

Date: September 30, 2017

To: Connecticut General Assembly

From: Leonora P. Campbell, Title IX Coordinator

Re: Annual Report – Calendar Year 2016  
Disclosures Pursuant to Public Act 14-11

- 1) See attached “**Sacred Heart University Policy on Sexual Misconduct**”
- 2) See attached “**SHU Sexual Misconduct Student Resources & Referral Options**”
- 3) See attached “**A Step-by-Step Guide for Faculty & Staff for Assisting Students**”
- 4) Statistical Information: The following tables include statistical information related to incidents of sexual assault, stalking, or intimate partner violence, regardless of where such incidents occurred. Table 1 includes incidents that were reported to the University in the calendar year 2015. Table 2 includes disciplinary cases that were held and outcomes in the calendar year 2015. These numbers reflect on campus, off-campus and public property as defined by The Clery Act reporting.

**TABLE 1: Incidents of Sexual Assault, Stalking, and Intimate Partner Violence**

Calendar Year 2015	Sexual Assault	Stalking	Intimate Partner Violence
Number of Incidents reported to the University	12	0	4
Number of confidential or anonymous reports or disclosures to the University	10	1	2
Number of Disciplinary cases at the University	2	0	0

**Table 2: Disciplinary Cases and Final Outcomes**

Cases Regarding	Respondent Found Responsible	Respondent Found Not Responsible	Expulsion from Campus Housing	Suspension from the University	Expulsion from the University	Other Sanctions
Sexual Assault	1	1	0	0	1	1
Stalking	0	0	0	0	0	0
Intimate Partner Violence	0	0	0	0	0	0

## **Sexual Assault Awareness Programs & Policies**

It is important that all members of the University community take precautions and act responsibly towards the goal of reducing vulnerability for crime. Should you become the victim of a crime, immediately call the Department of Public Safety at (203) 371-7911 (*Emergency line*).

The great majority of sexual assaults reported to the Department of Public Safety are committed by acquaintances. Victims of sexual assault are urged to report the incident to the Title IX Coordinator and the Department of Public Safety as soon as possible, regardless of where the crime took place, and whether or not the offender is known to the victim. The Title IX Coordinator will work closely with the victim to ensure that the appropriate emergency, medical care, counseling, support services any housing or academic accommodations are made available and will assist the victim in notifying the Department of Public Safety and/or the appropriate local law enforcement agency, if applicable.

Victims of sexual assault are not required to file formal charges, even if they report the incident to the Department of Public Safety. The Title IX Coordinator will present the victim with a full range of options and services available, enabling the victim to choose the most appropriate course of action. Some of the options available to the student victim if sexually assaulted on or off campus are immediate medical attention, counseling, police referral for investigation, immediate relocation to a different residence facility if the offender lives in the same residential facility, and changes in the victim's academic class schedule if the victim wishes and if such a change is reasonably available.

Students accused of sexual assault are subject to disciplinary action in accordance with the provisions set forth in the Sexual Misconduct Policy found under the policy section of the Student Handbook, whether or not formal criminal charges are filed by the victim. Both the victim and the accused student are entitled to the same opportunity to have witnesses present during Sexual Misconduct Hearing Panel proceedings, and both are informed of the outcome. A student found to have committed a sexual misconduct violation is subject to disciplinary action, up to and including suspension or expulsion from the University.

Victims are also advised of the importance of preserving any and all physical evidence that may be present for potential use for criminal proceedings (if desired), and not to use the bathroom or shower until after a hospital examination. After reporting the incident to the Title IX Coordinator, victims of sexual assault are strongly encouraged to report the crime to the local police. The Title IX Coordinator and the University Counseling Center will provide assistance to victims who wish to report sex offenses.

### **Confidential Resources On and Off Campus:**

#### ***On Campus***

##### **Campus Ministry**

*SC 125 - Academic Building, 203-371-7840*

The office of Campus Ministry, rooted in the Catholic tradition, is open to all currently enrolled University students and is a welcoming place for students of all faiths to explore and nurture their spiritual life. We offer a variety of programs and opportunities for students to discover what they believe and find where they belong.

