually.



## CONSIDER REPORTING OPTIONS

You have options if you choose to report an incident of sexual misconduct. The following contacts will be able to assist you in the process. You may pursue any or all of these options.



### NCC Campus Security

203-857-7223

### NCC Faculty & Staff

All employees are mandated reporters. Once a disclosure is received, employees MUST notify the Title IX Officer.

They are then required to report non-identifying information to campus security.

### Chief Diversity/Title IX Officer

Cheryl DeVonish

203-857-7016 (E315)

**Non-Confidential**

### Police Department

To pursue criminal charges contact the police department where the assault occurred.

**Non-Confidential**



## What is Sexual Violence?

"Sexual violence is defined as a sexual act committed against someone without that person's freely given consent." (CDC) "Sexual violence includes the behaviors and ideas that create the environment that allows it to flourish, from sexual harassment to sexual assault." (CONNSACS)

## What is Consent?

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.

## Sexual Violence Includes:

- Sexual Harassment
- Sexual Exploitation
- Sexual Contact
- Incest
- Child Sexual Abuse/Assault
- Drug Facilitated Sexual Assault
- Rape
- Statutory Rape
- Date Rape
- Marital Rape
- Partner Rape
- Gang Rape

## Normal Reactions

While trauma affects each person differently, effects can include feelings of:

- Shock and disbelief
- Anger
- Fear
- Self-blame, shame and guilt
- Despair
- Distrust
- Worthlessness
- Hopelessness
- Terror
- Feeling as though the assault/abuse is happening again
- Flashbacks
- Nightmares

## Why Seek Medical Attention?

- To collect evidence in case the victim would like to report the crime to the police
  - \* Must be completed within 120 hours (5 days) of a sexual assault
  - \* Can be done confidentially and anonymously Evidence can be stored for 60 days allowing the victim/survivor time to decide if they want to report the incident or press charges
- To check and treat for physical injury, sexually transmitted infections, and pregnancy.

## "Disclosures" vs. "Reports"

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



# ASISTENCIA PARA LOS ESTUDIANTES

## QUE HAN SUFRIDO ABUSOS SEXUALES

Acoso Sexual; Acoso por razón de género; y Violencia sexual

(Asalto Sexual, Violencia doméstica, y Acecho)



### BUSQUE APOYO EMOCIONAL

Atendiendo a su salud emocional puede ser una parte importante de su proceso de sanación. Los siguientes servicios de apoyo están disponibles para ayudarle.



**The Center**  
for Sexual Assault Crisis  
Counseling and Education

733 Summer Street, Suite 503

Stamford, CT 06901

Oficina: 203-348-9346

Línea directa de 24 horas: 203-329-2929

#### Servicios Gratis y Confidencial Incluyen:

Hasta 12 sesiones de consejería

Línea directa de 24 horas

Grupos de apoyo

Apoyo para las víctimas

**Confidencial**

#### Consejero de Salud Mental de NCC

Andrea Arnold, M.S.W. FCA

Student Success Center

203-857-7022

Martes & Miércoles 9am-1pm

**Confidencial**



### BUSQUE ATENCION MEDICA

Buscar atención médica puede ser crucial para evaluar sus necesidades de salud general, pruebas para detectar infecciones de transmisión sexual y el embarazo, y la recolección de pruebas que pueden utilizarse en los procedimientos judiciales.

*Communique con su doctor primario o su hospital local*

#### Norwalk Hospital

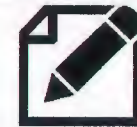
203-852-2000

34 Maple St. Norwalk, CT 06856

En el hospital, usted tendrá la opción de tener un examen forense de Agresión Sexual (a veces llamado un "estuche de violación") completada. Tendría hasta 120 horas después de una agresión para completar el examen, y el costo es cubierto por la Oficina de los Servicios de la Víctima de Connecticut.

#### ACERCA DE LAS DENUNCIAS PRESENTADAS EN EL CAMPUS

Una queja no obligan al estudiante a presentar un reporte de la policía o interactuar con el supuesto agresor. Una denuncia inicia una investigación en la que las personas implicadas se reúnen con individualmente.



### CONSIDERA OPCIONES PARA REPORTAR

Hay opciones si decide informar de un incidente de mala conducta sexual. Los siguientes contactos serán capaz de ayudarle en el proceso. Usted puede seguir cualquier o todas estas opciones.

#### Seguridad de NCC

203-857-7223

#### NCC Faculty & Staff

Todos los empleados de NCC son reporteros bajo mandato. Una vez que la revelación es recibida, los empleados deben notificar al Oficial de Título IX.

Entonces están obligadas a reportar información sin identificación a la seguridad en el campus.

**No Confidencial**

#### Departamento de Policía

Para imponer cargos criminales, contacte el departamento de policía donde paso el asalto.

**No Confidencial**



## **¿Qué es la violencia sexual?**

La violencia sexual ocurre cuando alguien fuerza o manipula a otra persona a realizar una actividad sexual no deseada sin su consentimiento. (nsvrc.org)

## **¿Qué es el consentimiento?**

El consentimiento es el acuerdo explícito de la libre voluntad entre dos personas que están activamente diciendo sí a un comportamiento sexual específico. (thebluebench.org)

### **Violencia Sexual Incluye:**

- Acoso Sexual
- Explotación Sexual
- El contacto sexual
- El incesto
- El abuso sexual infantil
- Asalto Sexual por la influencia de drogas
- Violación
- La violación marital
- Violación de pareja
- Violación en grupo

### **Reacciones Normales**

El trauma afecta a cada persona de forma diferente, pero los efectos pueden incluir sentimientos de:

- ira
- vergüenza y culpabilidad
- Inutilidad
- Sensación como si el asalto/ abuso está sucediendo otra vez
- miedo
- desesperación
- desesperanza
- Pesadillas
- desconfianza
- Terror

## **¿Por qué buscar atención médica?**

- Para coleccionar pruebas en el caso de que la víctima quisiera denunciar el delito a la policía
- Para controlar y tratar las lesiones físicas, enfermedades transmitidas sexualmente y el embarazo.

### **"Revelar vs. "Reportar"**

El **reveler** es una comunicación de un incidente de violencia sexual que no viene acompañado con una solicitud de investigación o adjudicación, aunque puede haber una solicitud de alojamiento y remisión a servicios.

Un **Report** es una revelacion acompañada por una solicitud inmediata de una investigación y juzgamiento



**STATISTICS**

**& DATA**

**SEXUAL VIOLENCE**





## SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA

**CSCU INSTITUTION:** Norwalk Community College  
**REPORTING OFFICE/DEPARTMENT:** Office of Diversity & Equity Programs  
**INSTITUTION CONTACT:** Cheryl DeVonish  
**YEAR:** 2017

| <b>I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS:</b>  |                            |                   |                        |
|---|----------------------------|-------------------|------------------------|
| <b>Program Category</b>   | <b>Number of Programs:</b> |                   |                        |
|   | <b>Prevention:</b>         | <b>Awareness:</b> | <b>Risk Reduction:</b> |
| <i>Sexual Assault</i>   | 5                          | 6                 | 4                      |
| <i>Stalking</i>   | 4                          | 5                 | 3                      |
| <i>Intimate Partner Violence</i>  | 4                          | 5                 | 3                      |
| <b>Program Types:</b><br><b>(List and Describe Each Program Type)</b>   |                            |                   |                        |
| <ul style="list-style-type: none"> <li>• <b>Diversity &amp; Sexual Harassment Prevention Training</b> (<i>Several training dates in Jan, Feb, &amp; Oct 2016</i>) (Prevention, Awareness, Risk Reduction)</li> <li>• <b>Freshman Seminar Training:</b> Title IX Coordinator visits several freshman seminar courses throughout the semester. During her training, she discusses her role as the Title IX Coordinator and provides information to students about the process of reporting or disclosing instances of Sexual Assault, Dating &amp; Domestic Violence, Stalking, etc. (<i>Fall 2016 FS Training Dates: 10/18, 10/19, 11/1, 11/2, 11/7, 11/15</i>) (Awareness)</li> </ul> <p><b>Fresh Check Day @ NCC—</b> Office of Diversity &amp; Equity Programs held an informational table about sexual assault awareness and prevention, and conducted the Clothesline project where students decorated t-shirts with messages about standing up against violence and sexual assault. The clothesline project is a visual display that bears witness to the violence against women, and educates the community on the extent of the problem of violence against women. (<i>4/20/16</i>) (Prevention, Awareness)</p> <ul style="list-style-type: none"> <li>• <b>Office of Diversity &amp; Equity Programs staff attended CT Alliance to End Sexual Violence's workshop:</b> <i>Culturally Relevant Responses for Latinx* Survivors of Sexual Violence</i>, where we received information on how to better understand some of the needs, barriers, and cultural dynamics when working with survivors of sexual violence in the Latinx communities in CT (<i>7/14/16</i>) (Prevention, Awareness)</li> <li>• <b>Visit from the Center for Sexual Assault Crisis Counseling &amp; Education:</b> Informational Table (<i>9/13/16 &amp; 11/1/16</i>) (Prevention, Awareness, Risk Reduction)</li> <li>• <b>"Not Anymore" Online Violence Prevention Program:</b> Online program offered to students so that they can better understand how vitally important issues of Consent, Bystander Intervention, Sexual Assault, Dating &amp; Domestic Violence, Stalking, etc. are (Online training start date: <i>12/5/16</i>) (Prevention, Awareness, Risk Reduction)</li> </ul> |                            |                   |                        |



- **Blue Safety Light System:** System includes four blue light locations on campus that allows students to get directly in touch with security if they feel threatened or unsafe or are a victim of Sexual Assault, Stalking or Violence and need immediate assistance. (Risk Reduction)

## II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS:

| Campaign Category   | Number of Campaigns: |            |
|---|----------------------|------------|
|   | Prevention:          | Awareness: |
| <i>Sexual Assault</i>   | 1                    | 0          |
| <i>Stalking</i>   | 0                    | 0          |
| <i>Intimate Partner Violence</i>  | 0                    | 0          |
| <b>Campaign Types:</b><br><i>(List and Describe Each Campaign Type)</i>   |                      |            |
| <ul style="list-style-type: none"> <li>• <b>"Where Do You Stand?"</b> Information forum for male community leaders. This campaign positively portrays young men as vital allies and invites all men to consider their own stance on men preventing sexism and sexual assault. (4/1/16)</li> </ul> |                      |            |

## 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                             | 1                              |
| <i>Intimate Partner Violence</i> | 0                             | 0                              |

## IV.a. DISCIPLINARY CASES AND FINAL OUTCOMES OF DISCIPLINARY CASES RELATING TO SEXUAL VIOLENCE (STUDENTS):

| Case Category                    | Total Number of Cases: | Final Outcome: |            |             |            |                          |  |        |
|----------------------------------|------------------------|----------------|------------|-------------|------------|--------------------------|--|--------|
|                                  |                        | Warning:       | Probation: | Suspension: | Expulsion: | Persona Non Grata (PNG): | Sanctions/<br>Sexual<br>Violence<br>Remediation: | Other: |
| <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      |
|                                  | 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             |

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

| VI. TOTAL ANONYMOUS OR CONFIDENTIAL SEXUAL VIOLENCE REPORTS OR DISCLOSURES TO THE INSTITUTION: |                    |                      |                        |                      |
|--|--------------------|----------------------|------------------------|----------------------|
| Category   | Number of Reports: |                      | Number of Disclosures: |                      |
|  | <i>Anonymous:</i>  | <i>Confidential:</i> | <i>Anonymous:</i>      | <i>Confidential:</i> |
| <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 institution;
- 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.



## 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).

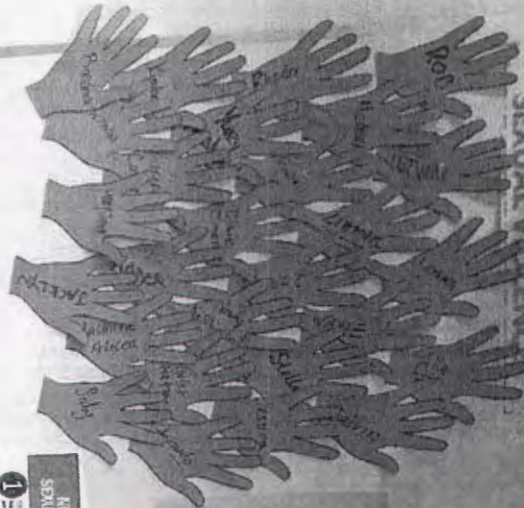


**PUBLIC  
AWARENESS,  
PREVENTION,  
AND RISK  
REDUCTION  
INFORMATION**

**& OTHER SUPPLEMENTAL INFORMATION**



I PLEDGED TO HAVE A  
HAND IN PREVENTING  
SEXUAL VIOLENCE



# OFFICE OF DIVERSITY & EQUITY PROGRAMS



## ASSISTANCE FOR STUDENTS

|                          |  |
|--------------------------|--|
| <input type="checkbox"/> | Emergency Financial Aid                      |
| <input type="checkbox"/> | Emergency Housing                            |
| <input type="checkbox"/> | Emergency Transportation                     |
| <input type="checkbox"/> | Emergency Food                               |
| <input type="checkbox"/> | Emergency Clothing                           |
| <input type="checkbox"/> | Emergency Health Care                        |
| <input type="checkbox"/> | Emergency Legal Services                     |
| <input type="checkbox"/> | Emergency Mental Health Services             |
| <input type="checkbox"/> | Emergency Substance Abuse Services           |
| <input type="checkbox"/> | Emergency Sexual Assault Services            |
| <input type="checkbox"/> | Emergency Stalking Services                  |
| <input type="checkbox"/> | Emergency Intimate Partner Violence Services |
| <input type="checkbox"/> | Emergency Human Trafficking Services         |

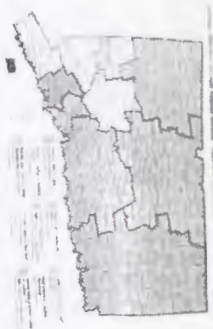


TAKE ONE

Different individuals  
value each other  
in different ways  
and for different  
reasons.

## NINE FACTS ABOUT SEXUAL ASSAULT

1. One in four college women experience sexual assault.
2. Sexual assault is not just a "campus" problem.
3. Sexual assault is not just a "women's" problem.
4. Sexual assault is not just a "minority" problem.
5. Sexual assault is not just a "young people" problem.
6. Sexual assault is not just a "heterosexual" problem.
7. Sexual assault is not just a "gay/bisexual" problem.
8. Sexual assault is not just a "transgender" problem.
9. Sexual assault is not just a "disabled" problem.



Take one of our cards with you. It's a small card, but it's a big statement.

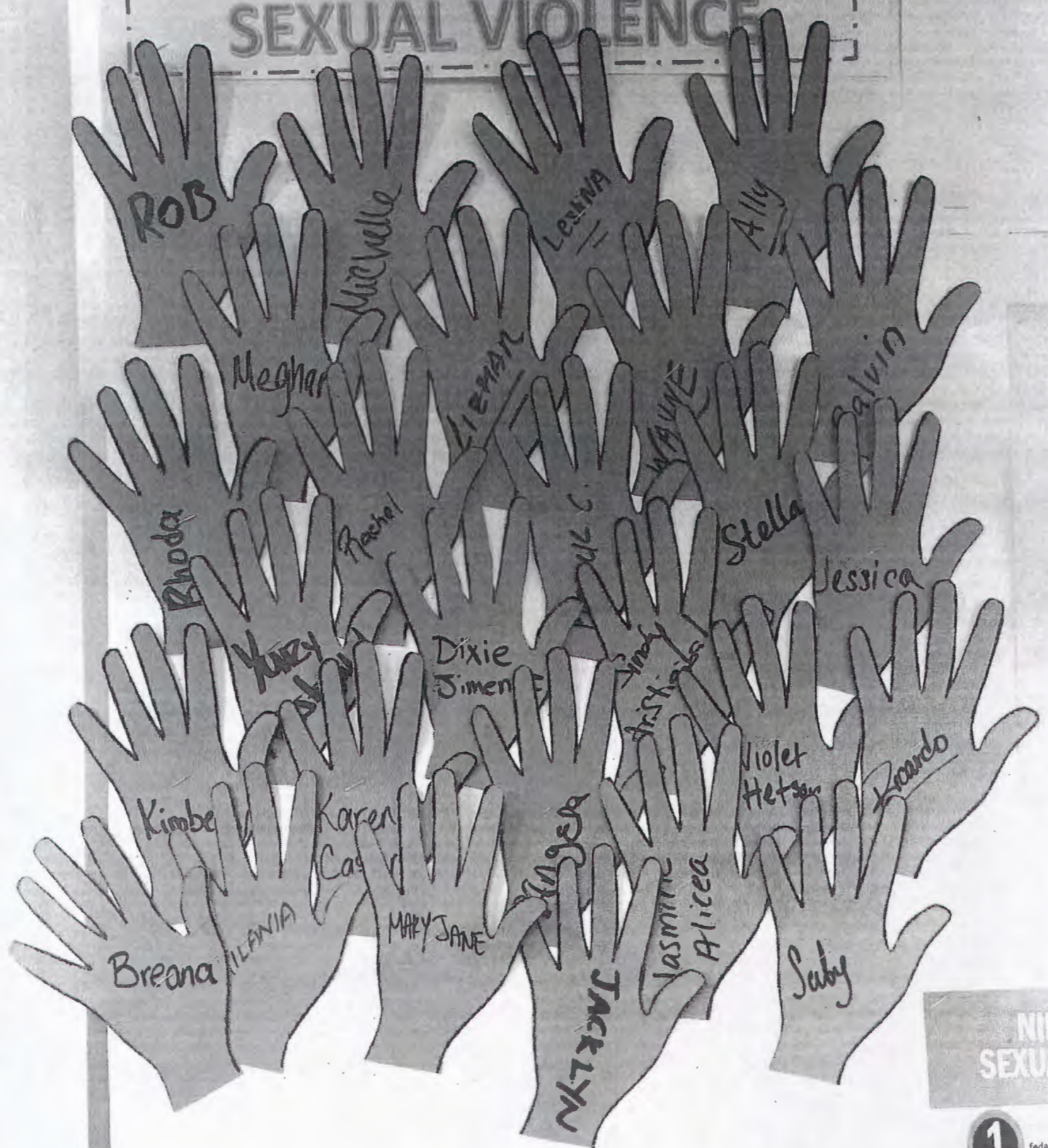
**Summer Tutoring**  
One-on-one  
tutoring  
available  
for all  
students  
during  
the  
summer  
months.  
Contact  
the  
Office  
of  
Academic  
Support  
for  
more  
information.

**THE CLOTHESLINE PROJECT**  
The Clothesline Project is a national campaign to raise awareness of sexual violence and its impact on survivors. It is a safe space for survivors to share their stories and for the community to learn about the realities of sexual violence.





# I PLEDGED TO HAVE A HAND IN PREVENTING SEXUAL VIOLENCE



NIN  
SEXUA

1

federal  
private



## **AGREEMENT**

**Between**

**Domestic Violence Crisis Center And**

**Norwalk Community College**

**#1676-15-7704**

This Agreement is entered into by Domestic Violence Crisis Center, (hereinafter referred to as "DVCC"), and Norwalk Community College, (hereinafter referred to as "College"). This Agreement formalizes the commitment of the parties to work together to provide trauma-informed services to student and employee victims of domestic violence and stalking and to improve the overall response to domestic violence and stalking at College. The parties share the goal of preventing domestic violence and stalking on the campus and in the community and responding appropriately to students and employees who are victims of domestic violence and stalking.

### **I. Description of the Partner Organization**

The Organization is a non-profit, community-based organization which has a primary area of focus the provision of services to individuals who are victims of domestic violence, and their children. The Organization provides free, confidential prevention and intervention services and support to include 24-hour hotline, emergency safe housing, risk assessment, counseling, court-based victim advocacy, information and referral.

Norwalk Community College was founded in 1961 and serves approximately Three-thousand students. Its mission is to provide high-quality education in a safe learning environment.

### **II. History of Collaboration**

The College and The Organization have collaborated for three months to provide information to students about domestic violence and stalking (*and/or*) organize educational programs for students at The College and provided professional consultation training for The College staff. This Agreement builds on the previous collaboration to provide services to victims and training to additional school officials as resources and capacity allow.

### **III. The Role of The Organization**

The Organization agrees to:

- a) Appoint a qualified staff member to focus on making services accessible to and appropriate for students and employees referred by The College.



- b) Continue to make 24-hour domestic violence hotline numbers available in both English and Spanish to students and employees of The College.
- c) Provide confidential crisis intervention, counseling, information and referral, and legal advocacy as requested by students and employees
- d) Provide students and employees of The College with information on reporting options, including how to file a complaint with The College, how to report a crime to campus or local law enforcement and offer to assist students throughout the process.
- e) Meet regularly with The College Title IX Coordinator or designee to share information about the needs of victims, trends in domestic violence and/or stalking services provided, additional services that are needed by students and employees and the effectiveness of The College domestic violence and /or stalking prevention and response program.
- f) In coordination with The College, the staff at the Board of Regents for Higher Education and the Domestic Violence Crisis Center (DVCC), provide training opportunities to The College student services staff, officials involved in student conduct proceedings, and The College on the incidence and prevalence of domestic violence and stalking, types of domestic violence and stalking, the effects of domestic violence and stalking on victims, the crimes of family violence and stalking, orders of protection, the neurobiology of trauma as it relates to victims, safety planning and appropriate methods for interviewing and communication with victims.
- g) Assist The College with the development and provision of prevention and training to faculty, students and school officials.
- h) Participate, where feasible, in The College Campus Resource Teams or other coordinated team efforts, as deemed appropriate

#### **IV. The Role of The College**

##### **The College agrees to:**

- a) Appoint a qualified staff member to serve as the liaison with The Organization.
- b) Provide training to The Organization staff about on-campus resources that are available to student and employee victims of intimate partner violence and stalking; the federal and state requirements for colleges in responding to domestic violence and stalking; reporting procedures for victims who wish to file a report with campus security and/or a complaint with The College officials; the student code of conduct and disciplinary process; and the educational accommodations that can be provided to victims of domestic violence.
- c) Provide printed and online materials about reporting options for students and employees, including information about how to file a complaint with The College and how to report a crime to local law enforcement



- d) Inform The Organization about the reporting obligations of The College employees and identify those school employees with whom students can speak confidentially (and any exceptions to that confidentiality )
- e) Inform The Organization about The College's prohibitions on retaliation, how allegations of retaliation can be reported, and what protections are available for students who experience retaliation.
- f) Ensure availability of the Title IX Coordinator or designee to meet regularly with The Organization.
- g) Collaborate with The Organization on prevention approaches and activities.
- h) Conduct victim satisfaction surveys or use other methods to assess the effectiveness of the services provided to students and employees.

*Optional: "Provide confidential office/meeting space for The Organization staff to meet with faculty, staff and students."*

#### **V. Confidentiality**


The Organization and The College affirm the importance of providing students with options for confidential services and support. All services provided by The Organization to students and employees of The College will be kept confidential except in the following circumstances:

If the student or employee wants information shared with The College or campus security, campus or local law enforcement, The Organization will obtain informed consent for release of information. When releases of information are required, they will be written, informed, and reasonably time-limited.


The College is committed to maintaining the privacy of student record information, consistent with the law, especially with respect to matters pertaining to sexual violence. The Family Educational Rights and Privacy Act (FERPA) requires that The College not provide access to or disclose personally identifiable student information maintained in The College records without the prior written consent of the student, unless access or disclosure is permitted or required pursuant to the limited provisions of FERPA that permits access or disclosure to such information without the student's prior written consent.

If the federal or state law requires disclosure because there is an imminent risk of harm to self or others, The College Title IX Coordinator will determine: 1) who will be notified; 2) in what form; 3) what information will be provided to the victim regarding this disclosure; and, 4) what steps will be taken to protect the victim from the imminent risk.