##### **Wellness Center**

*4980 Park Avenue, Fairfield, CT 06825*

The Wellness Center houses the following services to students:

**1. Counseling Services -203-371-7955**

The [Counseling Center](#) is a free, confidential resource providing individual and group counseling and other mental health support for students. By appointment only. **All contacts are confidential.**

**2. Health Services -203-371-7838**

The [Health Services](#) Center provides accessible, comprehensive and cost-effective primary health care and educational outreach. **All contacts are confidential.**

**Off Campus**

**Center for Family Justice**

753 Fairfield Ave, Bridgeport, CT 06604, Rape Crisis Hotline 203-333-2233

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

Providing free, confidential, bilingual crisis services that help all people plagued by domestic and sexual violence restore their lives, and educating our communities to prevent future abuse. It is the comprehensive services our partners are providing that are streamlining the road to healing and self-sufficiency. Family Justice Centers (FJC) use a coordinated approach to offer services designed to break the cycle of violence, in a safe place, under one roof. Police, prosecutors, civil/legal providers, counselors and client advocates work together to streamline how they help people heal while reducing costs. **All contacts are confidential.**

**Connecticut Office of the Victim Advocate - 860-550-6632**

**505 Hudson Street 5th Floor Hartford, CT 06106**

**Additional On and Off Campus Resources:**

***On Campus***

**Title IX Coordinator**

Melady Hall, 2<sup>nd</sup> Floor - Office #221 - 203-396-8386

**Department of Public Safety**

Academic Building – 1<sup>st</sup> Floor - **Routine Calls:** 203-371-7995 - **Emergency Calls:** 203-371-7911

Public Safety can assist with immediate medical needs and concerns of complainants, friends and others involved in an incidence of sexual misconduct. They work closely with the Title IX Coordinator, Dean of Students, Office of Residential Life and Counseling Center. They may assist in the investigation of incidents; provide timely campus wide notifications of incident which pose an ongoing or continuing threat to the community. While complainants are encouraged to report crimes to the police, they may instead elect to seek counseling services and may be assisted by these services or by other campus resources.

**Dean of Students Office**

Student Center – 2<sup>nd</sup> floor Hawley Lounge - 203-371-7916

The Dean of Students works closely with the Title IX Coordinator and Public Safety regarding incidents of sexual misconduct; they will assist in providing support to student complainants; and work towards maintaining a balance between addressing the needs of the complainant and the needs of the campus community.

**Office of Residential Life**

*Roncalli Hall – 1<sup>st</sup> floor - 203-416-3417*

Office of Residential Life staff members work closely with the Title IX Coordinator and are knowledgeable about campus and local services and can help sexual assault/misconduct complainants get assistance and provide support to residents impacted by the sexual assault/misconduct.

**Office of English as a Second Language**

*Academic Building, HC 120 – 203-365-7518*

The mission of the Sacred Heart English Language Institute is to provide excellent instruction in English as a Second Language (ESL) and orientation in US culture to all students who are non-native speakers of English, to help them achieve their personal, academic and professional goals, while recognizing and addressing the students' individualized educational need and cultural backgrounds. Issues may arise with concerns relating to Title IX and sexual misconduct. The ESL office will work closely with the Title IX Coordinator to address these concerns.

***Off Campus*****St. Vincent's Hospital**

*2800 Main Street, Bridgeport, CT - 203-576-6000*

**Bridgeport Hospital**

*267 Grant Street, Bridgeport, CT - 203-384-3000*

**Bridgeport Police Department**

*300 Congress Street, Bridgeport, CT 06604 - 203-576-7671*

**Fairfield Police Department**

*100 Reef Road, Fairfield, CT 06824 - 203-254-4800 –  
Report a crime: Detective Kerry Dalling – 203-254-4840*

**Trumbull Police Department**

*158 Edison Road, Trumbull, CT 06611 - 203-261-3665*

**Hotline Information and Resources:**

**Sexual Assault Crisis Hotline: - All services are free and confidential**

**1-888-9995545 – English**

**1-888-568-8332 – Español**

**Rape, Abuse & Incest National Network (RAINN)**

*800-656-HOPE(4673)*

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

Reaching out for help is often the first step toward healing. RAINN provides support for sexual assault victims and their loved ones through hotlines and online. Whether you are more comfortable on the telephone or online, RAINN has services that can guide you in your recovery. For hotline information, [online.rainn.org](http://online.rainn.org).

**National Sexual Assault Hotline**

*1-800-656-HOPE(4673)*

**National Sexual Violence Resource Center**

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

NSVRC believes that everyone should have access to information that will allow them to build programs and policies to end sexual violence and serve those who have been impacted. NSVRC acts as a communication hub connecting people with the information, resources, tools, and expertise needed to effectively address and prevent sexual violence in all communities. We are committed to ensuring access to quality resources for all children, teens, young adults, and people in later life. NSVRC uses traditional and emerging forms of communication to create communities of support for preventing sexual violence.

**Domestic Violence Hotline**

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

*Local: 203-384-9559*

*CT: 1-800-774-2900*

*National: 1-800-799-SAFE(7233)*

**V.E.D.A.S. Hotline (Español)**

***National: 1-888-568-8332***

**Survivors of Incest Anonymous**

[www.siaawso.org](http://www.siaawso.org) - 12-step recovery program

**LoveisRespect**

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

At LoveisRespect, they work to inspire and support young people to build healthy relationships. Dating violence affects millions of people every year, but people are still afraid to talk about it.

**Not Alone |**

[www.notalone.gov](http://www.notalone.gov)

Not Alone, the White House's official website on campus safety, provides tons of information, from finding a crisis service, to explaining your rights, to learning how to file a complaint at your school.

**National & Statewide Resources****CT Coalition Against Domestic Violence (CCADV)**

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

*888.774.2900 English hotline*

*844.831.9200 Español hotline*

**Connecticut Alliance to End Sexual Violence (formerly known as CONNSACS)**

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

*888.999.5545 English hotline*

*888-568-8332 Español hotline*

**GLBTQ Domestic Violence Project**

800-832-1901 hotline

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

**Stalking Resource Center**

202-467-8700 office

[www.ncvc.org/src](http://www.ncvc.org/src)

**National Suicide Prevention Lifeline**

800-273-8255 English hotline

888-628-9454 Español hotline

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

**Statewide Legal Services of CT, INC.**

800-453-3320 Toll-free

<http://slsct.org/volunteer>

**National Center for Victims of Crime**

202-467-8716 Referral hotline [www.victimsofcrime.org/](http://www.victimsofcrime.org/)

**University wide – Educational Programming and Training**

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, the University utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming. It is the policy of the University to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student's first semester.

These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including bystander intervention, and the interactions of sexual assault and substance use), and discuss institutional policies on sexual misconduct as well as Connecticut definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention based apps, identifying allies and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches. The following programs/trainings are planned and presented by the Title IX Coordinator, The Center for Family Justice in conjunction with a number of offices and organizations at Sacred Heart University:

**Culture of Respect Team** – In an ongoing effort to provide a safe and supportive learning environment, the University has created a Culture of Respect Team. This team consists of a network of stakeholders throughout the University and surrounding communities which conduct ongoing prevention and educational campaigns on issues related to sexual misconduct, as well as ensure an appropriate and

coordinated response to complainants of sexual assault, intimate partner violence, or stalking. The group meets bi-weekly throughout the semester to plan and organized educational programs and events. The team is divided into six different sub-teams that involve the following areas: Marketing & Communications, Policy Development and Review, Research and Assessment, Prevention, Education & Training, Survivor Advocacy, and Academic & Community Leadership and Engagement. These members of the SHU community include representatives from the following campus and local resources: Athletics, Center for Family Justice, Counseling and Health services, Dean of Students Office, Public Safety, Office of Residential Life, Student Conduct and Community Standards office, Faculty, S.W.E.E.T. Peer Educators, Student Representatives from Athletics, Student Government, Residential Life, Greek Life, and the community at large.