By:   
President, David L. Levinson, Ph D. of Norwalk Community College

Date: 1/12/15

By:   
Executive Director, Rachelle Kucera Mehra of the Domestic Violence Crisis Center

Date: 1/16/2015



## **AGREEMENT**

**Between**

**The Center for Sexual Assault Crisis Counseling and Education**

**And**

**Norwalk Community College**

**#1677-15-7704**

This Agreement is entered into by The Center for Sexual Assault Crisis Counseling and Education, (hereinafter referred to as "The Agency") and Norwalk Community College, (hereinafter referred to as The College. The Agreement formalizes the commitment of the parties to work together to provide trauma-informed services to student and employee victims of sexual violence and to improve the overall response to sexual violence at The College. The parties share the goal of preventing sexual violence on the campus and in the community and responding appropriately to students and employees who are victims of sexual violence.

### **I. Description of the Partner Agencies**

The Agency is a non-profit, community-based organization dedicated to the elimination of sexual violence in all its forms. The Agency provides free, confidential and empowerment based sexual assault crisis and advocacy services including a 24-hour hotline, individual counseling, medical and legal accompaniment and support, and community education and training programs.

Norwalk Community College was founded in 1961 and serves approximately Three-thousand students. Its mission is to provide high-quality education in a safe learning environment.

### **II. History of Previous Collaboration**

The College and The Agency have collaborated for three months to provide information to students about sexual violence (and/or) organize educational programs to address sexual violence. In recent years, The Agency conducted annual on-campus educational programs for students at The College and provided professional consultation/training for The College staff. This Agreement builds on the previous collaboration to provide services to victims and training to additional school officials as resources and capacity allow.

### **III. The Role of The Agency**

The Agency agrees to:

- a) Appoint a qualified staff member to focus on making services accessible to and appropriate for students and employees referred by The College.



- b) Continue to make the 24-hour sexual violence hotline service numbers in both English and Spanish available to students and employees of The College.
- c) Provide confidential crisis intervention, counseling, information and referral, and accompaniment to medical and legal services as requested by students and employees.
- d) Provide students and employees of The College with information on reporting options, including how to file a complaint with The College, how to report a crime to campus or local law enforcement and offer to assist students throughout the process.
- e) Meet regularly with The College Title IX Coordinator or designee to share information about: the needs of victims, trends in sexual violence services provided, additional services that are needed by students and employees and the effectiveness of The College sexual assault prevention and response program.
- f) In coordination with The College, The staff of the Board of Regents for Higher Education and The Center for Sexual Assault Crisis Counseling and Education (CFSACCE), provide training opportunities to The College student services staff, officials involved in student conduct proceedings, and The College campus security on the incidence and prevalence of sexual violence, myths about sexual violence, the physical and emotional effects of sexual violence on victims, the neurobiology of trauma and appropriate methods for interviewing and communication with victims.
- g) Assist The College with the development and provision of preventing and programming and training to faculty, students and school officials.
- h) Participate, where feasible, in The College sexual assault team (SART) or other coordinated team efforts, as deemed appropriate.

#### **IV. The Role of The College**

The College agrees to:

- a) Appoint a qualified staff member to serve as a liaison with The Agency.
- b) Provide training to The Agency staff about: on-campus resources that are available to student and employee victims of sexual violence; the federal and state requirements for colleges and universities in responding to sexual violence; reporting procedures for victims who wish to file a report with campus security and/or a complaint with The College officials; the student code of conduct and disciplinary process; and the educational accommodations that can be provided to victims of sexual violence.
- c) Provide the printed and online materials that are available for students regarding reporting options for students and employees, including the information provided to them on how to file a complaint with The College and how to report a crime to local law enforcement.



d) Inform The Agency about the reporting obligations of The College employees and identify those Norwalk Community College employees, if any, with whom students can speak confidentially (and any exceptions to that confidentiality)

e) Inform The Agency about The College's prohibitions on retaliation, how allegations of retaliation can be reported and what protections are available for students who experience retaliation.

f) Ensure availability of the Title IX Coordinator or designee to meet regularly with The Agency Coordinator, including for the purpose of facilitating referrals for confidential services

g) Collaborate with The Agency on prevention approaches and activities.

f) Conduct victim satisfaction surveys or use other methods to assess the effectiveness of the services provided to students and employees by the Norwalk Community College.

*Optional: "Provide office/meeting space for The Agency staff to meet with faculty, staff and students."*

#### **V. Confidentiality**

The Agency and The College mutually affirm the importance of providing students with options for confidential services and support. All services provided by The Agency to students and employees of The College will be kept confidential in accordance with state statute C.G.S. Section 52-146(k) and the confidentiality policies of The Agency, except in the following circumstances:

If the student or employee wants information shared with The College or campus security, campus or local law enforcement, The Agency will obtain informed consent for the release of information. When releases of information are required, they will be written, specific, and reasonably time-limited.

The College is committed to maintaining the privacy of student record information, consistent with the law, especially with respect to matters pertaining to sexual violence. The Family Educational Rights and Privacy Act (FERPA) requires that the College/University not provide access to or disclose personally identifiable student information maintained in College/University records without the prior written consent of the student, unless access or disclosure is permitted or required pursuant to the limited provisions of FERPA that permits access or disclosure to such information without the student's prior written consent.



**Ortiz, Stefanie**

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**Subject:** FW: Mandatory Diversity & Sexual Harassment Prevention Training

**From:** Ortiz, Stefanie

**Sent:** Monday, October 03, 2016 7:59 AM

**Subject:** Mandatory Diversity & Sexual Harassment Prevention Training

*Sent on behalf of Cheryl DeVonish, Chief Diversity Officer*

Dear colleagues:

As you may know, all Connecticut State employees are **required** to attend Diversity & Sexual Harassment Prevention Training. CT General Statute 46a-54-204 and Public Act No. 99-180 requires a minimum of two (2) hours of sexual harassment training and three (3) hours of diversity training. Additionally, it is recommended that employees previously trained, receive a refresher training every three years.

This past summer we offered several training sessions. Your name came up as someone that did not complete training this summer, or someone that was hired after our summer trainings.

Our next training session will be held on **Friday, October 28 from 10am-3pm** in the Culinary Arts Dining Room.

**Please respond by October 21<sup>st</sup> so that we can add you to the roster.**

If you have any questions feel free to contact me via phone or email,

*Stefanie Ortiz*

Secretary 1

Office of Diversity & Equity Programs

Norwalk Comm. College

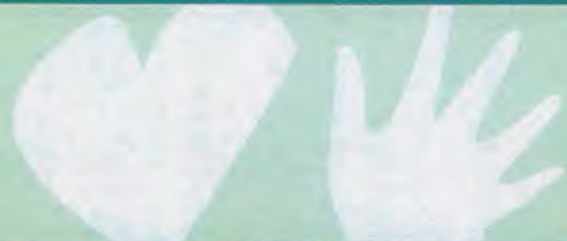
188 Richards Ave

Norwalk, CT 06854

203-857-7307







## About Us

The Center: Serving Lower Fairfield County, Connecticut for 35 years

The Center provides free, 24-hour confidential support for women, men and children who are victims of sexual assault. We also provide age-appropriate personal safety classes for children ages 5-18 to reduce their risk of becoming a victim, and education/awareness programs for the community at large.

The Center supports eight town/cities in Lower Fairfield County including: Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport, and Wilton. All of our services are available in English and Spanish.

We extend special heartfelt thanks to our generous supporters and sponsors:

City of Stamford

City of Norwalk

CONNSACS

Debbie and Bryan Dietz for The William and

Sylvia Silberstein Foundation, Inc.

Fairfield County Community Foundation

GE Asset Management

Greenwich United Way

Help For Children

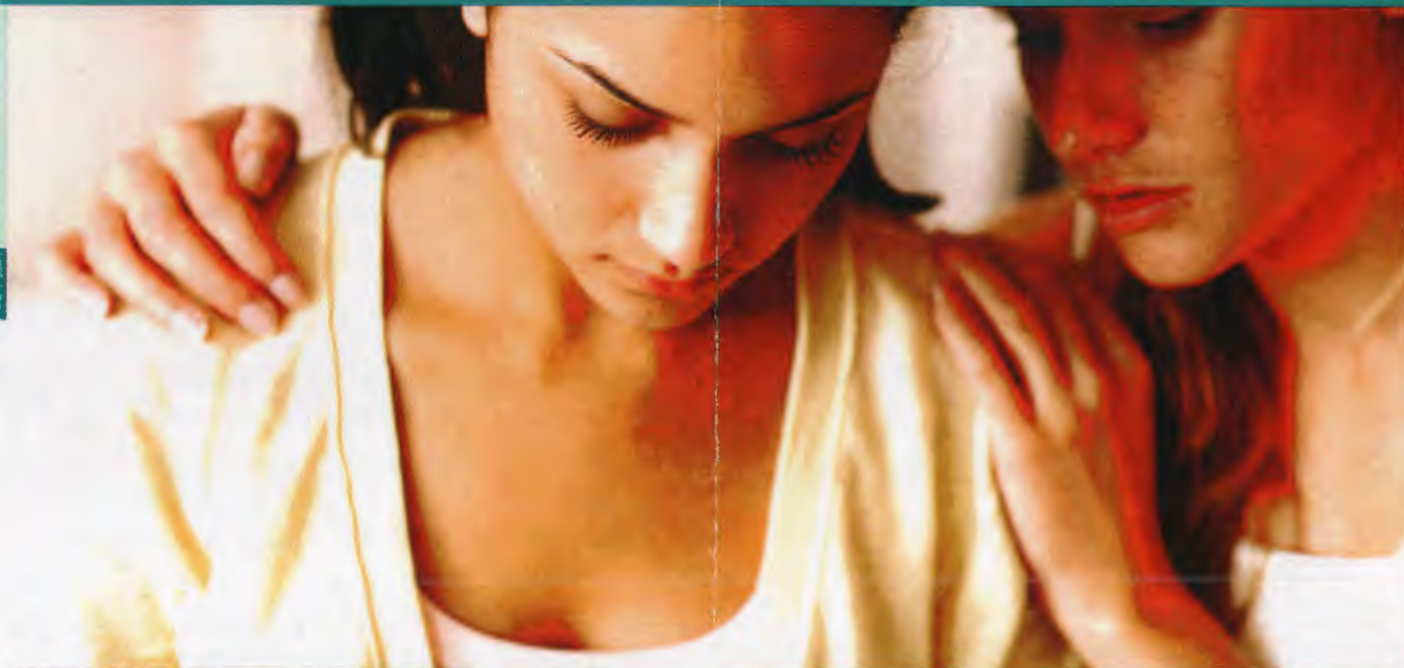
New Canaan Community Foundation

The Steven A. and Alexandra M. Cohen Foundation

UBS

United Way of Western Connecticut

Wells Fargo Foundation



## Our Mission

The Center provides counseling and support services to victims of sexual assault and strives to eliminate sexual violence through community-wide education programs. Our wish? A world free from sexual violence.

### **The Center for Sexual Assault Crisis Counseling and Education**

733 Summer Street, Suite 503

Stamford, CT 06901

Office: 203-348-9346

Fax: 203-324-2321

24 - Hour Hotlines

English: 203-329-2929

Español: 888-568-8332

[www.thecenter-ct.org](http://www.thecenter-ct.org)

*We can't achieve  
our mission without you!*

**Donate Today**  
[www.thecenter-ct.org](http://www.thecenter-ct.org)

## Programs & Services



**The Center**

*for Sexual Assault Crisis  
Counseling and Education*

Counseling • Education • Advocacy





## Short-Term Crisis Counseling

*You're Not Alone. We're here to help.*

At The Center, our trained crisis counselors work with victims of sexual assault and their loved ones to guide and empower them. Our counselors also inform their clients about legal, medical and counseling options.

Free Services include:

- **24-hour Crisis Hotline:** staffed with Certified Sexual Assault Crisis Advocates
- **Individual Short-Term Counseling:** up to 12 sessions of one-on-one crisis counseling
- **Support Groups:** for survivors and their families
- **Advocacy:** We can meet clients at hospitals and police stations to provide support and aid in evidence collection. We are also available to support and accompany clients through the court process and judicial proceedings.

Bilingual staff is available.

All services are free and confidential.

## Education & Training

*Our wish? A world free from sexual violence.*

At The Center, we believe education is at the very heart of making our wish for a world free from sexual violence become a reality. The Center offers a variety of educational programs on a wide range of topics to raise awareness about sexual violence.

Our educational programs are age appropriate, non-threatening and teach:

- Risk reduction
- Prevention techniques
- The prevalence and pervasiveness of these crimes
- What to do if you or someone you know is sexually assaulted

The Center's education programs reach:

- Elementary, middle and high school students, as well as college students
- Police forces and medical professionals
- Parents and teachers
- Social workers, camp counselors, religious leaders, guidance counselors and more

## Volunteer Programs

*Have a heart. Lend a hand.*

Are you looking for an interesting and important way to make a difference in someone's life? Do you want to take a stand for an important issue and get involved with your community, while gaining valuable experience?

Consider becoming a volunteer at The Center.

Volunteers can work directly with clients on our 24-hour hotline or work behind the scenes in the office, or at our events. All direct service volunteers must successfully complete our 35-hour certification training program. We also ask that all volunteers help us with our events and public awareness campaigns. Lend us a hand. Become a volunteer today!

Contact us at 203-348-9346 and learn how you can help.



**The Center**

*for Sexual Assault Crisis  
Counseling and Education*

[www.thecenter-ct.org](http://www.thecenter-ct.org)



# SCAN THE QR CODES WITH YOUR MOBILE DEVICE TO GET MORE INFORMATION ON THE FOLLOWING TOPICS



NSVRC  
website



Sexual Assault  
Awareness Month:  
English site



Sexual violence  
in disasters



Child Sexual Abuse  
Prevention  
Info Packet



Sexual Violence  
& the Workplace  
Info Packet



NSVRC  
Library



Sexual Assault  
Awareness Month:  
Spanish site



Housing and  
Sexual Violence  
Info Packet



Sexual Violence  
in Later Life  
Info Packet



Engaging  
Bystanders  
Info Packet



NSVRC  
publications



Sexual Violence  
in the Military



Sexual Violence  
& Individuals Who  
Identify as LGBTQ



Human  
Trafficking  
Info Packet



Guide about  
sexual violence  
& homelessness



# NINE FAST FACTS ABOUT SEXUAL ASSAULT AND TITLE IX

1

**Title IX prohibits** sex discrimination in education programs that receive federal funding. (This means all public and charter K-12 schools, some private K-12 schools, and nearly all colleges and universities.)

2

**Sexual harassment**, including sexual assault, is a type of sex discrimination that's banned by Title IX.

3

**Sexual assault** = a physical sexual act done **against a person's will**. This includes situations in which a person is incapable of giving consent due to drug or alcohol use.

4

**One in five women** are victims of completed or attempted sexual assault while in college. That's over **2 million women**.

5

Sexual harassment creates a **hostile environment** when it is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from an educational program. (Rape is sufficiently severe to create a hostile environment.)

6

If a school knows (or reasonably should know) about sexual harassment, including sexual assault, that creates a hostile environment, **Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.**

7

Schools are required to adopt and publish **grievance procedures** for students who complain of sex discrimination, including sexual assault.

8

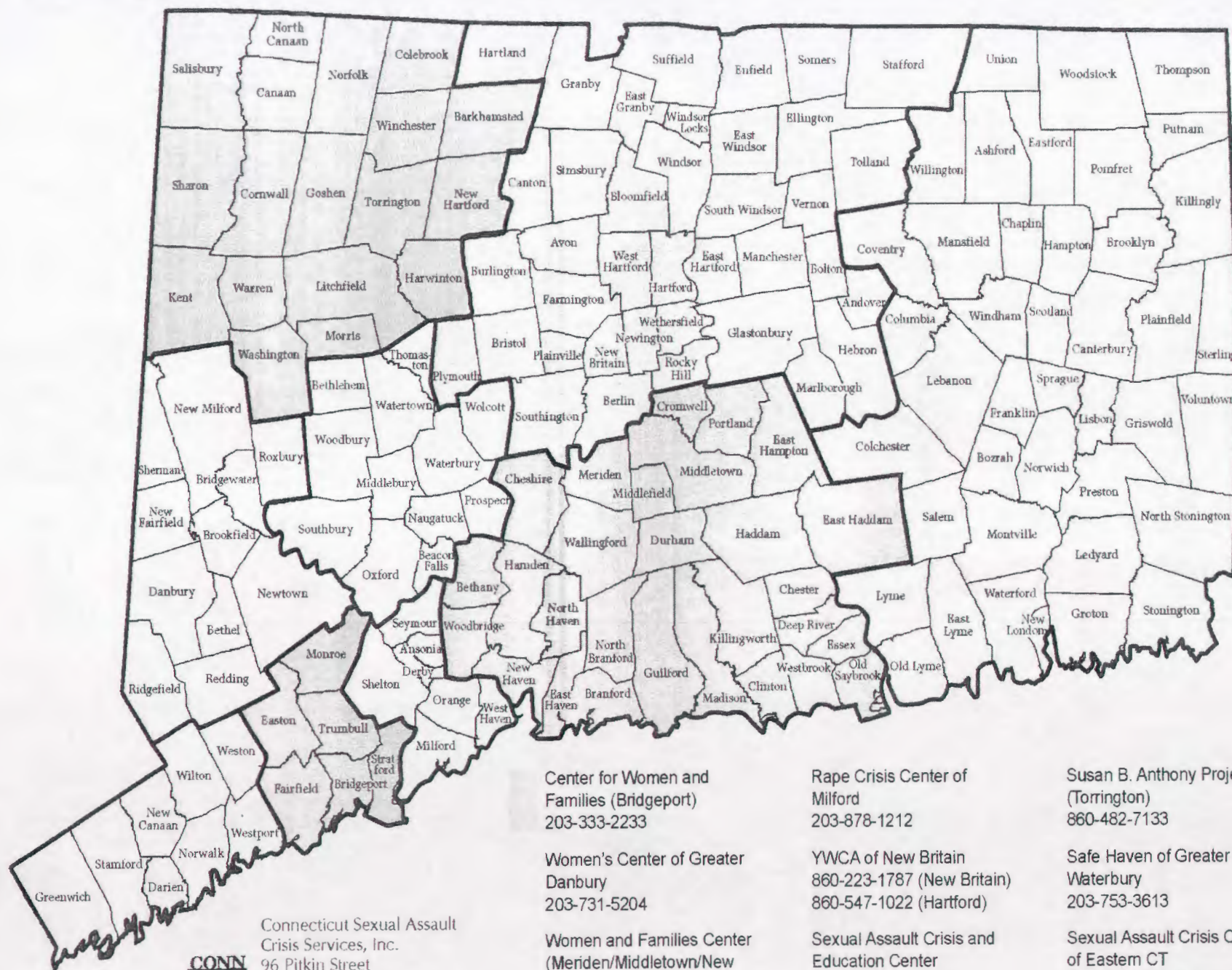
If you file a complaint with the school, **regardless of where the assault occurred**, your school must process the complaint under its grievance procedures.

9

Because a Title IX investigation is different from a law enforcement investigation, even if you file a police report **your school is independently required to investigate the assault**. This investigation must be **prompt, thorough, and impartial**.



**24-hour Toll-Free Sexual Assault Hotline 888-999-5545 (English) 888-568-8332 (Español)**



Connecticut Sexual Assault  
Crisis Services, Inc.  
96 Pitkin Street  
East Hartford, CT 06108  
[www.connsacs.org](http://www.connsacs.org)

Center for Women and  
Families (Bridgeport)  
203-333-2233

Women's Center of Greater  
Danbury  
203-731-5204

Women and Families Center  
(Meriden/Middletown/New  
Haven)  
203-389-9700

Rape Crisis Center of  
Milford  
203-878-1212

YWCA of New Britain  
860-223-1787 (New Britain)  
860-547-1022 (Hartford)

Sexual Assault Crisis and  
Education Center  
(Stamford)  
203-329-2929

Susan B. Anthony Project  
(Torrington)  
860-482-7133

Safe Haven of Greater  
Waterbury  
203-753-3613

Sexual Assault Crisis Center  
of Eastern CT  
860-456-2789 (Willimantic)  
860-437-7766 (New London)



## Workshops: Student Advising

Offered in March and April (see dates below)  
East Campus, Room E201

The Counseling Department is offering two workshops on advising students to all NCC faculty and staff. The 1.5 hour workshops are geared for new advisors or for those wanting a refresher. It is recommended that participants attend both workshops, but it is not a requirement.

### Part 1: The General Advising Process

Remaining date: April 12, 4:30 p.m.

### Part 2: Using Online Technology for Advising

Remaining dates: March 15, 4:30 p.m.; March 16, 1 p.m.; April 14 at 2:30 p.m.

For more information or to register, please email Wendy Mendes at [wmendes@norwalk.edu](mailto:wmendes@norwalk.edu), Kelly DelMazio at [kdelmazio@norwalk.edu](mailto:kdelmazio@norwalk.edu) or Cathy Miller at [cmiller@norwalk.edu](mailto:cmiller@norwalk.edu).



Professor Renae Edge (right) advises a student

## Exercise Science Lecture: "No Such Thing as Lactic Acid"

Wednesday, March 16, 9 to 10:30 a.m.  
East Campus, Gen Re Forum

William Lunn, Ph.D., Associate Professor of Exercise Science at Southern Connecticut State University, will discuss "No Such Thing as Lactic Acid: The Myth of Lactic Acid Production in the Body."

As director of SCSU's Human Performance Laboratory and an instructor in graduate level courses, Dr. Lunn is eminently qualified to clarify what is really going on



Dr. William Lunn

physiologically when we "feel the burn," refuting what the lay public knows as a troublesome by-product of muscular activity. A question-and-answer period will follow his lecture. The lecture is free and is sponsored by the Exercise Science Student Club.

For more information, please contact Dr. Paul Gallo at [pgallo@norwalk.edu](mailto:pgallo@norwalk.edu).

## PTA Degree Program Open House

Tuesday, March 29, 11:30 a.m. to 1 p.m.  
West Campus, Room W005

The Physical Therapist Assistant (PTA) Degree Program is hosting an open house in the program's laboratory to raise awareness of this growing field and recruit students.

Prospective students may drop in at any time to get information about the program and stay as long as they like. There will be no formal presentations, just casual conversations and advising about physical therapy as a career path. Information packets will be available and there will be free pizza for all who attend. For more information, contact Dr. Jennifer Bresnick, Program Director, at (203) 857-7198 or [jbresnick@norwalk.edu](mailto:jbresnick@norwalk.edu).



## "Where Do You Stand?" Information Forum for Male Community Leaders

Tuesday, March 29, 1 p.m.  
West Campus, Room W105

Have you ever witnessed abuse and wondered how you should intervene? If you should intervene? Have you overheard disrespectful jokes and wondered what you should say? If you should say something at all? Does it really matter? Can you even make a difference?

(cont'd. on next page)



Find the answers to these questions by attending the "Where Do You Stand?" information forum. The campaign positively portrays young men as vital allies and invites all men to consider their own stance on men preventing sexism and sexual assault.

This statewide initiative has been launched in Lower Fairfield County by The Center for Sexual Assault Crisis Counseling and Education. It focuses on engaging Connecticut men in being active in preventing sexual violence in their communities. Its Men of Strength Training Program is designed to equip men with the tools necessary to take a stand against all forms of sexual violence. The training program empowers men to use their voice, influence, and actions to become a part of the solution, rather than being part of the problem.

For more information about this program, please contact Cheryl DeVonish, Chief Diversity Officer and Special Advisor, at [cdevonish@norwalk.edu](mailto:cdevonish@norwalk.edu).



## Schwab Institute for Academic Learning Presents "Becoming a Servant Leader"

Friday, April 1, 8:30 a.m. to 2 p.m.  
Capital Community College, Hartford, CT

Attorney Patrice McCarthy, Deputy Director and General Counsel at CT Association of Boards of Education, will discuss how to build a stronger sense of community and teamwork by becoming a servant leader. She will

reference the leadership strategies outlined in Robert Greenleaf's *The Servant as Leader*, John Kotter's *Our Iceberg is Melting* and Carol Dweck's *Mindset*.

Mark Ojakian, President of Connecticut State Colleges and Universities, and Dr. Catherine L. Addy, President of Tunxis Community College, will provide opening remarks. A President Address will be given by Dr. Wilfredo Nieves, President of Capital Community College.