### **CofRespect TEAM – Sub-Committees**

- **Marketing & Communications ( Core Blueprint = Public Disclosure)**
  - Public disclosure/transparency
  - Website, newsletter, brochures - pamphlets
  - Create logo and campaign slogans
  - Educational Outreach
  - SharePoint site created for the CofR – need to review and edit/add members
- **Prevention Education & Training ( Core Blueprint = Education)**
  - Research training/education programs for faculty/staff/students
  - Implement and require trainings/educational programs -sessions
- **Positive Survivor Advocacy (Core Blueprint = Support)**
  - Reporting Options
  - Resources on and off campus
  - Advocate Assistance
- **Academic & Community Leadership and Engagement ( Core Blueprint = Activist Organizations)**
  - Form partnerships between committee and campus organizations/leaders that can aid in creating a culture of respect
  - Create plan(s) for how the organizations/leaders will specifically help with goals
  - Work with campus partners to help train and educate members of the campus
  - Schedule periodic meetings with partners to discuss updates and action plans
- **Policy Development & Review and Compliance ( Core Blueprint = Adjudication)**
  - Review, update and strengthen current policies
  - Review current conduct process/adjudication procedures and sanctions
  - Identify areas of improvement
  - Ensure Compliance with regulations – VAWA, Campus SAVE, Clery Act
- **Research & Assessment ( Core Blueprint = Assessment)**
  - Campus Climate Survey
  - Research other schools for best practices and resources

- Current knowledge/awareness on campus
- Current events in Title IX
- Action plan for improvement

### **Title IX Website Information and Resources:**

#### **WHO TO CONTACT:**

Leonora Campbell

*Title IX Coordinator*

The University's Title IX Coordinator oversees all aspects of compliance, investigations, and resolution of complaints regarding Title IX.

Any student, faculty, or staff member with a concern or question about Title IX and/or a potential violation may contact the Title IX Coordinator, Mrs. Leonora P. Campbell.

You should contact Leonora Campbell if think you may have experienced or witnessed any of the following, but not limited to:

- Sexual harassment
- Sexual assault
- Sexual misconduct
- Stalking
- Intimate partner and relationship violence
- Intimidation or harassment, including bullying or cyber-bullying

It is the responsibility of the every Pioneer in the Sacred Heart community to comply with the laws and regulations of Title IX, in order to ensure we have a safe environment conducive to learning and student success.

#### **FAQ's**

Below is a list of frequently asked questions concerning gender-based discrimination and sexual misconduct. Understand that this list is intended to be used as a resource for students and other members of the University community, but is not all encompassing. For specific questions and concerns regarding gender-based discrimination and sexual misconduct, individuals are instructed to contact the University's Title IX Coordinator, Leonora P. Campbell at 203-396-8386 or via email at [campbelll@sacredheart.edu](mailto:campbelll@sacredheart.edu).

#### **Does information about a complaint remain private?**

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with the University's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused individual may lead to action taken by the University.



In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. Certain University administrators are informed of the outcome within the bounds of student privacy. The institution also must statistically report the occurrence of major violent crimes on campus, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

#### Will my parents be told?

Sacred Heart reserves the right to communicate with a parent or guardian of the accused student on any student conduct action taken by the University, in accordance with the Family Educational Rights and Privacy Act (FERPA).

#### Will the accused person know my identity?

Yes, if you choose to have the University move through formal hearing procedures against the accused. Sexual misconduct is a serious offense and the accused individual has the right to know the identity of the complainant/alleged victim. If there is a hearing, the University does provide options for participation without confrontation, including Skype, using a room divider or using separate hearing rooms.

#### Do I have to name the perpetrator?

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint, however victims should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively.

#### What do I do if I am accused of sexual misconduct?

Do not contact the alleged victim. You may immediately want to contact someone in the campus community who can act as your advisor. You may also contact the deputy Title IX coordinator, who can explain the University's procedures for addressing sexual misconduct complaints. You may also want to talk to a confidential counselor at the counseling center or seek other community assistance.