This event is sponsored by the Center for Teaching. Breakfast and buffet lunch is included. Registration is required by **March 26**. Click here for directions and parking information <http://www.ccc.commnet.edu/directions.htm>.

For more information, please contact Diane Mathis at [dmathis@capitalcc.edu](mailto:dmathis@capitalcc.edu), or Chair Nancy P. LaGuardia at [nlaguardia@capitalcc.edu](mailto:nlaguardia@capitalcc.edu).



Attorney Patrice McCarthy, Deputy Director and General Counsel at CT Association of Boards of Education and Past Chair of NSBA Council of School Attorneys

## Financial Aid Information Session for Staff and Faculty

Friday, April 1, 10:30 a.m.  
East Campus, Room E212

NCC staff and faculty are often asked questions about financial aid in class and during advising. To help address these questions, Gail Stevens, Assistant Director/Specialist in financial aid, will be conducting an information session for staff and faculty. Some frequently asked questions will be addressed, such as:

- Is there a deadline to apply for financial aid?
- Does financial aid also cover summer courses?
- Can a student appeal a financial aid decision?

The session is organized by the department of Financial Aid and Staff Caucus. For more information, please contact Dennie Daych at [ddaych@norwalk.edu](mailto:ddaych@norwalk.edu).



# **What is the Where Do You Stand? Campaign?**

**Have you ever witnessed abuse and wondered how you should intervene? If you should intervene? Have you overheard disrespectful jokes and wondered what you should say? If you should say something at all? Does it really matter? Can I even make a difference?**

**WHERE DO YOU STAND?** positively portrays young men as vital allies and invites all men to consider their own stance on men preventing sexism and sexual assault.

**This state-wide initiative has been launched in Lower Fairfield County by The Center for Sexual Assault Crisis Counseling and Education. It focuses on engaging Connecticut men in being active in preventing sexual violence in their communities. Its Men of Strength Training Program is designed to equip men with the tools necessary to take a stand against all forms of sexual violence. Men of Strength empowers men to use their voice, influence, and actions to become a part of the solution, rather than being part of the problem.**

## ***HOW CAN YOU HELP?***

**Attend The Center's WHERE DO YOU STAND? Information Forum for Male  
Community Leaders on:**

**Date: Tuesday, March 29, 2016**

**Time: 1:00pm**

**Location: W105**



## Fresh Check Day at NCC

On April 20, Norwalk Community College and the Jordan Porco Foundation co-sponsored Fresh Check Day. This suicide prevention and mental health awareness fair featured pizza, games and prizes, including a flat screen TV.

Activity booths were staffed by college volunteers as well as representatives from local mental health agencies. This annual event provides a variety of health and mental health information in order to reduce the stigma associated with mental illness.

Laurel House provided a booth where students created splatter paint art. The NCC Pantry gave out cupcakes in exchange for canned food donations. Health educators discussed drunk driving and showed students the deceptive sizes of restaurant servings of wine and beer. They also had students try on eye goggles which simulate distorted vision when drinking over the legal limit.

Other information booths featured information on safe sex, depression screenings, stress reducers, and violence prevention.

### Fresh Check Day Kick-Off Event

Dr. John Douglas, Clinical Director of the Outpatient Addiction Program at Silver Hill Hospital in New Canaan, kicked off the two-day Fresh Check Day events at NCC with an April 19 discussion, "Marijuana: What You Need to Know in the Gen Re Forum."

Dr. Douglas spelled out the history of marijuana use, its health risks, different types of cannabis, its potential health benefits and future trends for the drug. His engaged audience asked lots of questions which sparked active discussions. Representatives from community programs shared information about marijuana and other drugs in the East Campus Atrium and West Campus Cafeteria.



Dr. John Douglas of Silver Hill Hospital discusses the health risks of marijuana use.



Walking a straight line was a wobbly affair for everyone who tried on goggles simulating the effects of too much alcohol.



Students painted t-shirts with messages about standing up against violence and sexual assault. Pictured left to right are Secretary Stefanie Ortiz and Student Worker Isaiah Nins.



Students who answered questions about mental health awareness got to spin the wheel for a prize.



Friends shared smiles in a photo booth.







## Ortiz, Stefanie

---

**From:** NK-Studentinfo  
**Sent:** Friday, May 13, 2016 10:26 AM  
**To:** Ortiz, Stefanie  
**Subject:** NCC Sexual Assault Awareness

*This is an informational email only. Please do not reply.*

Faculty, and staff at NCC strive to provide a supportive and safe educational environment. In pursuit of this goal, NCC participates in and offers a variety of services and programs. One such program is the National Campaign to promote Sexual Assault Awareness & Prevention.

In recognition of this campaign I want to take the time to provide you with information on the programs and services available to students who have been subjected to sexual harassment or sexual assault. These resources are also available to students who may be interested in learning more about the mental health effects of sexual harassment/assault, and resources that can help.

### On Campus Resources

Andrea Arnold, M.S.W. Family & Child Agency (FCA)  
East Campus Student Success Center

Cheryl De Vonish, Chief Diversity/Title IX Officer  
NCC Office of Diversity & Equity Programs  
East Campus- Room E315

### Off Campus Resources

The Center for Sexual Assault Crisis Counseling & Education  
24-hour Hotline (203) 329-2929

Students can also speak with any NCC Faculty, staff member or Campus Security personnel. All disclosures made to NCC employees or NCC security will be reported to NCC's Office of Diversity & Equity Programs. Through The Office of Diversity & Equity Programs, students who have been subjected to sexual harassment or sexual assault can receive information about on-campus accommodations, such as, enforcement of restraining/protective orders while on campus, or changing employment or course schedules.

*Calvin J. McFadden, Sr., Ph.D.*  
*Dean of Students*

*"Not failure, but low aim is sin." - Benjamin E. Mays*



SEARCH

SEARCH...

ABOUT US

ADMISSIONS

RECORDS/REGISTRATION

ACADEMICS

EXTENDED STUDIES

STUDENT SERVICES

RESOURCES

CREATE YOUR FUTURE @NCC

## INFORMATION

Prospective Students

Current Students

Staff &amp; Faculty

NCC Foundation

Consumer Information

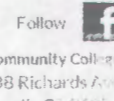
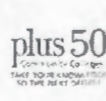
Home / news.asp?1888

## Center for Sexual Assault Crisis Counseling and Education

On Tuesday, September 13, The Center for Sexual Assault Crisis Counseling and Education, will host an informational table in the West Campus atrium from 10:00 a.m. to 1:00 p.m. to provide free information on their services.

The mission of the Center is to provide counseling and support services to victims of sexual assault and to eliminate sexual violence through community-wide education programs. They are proud to support children and adults in lower Fairfield County. In the last year, they have served over 14,000 people.

The event is sponsored by the Counseling Department and Campus Resource Team. For additional information, please contact Kelly DelMazio at [kdelmazio@norwalk.edu](mailto:kdelmazio@norwalk.edu) or Robin Morris at [rmorris@norwalk.edu](mailto:rmorris@norwalk.edu).



Norwalk Community College  
188 Richards Ave  
Norwalk, CT 06854  
(203) 857-7000



## Ortiz, Stefanie

---

**From:** NK-Studentinfo  
**Sent:** Wednesday, November 30, 2016 4:47 PM  
**To:** Ortiz, Stefanie  
**Subject:** Not Anymore : PLEASE OPEN

*This is an informational email only. Please do not reply.*

Dear Student,

At Norwalk Community College we pride ourselves on providing an enlightening college experience, which demands a safe and healthy student environment. To that end, we are requiring that you view *Not Anymore*, an online interpersonal violence prevention program from Student Success™. This video-based program will provide critical information about Consent, Bystander Intervention, Sexual Assault, Dating and Domestic Violence, Stalking, and much more. *Not Anymore* will help you better understand how vitally important these issues are and what you can do to help make your campus safer.

### Program Instructions

The online program will be available to take as of December 5, 2016. You are required to complete the program by December 19, 2016. You are required to earn at least an 80% on the program, which will prompt you to retake the post-test until you achieve this score. The program also will allow you to review the program videos before you retake the post-test

Step 1: Log on to Not Anymore at: <https://studentsuccess.org/CODE/norwalk>

Step 2: Enter your access code: **16norwalk**

Step 3: You will be taken to the *Not Anymore* Account Setup Page. Follow the instructions provided. Remember the email and password you enter, as they will allow you to leave and re-enter the program to complete the program in several sittings if you choose without having to start over. If you run into problems taking or reentering the program, do not start over. Contact us through the HELP button and we will assist you.

If at any time you have general questions or concerns regarding the program requirements, please contact your school at [CDeVonish@norwalk.edu](mailto:CDeVonish@norwalk.edu). If you have any technical difficulties with the program, please contact Student Success™ through the program HELP button or at [terrylynn.pearlman@studentsuccess.org](mailto:terrylynn.pearlman@studentsuccess.org).

We thank you in advance for your diligent participation in this critical program. Through the Student Success™ programs and our other campus efforts and resources, we are becoming a nationwide model for a safer campus.

Sincerely,

Cheryl DeVonish  
Chief Diversity/Title IX Officer







# Norwalk Community College

## Annual Security Report 2016

Statistics from 2013—2015



Norwalk Community College  
198 Richards Avenue  
Norwalk, CT 06854-1655  
(203) 857-7000



## COMPLIANCE WITH CLERY ACT

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## **OVERVIEW OF CAMPUS SECURITY**

### **PUBLIC SAFETY**

Norwalk Community College (NCC) strongly encourages students, faculty, and staff members to report all crimes, incidents and emergencies immediately to campus security personnel by dialing extension 77223 from any campus phone and at 203-857-7223 from any outside phone. All incidents or crimes reported to Campus Security will be reported, as necessary, to the College's Administration and to State and local authorities. Campus Security is available during all operational hours of the College, and are located strategically throughout each building.

#### **Campus Security**

To report any criminal or suspicious activities that occur on the grounds of NCC you should call Security at extension 77223 or the Director of Campus Safety and Security at extension 77219. The Norwalk Police Department or the Connecticut State Police will respond to calls from our College, when needed, and they will be on the scene having priority over Campus Security.

#### **Security and Access to Campus Facilities**

As a State owned facility, the buildings are open to the public during hours of operation. As a non-residential campus, NCC's facilities, functions, and hours of operation vary periodically and are posted on our website. Normal business hours are Monday – Thursday, 7 a.m. – 10 p.m., Friday, 7 a.m. – 5 p.m., Saturday, 7 a.m. – 5 p.m. and closed on Sundays.

The facilities are maintained and secured in the interest of students, faculty, and staff. Campus Security and Maintenance personnel periodically inspect the buildings, grounds, devices and systems to insure that our facilities are fully functional.



**Campus Law Enforcement Policy**

Crime prevention is a top priority at Norwalk Community College. NCC's Campus Security has a close relationship with both local and State Police departments. All criminal incidents and crimes are referred to law enforcement agencies who have jurisdiction on the Campus.

NCC's Department of Campus Safety and Security is located in the main atrium of the East Campus at Information Desk. Security officers are stationed in the lobbies of the East Campus, West Campus, the Center for Information and Technology (C.I.T.) and the Health, Wellness & Science building. Routine patrols are continuously made throughout the buildings and parking lots.

The privately contracted and unarmed security force, Security Services of Connecticut, Inc. (SSC), operates under the guidance of the Chief Operating Officer. SSC, the vendor for campus security, is selected according to the rules and regulation of the State of Connecticut bidding process.

NCC's campus security personnel are not authorized to arrest or detain individuals, but are authorized to ask for identification and to determine whether individuals have a legitimate reason to access the campus.

**Campus Security Authorities**

Campus Security Authorities (CSA) are tasked with reporting all allegations of *Clery Act* crimes to NCC's Director of Safety and Security, the person designated by the institution to collect all crime report information. CSA's are not responsible for determining whether a crime has taken place, or for trying to convince any alleged victims to contact law enforcement authorities



**NCC'S CAMPUS SECURITY AUTHORITIES**

**Dean of Academics Affairs**

Michael Butcaris- mbutcaris@norwalk.edu  
203-857-7191/W103

**Dean of Students**

Calvin McFadden - cmcfadden@norwalk.edu  
203-857-7369/E216

**Chief Operating Officer**

Therese Marrocco - tmarrocco@norwalk.edu  
203-857-7311/E306

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**Crime Prevention and Security Awareness Programs**

Crime prevention and awareness is a top priority for NCC. Campus Security provides campus patrols continuously during business operating hours and will escort you to your car. Members of the campus community may call or come to the security station if this service is needed. Additionally, through both regularly hosted events and the counseling center, the College provides students constant access to a variety of information and programs aimed at enhancing safety and wellness. Some of these programs include:

**Monthly Security Flyer-** Each month, Norwalk Community College and campus security release the Campus Security Newsletter, offering students safety news and tips. The newsletter also includes campus safety updates as well as providing students with security contact information.

**Take a Stand Campaign - April****Clothesline Project – Airing Your Dirty Laundry –**

This event hosted by the Student Activities and Wellness Departments features a graphical display of student decorated shirts expressing their emotional creativity in support of victims of abuse and violence.

**Culturally Relevant Responses for Latinx Survivors of Sexual Violence**

November 6, 2015. Presented by Susan Delaney, Director of Medical Advocacy and Training at the Domestic Violence Crisis Center (DVCC). Susan has over 25 years' experience in the area of domestic violence and will speak to us about the domestic violence cycle, dynamics and prevalence of domestic violence, and laws relating to domestic violence. Ms. Delaney also provided handouts that will be useful to us crisis responders. In total, 35 individuals attended the workshop.



**Domestic Violence - January 2015**

The Domestic Violence Crisis Center (DVCC), as well as The Center for Sexual Assault Crisis Counseling and Education (The Agency), were contracted to provide training on domestic violence and stalking in accordance with Public Act 14-11. They provided trauma-informed services to students and employee victims of domestic violence and stalking, and aimed to improve the overall response to domestic violence and stalking at the College.

**Preventing and Responding to Intimidate Partner Violence on Campus**

January 13, 2015, Interim Dean Carol Smith-Harker attended a training entitled "Preventing and Responding to Intimidate Partner Violence on Campus" and received a certificate of attendance.

**Responding to Victims of Sexual Violence** - January 20, 2015, guest speaker Setta Mushegian, M.S.W., Director of Counseling and Advocacy for the Center for Sexual Assault Crisis Counseling and Education in Stamford, CT, presented a program entitled "Responding to Victims of Sexual Violence". The training program educated faculty and staff about Federal Title IX legislation, as it relates to victims of sexual harassment or violence. Mushegian advised faculty and staff on how to respond to student disclosure about abuse or violence, and also cited confidential resources available for students on campus and through the Center for Sexual Assault.



**Haven-Understanding Sexual Assault** - March 19, 2015, the Director of Human Resources sent out a notice informing Staff & Faculty of a mandatory E-Training titled "Haven—Understanding Sexual Assault" that was required to be completed by May 1, 2015. This training is an overview of sexual assault, dating violence, domestic violence, stalking and sexual harrasment and the impact they have on students and employees. The training covered awareness and prevention of these offenses and provided informaton about how to respond and to give information aobut policies and resources available at NCC.

**Annual Health & Wellness Fair** - March 25, 2015, more than 20 booths were staffed by representatives from area hospitals, agencies, clinics, individual practices and related NCC student club and organizations, including The Center for Sexual Assault Crisis Counseling and Education. Information on a wide variety of health and wellness matters were available, as well as several different health screenings and demonstrations.

### **Clery Act**

In 1990, Congress enacted the *Crime Awareness and Campus Security Act* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965* (HEA). In 1998, amendments renamed the law the "*Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*" in memory of a student who was skain in her dorm room in 1986, and required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information.



The *Clery Act* requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data is collected, reported and disseminated to the campus community and is also submitted to the United States Department of Education ([www.ed.gov](http://www.ed.gov)). The act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

Our college strives to provide a safe and respectful environment to all students, faculty, staff and visitors. By continuously seeking to foster a peaceful and safe, learning environment. By working closely with the community and state law enforcement, Norwalk Community College maintains a zero-tolerance policy for all reported crimes.

### **Clery Act Revisions**

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA), which, among other provisions, amended sections of the Jeanne Clery Act. Most notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their Annual Security Reports.

### **Description and Compliance**

To be in compliance with Clery Act regulations, NCC has several obligations. These obligations fall into three main categories: 1) policy disclosure; 2) records collection and retention; and 3) information dissemination.



The Annual Security Report is available to the NCC community after October 1st of each year and can be found on-line at the College's website, [www.norwalk.edu/pdf/annualecurityreport.pdf](http://www.norwalk.edu/pdf/annualecurityreport.pdf), or a copy can be requested at the East Campus Security Desk. A copy of this report, for your review, can be found in the following offices: President, Deans, Admissions, Financial Aid, Human Resources, Library, Student Activities, and all Security Desks.

NCC's Department of Campus Security is located at the East Campus Information Desk. Security officers are stationed in the lobbies of the East Campus, West Campus C.I.T. and the Health Wellness & Science building. Routine patrols are made through the buildings and the parking lots.

Crime statistics are reported annually to the US Department of Education. The information found in the Annual Security Report is produced from that report. Data is collected from the following sources: Campus Incident Reports, Campus Security authorities, City of Norwalk Police Department and the Connecticut State Police Department. Individuals filing reports are kept confidential unless required by law for the health and safety of the reporter or public at large.

### **Collecting the Data**

The *Clery Act* mandates that institutions disclose statistics for crimes be reported to local police agencies and to campus security authorities. The intent of including non-law enforcement personnel (Campus Security Authorities) is to acknowledge that many individuals and students, in particular, are hesitant about reporting crimes to the police; however, they may be more inclined to report incidents to other campus-affiliated individuals. In any case, the victim and the campus-affiliated individual who is acting as a Campus Security Authority must know their responsibilities under the Clery Act crime reporting so that no crime will be ignored.



Additionally, the Act requires that an institution make a reasonable, good-faith effort to obtain the required statistics and may rely on the information supplied by a local or state police agency. NCC collects the data from Campus Security reports, the City of Norwalk Police Department and the State of Connecticut Police Department.

### **Daily Crime Log – Disclosure of Crime Statistics**

The Clery Act requires institutions to maintain a record of all incidents and crimes in a Daily Crime Log. The Log is available to the public for review at the Information Desk in the East Campus and is maintained by Campus Security. The crime log contains:

- A crime is entered into the Log when it is reported to the Campus Security Department. If a crime is initially reported to a Campus Security Authority other than the Security Department, it is not recorded in the Crime Log until it is subsequently brought to the attention of Campus Security personnel.
- Crime Log entries include all crimes reported to the Campus Security Department, not just Clery Act crimes.
- In addition to recording reported crimes that occurred on campus, crimes in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campus.



### Crime Statistics

|                            | On Campus |      |      | Non Campus |      |      | Public Property |      |      |
|----------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
|                            | 2013      | 2014 | 2015 | 2013       | 2014 | 2015 | 2013            | 2014 | 2015 |
| Criminal Offense           |           |      |      |            |      |      |                 |      |      |
| Non-Negligent Manslaughter | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Negligent Manslaughter     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Forcible Sex Offense       | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Non Forcible Sex Offense   | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Robbery                    | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Aggravated Assault         | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Burglary                   | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Motor Vehicle Theft        | 0         | 1    | 1    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arson                      | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Domestic Violence          | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Dating Violence            | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Stalking                   | 1         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |

|                                  | On Campus |      |      | Non Campus |      |      | Public Property |      |      |
|----------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
|                                  | 2013      | 2014 | 2015 | 2013       | 2014 | 2015 | 2013            | 2014 | 2015 |
| Arrests and Disciplinary Actions |           |      |      |            |      |      |                 |      |      |
| Illegal Weapons Possession       | 0         | 1    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Drug Abuse Violations            | 0         | 1    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Liquor Law Violations            | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |

|                                | On Campus |      |      | Non Campus |      |      | Public Property |      |      |
|--------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
|                                | 2013      | 2014 | 2015 | 2013       | 2014 | 2015 | 2013            | 2014 | 2015 |
| Hate Crimes                    |           |      |      |            |      |      |                 |      |      |
| Larceny/ Theft                 | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Simple Assault                 | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Intimidation                   | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Destruction/ Damage/ Vandalism | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |

|                               | # of Incidences |  |      | # of Disclosures |  |      |
|-------------------------------|-----------------|--|------|------------------|--|------|
|                               |                 |  | 2015 |                  |  | 2015 |
| Incidences of Sexual Violence |                 |  |      |                  |  |      |
| Sexual Assault                |                 |  | 0    |                  |  | 0    |
| Stalking                      |                 |  | 0    |                  |  | 0    |
| Intimate Partner Violence     |                 |  | 0    |                  |  | 0    |

This institution does not provide on-campus housing and the following disclosures do not apply to this institution:

- Fire safety
- Missing students



## **Geography of Locations**

Norwalk Community College is an institution composed of two main buildings located on each side of Richards Ave. in Norwalk, CT. Each building is respectively named East and West Campus. Both East and West Campus are surrounded by public and private properties.

All public roads, paths or portions of public property that are contiguous to NCC's Campus will be reported for Clery Act on-campus crime. Public properties that immediately border or are accessible from the campus will be considered as Campus Security Authority Jurisdiction for the Clery Act on-campus crime reporting. The map of locations follows on page 37.

## **Title IX**

*Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. provides in part:*

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. Norwalk Community College's Chief Diversity Officer and Advisor to the President, serves as the College's Title IX Coordinator. The Title IX Coordinator is the individual responsible for overseeing all sexual misconduct complaints and to identify and address any patterns or systemic problems that arise during the review of such complaints. In addition, the Title IX Coordinator shall:

- A. Act as a liaison between the parties and the Norwalk Community College community.



- B. Review all evidence in a sexual misconduct case brought before Norwalk Community College's Hearing Committee to determine whether the complainant is entitled to a remedy under Title IX that was not available through the Hearing Committee.
- C. Organize the Activities of the Hearing Committee.
- D. Communicate regularly with law enforcement and other campus officials investigating cases and provide information to law enforcement unit personnel regarding Title IX requirements.
- E. Determine if law enforcement must be notified of reports of sexual harassment or violence.

Chief Diversity Officer, Advisor to the President (Title IX Coordinator):

*Cheryl DeVonish*

*East Campus Room: E315*

*Norwalk Community College*

Phone: (203) 857-7016

[cdevonish@norwalk.edu](mailto:cdevonish@norwalk.edu)

## **ISSUANCE OF POLICY STATEMENTS**

### **REPORTING OF CRIMES AND OTHER EMERGENCIES**

#### **Reporting Criminal Offenses**

If you have been the victim of a crime or have witnessed a crime, report this information immediately to NCC Campus Security.

Contact Campus Security personnel in person at any Security Desk or call 203-857-7223 or if using a campus phone dial 77223 or dial 9911 to reach the City of Norwalk Emergency Personnel and Campus Security. The Director of Safety and Security can be reached at 203-857-7219 and can be found at the East Campus Lobby Information Desk.



**Voluntarily Confidential Reporting**

If you are the victim of a crime or have witnessed a crime and you do not want to pursue action within the college's system or the criminal justice system, you may still want to consider making a confidential report. At your request, security personnel can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep your identity confidential while taking steps to ensure the future safety of yourself or others. In compliance with the 2014 Clery Act revisions, Norwalk Community College offers assistance to victims of a crime base on a case by case basis. Any reasonably available change in a victims academic, living, transportation, and working situation will be considered.

**College's Confidential Reporting of a Crime**

The NCC Campus Security encourages anyone who is the victim or witness to any crime to promptly report the incident to campus and law enforcement authorities. Since police reports are public information under state law, the NCC's Campus Security cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can be made to the Director of Safety and Security, 203-857-7219 or East Campus Lobby Information Desk.

**Timely Warnings**

In order to keep the campus community informed about safety and security issues on an ongoing basis, NCC will alert the campus community of crimes in a manner that is timely and that will aid in the prevention of similar crimes. These crimes include all *Clery Act* crimes that are:

- Reported to campus security authorities or law enforcement agencies and
- Are considered by the institution to represent a serious or continuing threat to students and employees.