#### Will I have to pay for counseling or medical care?

Counseling services and most student health services are free of charge for students. If an individual is accessing community and non-institutional services, payment for these will be subject to state/local laws, insurance requirements, etc.

#### What about legal advice?

Victims of criminal sexual assault need not retain a private attorney to pursue prosecution because representation will be handled by the State's Attorney's [prosecutor's] office. You may

want to retain an attorney if you are the accused individual or are considering filing a criminal or civil action. The accused individual may retain counsel at their own expense if they determine that they need legal advice about criminal or civil action. Attorneys are not permitted in the University's student conduct proceedings.

### What about changing residence hall rooms?

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typically institutional policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused individual to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal or informal University complaint. No contact orders can be imposed and room changes for the accused individual can usually be arranged quickly.

### What other accommodations are available to me?

Other accommodations available to you might include:

- Assistance from University support staff in completing a room relocation;
- Assistance with or rescheduling an academic assignment (paper, exams, etc.);
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Assistance with alternative course completion options;
- Other accommodations for safety as necessary.

For more information on accommodations and resources, contact Leonora P. Campbell, Title IX Coordinator, at 203-396-8386.

### What should I do about preserving evidence of sexual assault?

Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours, though evidence can often be obtained from towels, sheets, clothes, etc. for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Hospital Emergency Room, before washing yourself or your clothing. The Sexual Assault Nurse Examiner (a specially trained nurse) at the hospital is usually on call 24 hours a day, 7 days a week (call the Emergency Room if you first want to speak to the nurse; ER will refer you). A victim advocate from the community can also accompany you to the hospital and law enforcement or Public Safety can provide transportation. If a victim goes to the hospital, local police will be called, but s/he is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

For the victim: the hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have

changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam, if you want. Do not disturb the crime scene-leave all sheets, towels, etc. that may bear evidence for the police to collect.

Will a complainant be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?

No. The severity of the infraction will determine the nature of the University's response, but whenever possible the University will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and the University does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

Will the use of drugs or alcohol affect the outcome of a sexual misconduct conduct complaint?

The use of alcohol and/or drugs by either party will not diminish the accused individuals responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the complainant does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the accused without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation by an accused individual.

Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

What should I do if I am uncertain about what happened?

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the Title IX coordinator or deputy coordinator.

What else is considered misconduct under this policy?

Examples of other forms of misconduct covered by the University's Title IX Gender-Based Discrimination and Sexual Misconduct policy include:

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;

2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining or any other group-affiliation activity;
5. Harassment, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment).
6. Violence between those in an intimate relationship to each other;
7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

## **SANCTIONS**

### Sanctions for Gender-Based Discrimination

The following are possible sanctions for incidents reviewed under this policy:

- Students found responsible for violating this policy in regards to non-consensual sexual contact or intimate partner violence will likely receive a sanction ranging from probation to expulsion, depending upon the severity of the incident and any previous violations of the Code of Student Conduct.
- Students found responsible for violating this policy in regards to non-consensual or forced sexual intercourse will likely receive a sanction of suspension, dismissal, or expulsion.
- Students found responsible for violating this policy in regards to sexual harassment, sexual exploitation, or other gender-based discrimination will likely receive a sanction ranging from an official reprimand to expulsion, depending upon the severity of the incident and any previous violations of the Student Code of Conduct.
- The committee will sanction students found responsible for violations of the Code of Student Conduct not related to this policy in accordance with sanctions used in the student conduct process.

Sacred Heart University reserves the right to increase or decrease the recommended sanction guidelines listed above in the case of significant mitigating or aggravating factors. Neither the investigator nor the appeal officer will deviate from the guidelines listed above unless significant mitigating or aggravating factors exist. The committee also reserves the rights to include additional sanctions, educational or otherwise, in accordance with the general student conduct process. All sanctions are subject to review and approval by the University's Title IX Coordinator.

For additional information individuals are encouraged to review the full [Sexual Misconduct Policy/Gender-based Discrimination](#).