Timely Warnings can be issued for threats to persons, as well as for threats to property. The Campus Emergency Response Team (CERT) will decide on a case by case basis if a situation calls for a Crime Alert. Decisions will be made in light of all facts surrounding an incident. Factors such as the nature of the crime and the continuing threat to the campus community will be considered.

*NCC disseminates Timely Warning Announcements in the following ways:*

- NCC phone message – main external telephone number
- Posted Flyers
- Text Message Alerts through myCommNet Alert notification system
- NCC website – Front page message
- Internal College Voice mail message
- Electronic Information Screens
- E-mails

## **Emergency Response and Evacuation**

### ***Emergency Action Plan***

In case of a significant emergency or dangerous situation, involving an immediate threat to the health or safety of students or employees occurring on campus, the President and/or the Chief Operation Officer in cooperation with the Campus Emergency Response Team (CERT) will initiate the emergency response procedure in accordance with NCC's Emergency Action Plan. The plan can be found online by following this link: <http://www.norwalk.edu/pdf/EAP.pdf> . At the same time, without delay and taking into account the safety of the community, determine the content of the notification and initiate the emergency procedures.



***Communication of an Emergency***

Upon notification of an emergency, authorities will announce it to the campus community by the following seven methods: NCC phone message – main external telephone number, internal college voice mail message, posted flyers, text message alerts, myCommNet alert notification system, NCC website front page message, electronic information screens and E-mails.

***Building Evacuation***

The President and/or the Chief Operating Officer in cooperation with the CERT will announce that there is a significant emergency or dangerous situation on campus and will determine if all or parts of the campus be evacuated.

In the event of an emergency necessitating the evacuation of a building; i.e., fire, explosion, smoke, fumes, or other factors, the following procedures are to be followed immediately. Upon notification, secure workstation, gather personal belongings and leave the building in an orderly fashion. Faculty/Staff or their designees are responsible for assisting persons with disabilities to exit the building or wait in the area of refuge and direct all students to the safe areas outside the building. Parking lots are designated safe areas and can be reached simply by following the evacuation instructions posted in every room.

***Testing the Evacuation Procedures***

In compliance with the Clery Act regulations, NCC conducts at least one emergency (fire) evacuation drill a year. This drill is a coordination of efforts with local first responders, including police, firefighters and emergency medical technicians as well as State of Connecticut Troopers. Following the drill a debriefing assessment will take place with the evaluation team.



**Missing Student Notification Procedure**

A missing student means any student of an institution who resides in a facility owned or operated by such institution and who is reported as missing from his or her residence. Norwalk Community College does not own or operate residential facilities and therefore the new regulation does not apply to the college. However, in the event a student is reported missing to Campus Security, the following procedures will be followed:

All information will be obtained as to the identity of the student, the person reporting the incident and the relationship of the person reporting, as well as, the circumstances that caused the reporting person to file the report.

The reporting person will be advised that a missing person report must be filed with the law enforcement agency having jurisdiction where the student resides. Information sharing with police on missing persons will follow guidelines established under the Federal Family Educational Rights and Privacy Act (FERPA).

**Tobacco**

On October 1, 2014 NCC implemented a tobacco and smoke-free campus policy to provide a safe and healthy working and learning environment for our staff, faculty, and students. Tobacco is defined as all tobacco derived or contained products, including but not limited to, cigarettes, electronic cigarettes, cigars and cigarillos, hookah smoked products, pipes and oral tobacco (smokeless, chew, snuff). It also includes any product intended to mimic tobacco products or containing tobacco flavoring.



The success of this policy depends on the thoughtfulness, consideration and cooperation of tobacco users and non-tobacco users. All members of the college community are responsible for respectfully communicating the policy to faculty, staff, students and visitors and you are encouraged and empowered to respectfully explain that its use is prohibited on NCC grounds.

Public Act No. 93-304 (An Act Prohibiting Smoking in Public Buildings) became a law on October 1, 1993. It provides, in relevant part, that smoking is prohibited in any building or portion thereof that is owned, leased and/or operated by the State of Connecticut.

In addition, findings of the Surgeon General of the United States indicates that passive exposure to cigarette smoke (second hand or passive smoke) is linked to a variety of negative consequences. Because of these significant health and safety issues, Norwalk Community College is concerned with the health and well-being of all students, faculty, staff and guests.

## **DRUG AND ALCOHOL POLICY**

### **Drugs**

Our College prohibits the unlawful possession, use, or distribution of alcohol and controlled/illegal drugs by any member of the College's community. All community members are expected to fulfill their obligations and responsibilities pursuant to NCC policy as well as federal, state, and local laws. Disciplinary action taken by NCC may be imposed in addition to criminal penalties. Both students and employees are subject to the applicable state and federal laws. The Campus Security will immediately contact the local or State Police upon notification of presumed or certain illegal drug related activity.



**Alcohol**

The Board of Regents (ConnSCU) endorses the network of colleges and universities committed to the elimination of drug and alcohol abuse, which is based on the following premise:

*American society is harmed in many ways by the abuse of alcohol and other drugs: decreased productivity, serious health problems, breakdown of the family structure, and strained social resources. Problems of illicit use and abuse of substances have a pervasive effect upon many segments of society--all socio- economic groups, age levels and even the unborn. Education and learning are especially impaired by alcohol abuse and illicit drug use.\**

*\*The preceding is a statement of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse*

The Board recognizes that education regarding alcohol and substance abuse is an appropriate and necessary part of contemporary college life. Since the unauthorized use of controlled substances is contrary to state and federal law and regulation, it must be prohibited in any college activity, on or off the college campus. The conditions of alcohol and drug dependency may be considered disabilities/handicaps under state and federal laws and regulations, as well as under the Board of Regents' policy. Employees and students will not be discriminated against because they have these disabilities. However, all students and employees are considered to be responsible for their actions and their conduct.



These provisions shall apply to all colleges under the jurisdiction of the Board:

- No student or employee shall knowingly possess, use, distribute, transmit, sell or be under the influence of any controlled substance on the college campus or off the college campus at a college-sponsored activity, function or event. Use or possession of a drug authorized by a medical prescription from a registered physician shall not be in violation of this provision.
- All colleges shall develop and enforce policies regarding the sale, distribution, possession or consumption of alcoholic beverages on campus, subject to state and federal law. Consistent with previous Board policy, the consumption of alcoholic beverages on campus may be authorized by the President subject to the following conditions, as appropriate:
  - When a temporary permit for the sale of alcoholic beverages has been obtained and Dram Shop Act insurance has been purchased;
  - When a college permit has been obtained;
  - When students bring their own beverages; and
  - When alcoholic beverages are provided by a student organization and no fee is charged for attendance or for said beverages.
- All colleges shall provide educational programs on the abuse of alcohol and other drugs and a referral for assistance for students and employees who seek it. Colleges are encouraged to establish campus-wide committees to assist in the development of these programs in response to particular campus needs and identification of referral resources in their respective service planning regions.



- This policy shall be published in all college catalogs, faculty and staff manuals and other appropriate literature.
- Failure to comply with this policy will result in invocation of the appropriate disciplinary procedure and may result in separation for the college and referral to the appropriate authorities for prosecution. (Adopted, November 20, 1989) Norwalk Community College adheres to the above cited Board of Regents' policy regarding alcohol and drugs.
- Currently there are no programs in place to educate students regarding alcohol and drug abuse. There is literature available from Student Services regarding these topics. Individuals seeking assistance with substance abuse problems are provided information as to where professional help is available. Additionally, the College has established the following procedure regarding requests for the service of alcoholic beverages on campus:
  - Any request to serve alcoholic beverages must be consistent with the Board of Regents for Connecticut State Colleges and Universities (ConnSCU) policies.
  - The request must be submitted in writing to the Dean of Students at least four (4) weeks in advance of the event.
  - If the sale of alcohol is being solicited, the request must demonstrate that a temporary permit for the sale of alcoholic beverages will be obtained and Dram Shop Act insurance will be purchased.
  - A paragraph in the request must describe how alcohol will only be made available to legal age students and/or guests. This includes students bringing their own alcoholic beverages, or beverages being provided free when purchased by a student organization or other group.



- The request must include a plan for a visible education program display or presentation urging responsible drinking of alcoholic beverages during the event.
- Once the Dean of Students has reviewed the request for all necessary compliance, the request will be forwarded to the President for final decision. Final approval can only be granted by the President.

Alcoholic beverages may not be consumed on college premises except by those over 21 years of age at approved college social functions. Such functions are held in compliance with State Law and the Board of Regents Policy.

### **Sexual Misconduct Reporting, Support Services and Processes Policy**

#### ***Norwalk Community College Statement***

Norwalk Community College (NCC) will not tolerate sexual misconduct against students, staff, faculty, or visitors, whether it comes in the form of intimate partner violence, sexual assault, sexual exploitation or sexual harassment, as defined in the BOR policy.

In an ongoing effort to prevent sexual misconduct and intimate partner violence on the NCC campus, the College provides education and prevention programs for the NCC community and pursues all criminal and administrative remedies for complaints of sexual misconduct.



NCC is a community dependent upon trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary contract. As noted in NCC's Violence Free Campus Policy, members of the college community have the right to a safe and welcoming campus environment. Acts of sexual misconduct and intimate partner violence threaten personal safety and violate the standards of conduct expected of community members.

**Individuals and Entities Affected by this Policy**

This policy applies to anyone on the property of Norwalk Community College, as well as anyone present at NCC-sponsored programs or events. This policy extends to off-campus violations of both students and employees in limited circumstances as noted below:

- Students: "Off-campus misconduct may be subject to the jurisdiction of the College and addressed through its disciplinary procedures if one of the following conditions is met: (I) a student engages in prohibited conduct at an official College event, at a College-sanctioned event, or at an event sponsored by a recognized 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 College community or to the property of the College. "
- Employees: The decision of whether to investigate and discipline employees for off-campus misconduct will be made by the appropriate College administrator on a case-by-case basis in accordance with collective bargaining agreements, NCC/College policies, and state regulations.



**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 College community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct and intimate partner violence. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

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



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

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

**Terms and Usage**

Consent is the equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent cannot be assumed because there is no physical resistance or other negative response. A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent). The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.”



Sexual misconduct includes engaging in any of the following behaviors:

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

- Sexual flirtation, touching, advances or propositions
- Verbal abuse of a sexual nature
- Pressure to engage in sexual activity
- Graphic or suggestive comments about an individual's dress or appearance
- Use of sexually degrading words to describe an individual
- Display of sexually suggestive objects, pictures or photographs
- Sexual jokes
- Stereotypic comments based upon gender
- Threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.



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

- b) Sexual assault shall include but is not limited to a sexual act directed against another person without the consent (as defined herein) of the other person or when that person is not capable of giving such consent. Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.
- c) Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:
  - Prostituting another person;
  - Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
  - Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
  - Going beyond the bounds of consent (for example, an individual who allows friends to hide in the closet to watch him or her having consensual sex);
  - Engaging in non-consensual voyeurism;
  - Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;



- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

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

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

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

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.



- Emotional abuse includes but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.
  - Cohabitation occurs when two individuals dwell together in the same place as if married.
  - The determination of whether a "dating relationship" existed is to be based upon the following factors: the reporting victim's statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.
- e) Stalking 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 College community as well as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. For the colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.



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

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



Upon receiving a disclosure or a report of sexual misconduct, employees are expected to supportively, compassionately and professionally offer academic and other accommodations and to provide a referral for support and other services.

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

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

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

- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidential, whether or not those who report feel ready to make any decisions about reporting to police, a college or College 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 college counseling center psychologist, a college health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

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

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

### **Support Services Contact Information**

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



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

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

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

**Employee Conduct Procedures**

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

**Student Conduct Procedures**

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

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



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

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

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s).



The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

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

**Dissemination of this Policy**

Upon adoption by the Board all CSCU institutions shall, upon receipt, immediately post and maintain this policy at all times in an easily accessible manner on each institution's website. This policy shall thereafter be annually provided to all Title IX Coordinators, campus law enforcement officers and security personnel, and other campus personnel.

Further, this policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. The policy shall be expanded upon by each institution to provide resources and contact information specific to their institution and geographic area as set forth above.



***Types of Offenses:***

There are seven Uniform Crime Report offenses, including:

1. Criminal Homicide Murder
  - Non-Negligent Manslaughter
  - Negligent Manslaughter
2. Sex Offenses including:
  - Forcible
  - Non-forcible
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson
8. Domestic Violence
9. Dating Violence
10. Stalking

The definition of the above mentioned crimes that the Clery Act mandates to report will help the NCC community be aware of the gravity of each crime. Those crimes are defined as follows:

**Uniform Crime Report Definitions**

- **Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another. As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime is classified as Murder and Non-Negligent Manslaughter.



- **Negligent Manslaughter** is defined as the killing of another person through gross negligence. As a general rule, any death caused by the gross negligence of another is classified as Negligent Manslaughter. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities, are not included in the category Negligent Manslaughter.
- **Sex Offenses**—Forcible is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses:
  - *Forcible Rape* is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
  - *Forcible Sodomy* is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - *Sexual Assault With an Object* is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia.



- *Forcible Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."
- **Sex Offenses—Non-forcible** are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:
  - *Incest* is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - *Statutory Rape* is non-forcible sexual intercourse with a person who is under the statutory age of consent. If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory rape.
- **Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
  - *Firearm*: Includes robberies in which any firearm is used as a weapon or employed as a means of force to threaten the victim or put the victim in fear. Attempts are included in this category.
  - *Knife or cutting instrument*: Includes robberies in which a knife, broken bottle, razor, ice pick or other cutting or stabbing instrument is employed as a weapon or as a means of force to threaten the victim or put the victim in fear. Attempts are included in this category.



- *Other dangerous weapon*: Includes robberies in which a club, acid, explosive, brass knuckles, mace, pepper spray or other dangerous weapon is employed or its use is threatened. Attempts are included in this category.
- *Strong-arm*—hands, fists, feet, etc. Include muggings and similar offenses in which only personal weapons such as hands, arms, feet, fists and teeth are employed or their use is threatened to deprive the victim of possessions.
- **Aggravated Assault**: Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
  - *Aggravated Assault—Firearm*. Include all assaults in which a firearm of any type is used or is threatened to be used. Assaults with revolvers, automatic pistols, shotguns, zip guns, rifles, etc., are included in this category.
  - *Aggravated Assault—Knife or Cutting Instrument*. Include assaults wherein weapons such as knives, razors, hatchets, axes, cleavers, scissors, glass, broken bottles and ice picks are used as cutting or stabbing objects, or when their use is threatened.
  - *Aggravated Assault—Other Dangerous Weapon*. Include assaults resulting from the use or threatened use of any object as a weapon in which serious injury does or could result. The weapons in this category include, but are not limited to: Mace, pepper spray, clubs, bricks, jack handles, tire irons, bottles or other blunt instruments used to club or beat victims. Attacks by explosives, acid, lye, poison, scalding, burnings, etc., are also included in this category.



- *Aggravated Assault—Hands, Fists, Feet, Etc.—Aggravated Injury.* Include only the attacks using personal weapons such as hands, arms, feet, fists and teeth that result in serious or aggravated injury. Consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple. Classify the assault as aggravated if the personal injury is serious (broken bones, internal injuries or stitches required). On the other hand, classify the offense as a simple assault if the injuries are not serious (abrasions, minor lacerations or contusions) and require no more than usual first-aid treatment.
- **Burglary:** Burglary is the unlawful entry of a structure to commit a Felony or a theft. The Uniform Crime Reports (UCR) classifies offenses locally known as Burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses are Burglary.

*Count one offense per each distinct operation.*

- *Burglary—Forcible Entry:* Include all offenses where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony. This definition applies when a thief gains entry by using tools; breaking windows; forcing windows, doors, transoms or ventilators; cutting screens, walls or roofs; and where known, using master keys, picks, unauthorized keys, celluloid, a mechanical contrivance of any kind (e.g., a passkey or skeleton key) or other devices that leave no outward mark but are used to force a lock. Also include in this category burglary by concealment inside a building followed by exiting the structure.



- *Burglary–Unlawful Entry: No Force.* The entry of a structure in this situation is achieved by use of an unlocked door or window. The element of trespass to the structure is essential in this category, which includes thefts from open garages, open warehouses, open or unlocked dwellings and open or unlocked common basement areas in apartment houses where entry is achieved by someone other than the tenant who has lawful access. (Note that if the area entered was one of open access, thefts from the area would not involve an unlawful trespass and would be classified as Larceny. The Clery Act does not require an institution to disclose Larceny statistics.)
- *Burglary–Attempted Forcible Entry:* Include those situations where a forcible entry burglary is attempted but not completed. Once the thief is inside a locked structure, the offense becomes a Burglary–Forcible Entry. Classify attempts to enter an unlocked structure as well as actual trespass to an unlocked structure as Burglary–Unlawful Entry–No Force. Only situations in which a thief has attempted to break into a locked structure are classified as Burglary–Attempted Forcible Entry.
- **Motor Vehicle Theft:** Motor vehicle theft is the theft or attempted theft of a motor vehicle. Count one offense for each stolen vehicle.
  - *Autos:* Include the thefts of all sedans, station wagons, coupes, and convertibles, sport utility vehicles, minivans and other similar motor vehicles that serve the primary purpose of transporting people from one place to another. Automobiles used as taxis are also included. Some states allow a station wagon to be registered as a truck; however, licensing is not a determining factor. The Uniform Crime Report (UCR) stipulates that a station wagon must be classified as an automobile.



- *Trucks and Buses:* Include the theft of those vehicles specifically designed (but not necessarily used) to transport people and cargo. Pickup trucks and cargo vans, regardless of their uses, are included in this category. The UCR considers a self-propelled motor home to be a truck.
- *Other vehicles:* Include all other motor vehicles that meet the UCR definition, such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles and motorized wheelchairs. If you are uncertain whether to classify an incident as
- Note that Motor Vehicle Theft does not include thefts from motor vehicles. Theft from a motor vehicle is Larceny, which is not a Clery Act crime.
- **Arson:** Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Domestic Violence:** Domestic violence is a felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim.
  - A person with whom the victim shares a child in common.
  - A person who is cohabitation with or has cohabitated with the victim as a spouse or intimate partner.
  - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA).



- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Dating Violence:** Dating violence means violence committed by a person:
  - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - The length of the relationship;
    - The type of relationship; and
    - The frequency of interaction between the persons involved in the relationship.
- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - Fear for his or her safety or the safety of others; or
  - Suffer substantial emotional distress.



## Hate Crimes

*Disclose whether any of the types of offenses or any other crimes involving bodily injury were hate crimes.*

The hate crimes must be reported by category of prejudice. The following crimes reported to local police agencies or to a Campus Security Authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. The following definitions on these crimes apply:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation:** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).



- **Ethnicity/national origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### **Arrests and Referrals for Disciplinary Action**

For illegal weapons possession and violation of drug and liquor laws.

**Arrest** for *Clery Act* purposes is defined as persons processed by arrest, citation or summons. Include:

- Those persons arrested and released without a formal charge being placed against them. (An arrest has occurred when a law enforcement officer detains an adult with the intention of seeking charges against the individual for a specific offense(s) and a record is made of the detention.)
- Juveniles taken into custody or arrested but merely warned and released without being charged. A juvenile should be counted as "arrested" when the circumstances are such that if the individual were an adult, an arrest would have been counted.



**Referred for disciplinary action** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is kept and may result in the imposition of a sanction.

- *Illegal Weapons Possession* is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
- *Drug Law Violations* is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).



- *Liquor Law Violations* is defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

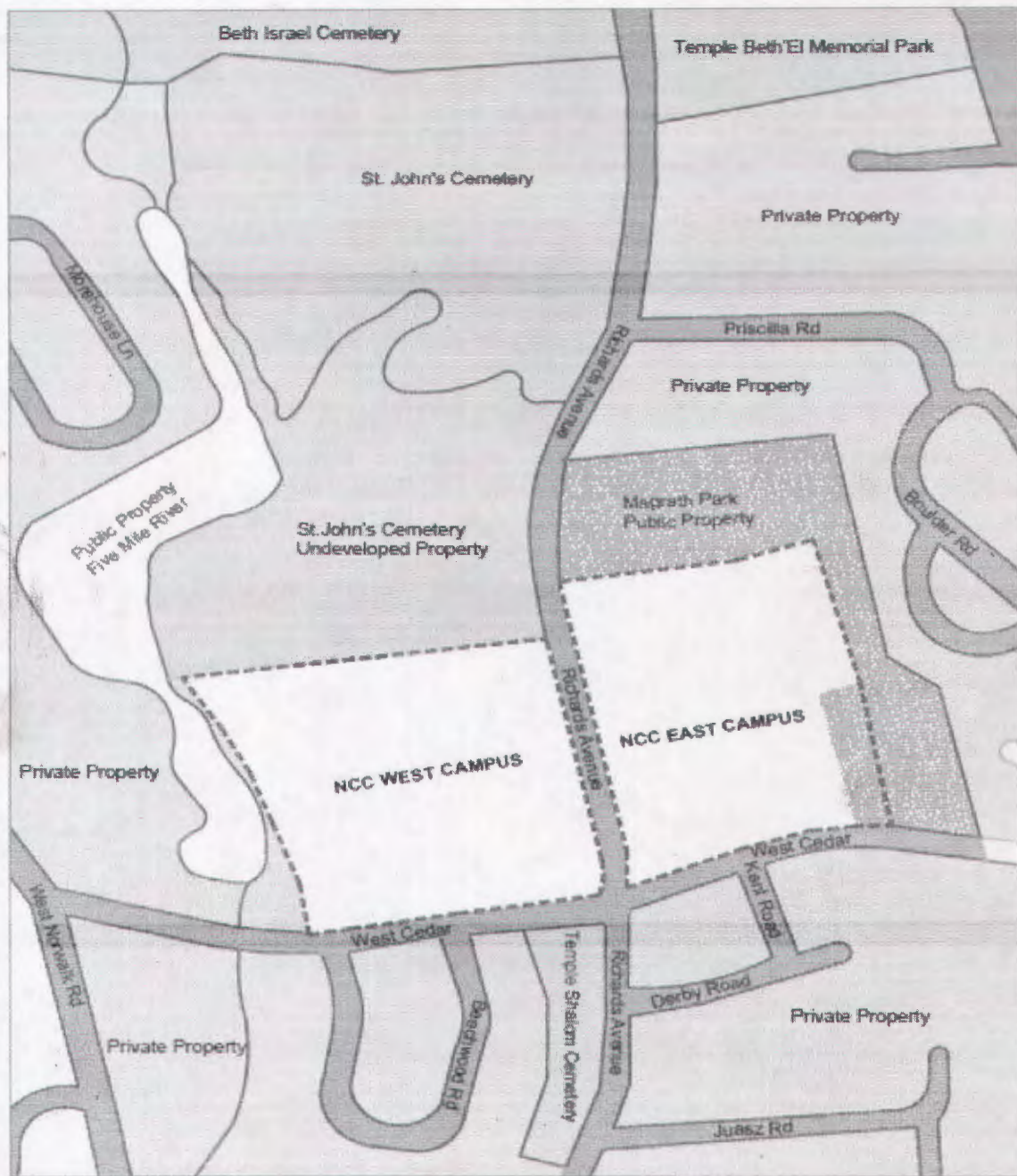
**Providers' List**

Norwalk Community College provides a wide variety of services to students in terms of counseling, mental health, addiction referrals, family support groups, sexual assault services to external local agencies since there are no professional pastoral services on campus. Detailed information on the providers list can be found at the Counseling Center, located in the East Campus, room E104.

**Site Map**

Norwalk Community College's property line will be a reportable area under on campus property category for Clery Act reporting of crimes. Magrath Park and Five Mile River are public properties and will be considered for Clery Act reporting of crimes under public property category. The portion of Richards Avenue that is directly accessible from both East and West Campus will be considered under Clery Act reporting of crimes as well. All cemeteries shown in the map are private properties and will not be considered for Clery Act reporting of crimes.





- |  |                                |  |                  |  |                               |
|--|--------------------------------|--|------------------|--|-------------------------------|
|  | Norwalk Community College      |  | Private Property |  | Public Street                 |
|  | Magrath Park (Public Property) |  | Five Mile River  |  | Cemeteries (Private Property) |