## **SUBMIT A COMPLAINT**

### **Sexual Misconduct and Gender-based Discrimination**

Persons looking to submit a complaint of gender-based discrimination, including sexual misconduct of any kind, [may do so online](#) to the University's Title IX Coordinator.

Questions regarding the submission of a complaint can be directed to Leonora Campbell via phone at **203-396-8386** or email to [campbelll@sacredheart.edu](mailto:campbelll@sacredheart.edu).

Sacred Heart University is firmly committed to maintaining a learning, living, and working environment for the University community free of sexual misconduct. The Sexual Misconduct Policy describes the University's policy toward sexual misconduct of any kind including sexual assault, sexual harassment, dating/relationship violence (intimate partner), domestic violence, stalking, and zero tolerance towards any sexual violence. It also provides guidance for those who have been involved in an incident of sexual misconduct, outlines the University's disciplinary response to alleged incidents, and identifies campus and community resources within the University responsible for managing the policy and programs associated with it. Sacred Heart University's policy is intended to comply with relevant state and federal statutes and it applies to faculty, staff and students. Members of the University community may find the entire Sexual Misconduct Policy and grievance procedures in the [University Student Handbook](#). Students who are seeking information about reporting options and various resources can find a comprehensive guide in the [SHU Sexual Misconduct Student Resources & Referral Options](#). Additionally, the University encourages those with questions/concerns about filing a report to reach out the University's Title IX Coordinator, Leonora P. Campbell, whose contact information is listed below:

#### **Leonora P. Campbell**

Tel: 203-396-8386

[campbelll@sacredheart.edu](mailto:campbelll@sacredheart.edu)

#### **Title IX & Sexual Misconduct Guide for Faculty/Staff**

#### **Public Safety**

The Office of Student Conduct & Community Standards works very closely with the [Office of Public Safety](#). As a means for students and members of the University community to become more familiar and see the Office of Public Safety as a resource, please read the mission of the office and click on the link for additional resources and information.

The Department of Public Safety is entrusted with fostering and maintaining a safe and secure environment for the University community to pursue their academic, professional and personal ambitions. Dedicated to supporting the educational mission of the University, we value experiential learning and emphasize conflict resolution in all our interactions with students. Committed to serving with professional excellence, we strive to be approachable, reliable and truly service-oriented in the performance of our duties. The department maintains strong, professional relationships with municipal police, fire and health responders to ensure continuous collaboration on emergency planning efforts and familiarity with our campus in the event of an emergency.

## Silent Witness Program

The [Silent Witness Program](#) is a computer portal on the [Public Safety](#) website which provides a campus wide communication method for anyone to provide “anonymous information” by reporting matters of improper conduct, behavioral anti-social acts and general safety or security concerns. You may also report a concern regarding a possible missing student. The web-based portal will serve to help prevent violence on campus by addressing the needs of persons who may be at risk of harming themselves or others. We all know that university communities are not immune to acts of tragedy and violence. However, in many cases members of campus communities later realized that observations had gone unreported. Our goal is to provide the method for observations to be reported, investigated and assistance given to help prevent violence on campus.

The Silent Witness Program is established to bring information of concern to the attention of University officials for analysis, which serves to heighten “situational awareness” and our ability to gain knowledge in a timely manner regarding security or safety matters that could impact our campus community.

### **DEFINITIONS**

For purposes of this policy, the following terms have the definitions provided below. Please note that some of these terms may also be used in other contexts.

#### Complainant

This is an individual who reportedly experienced sexual misconduct, regardless of whether that individual participates in the disclosure or review of that report by the University at any point.

#### Consent

Sexual activity requires consent, which is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of a “no”; a clear “yes,” verbal or otherwise, is necessary. Lack of protest does not imply consent. Consent to some sexual acts does not imply consent to others, nor does past consent to a given act imply present, continued or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Consent cannot be obtained by physical force, threats, intimidation, or coercion. Agreement under such circumstances does not constitute consent. Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. If at any time during a sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue. Engaging in sexual activity with a person whom you know – or reasonably should know – to be incapacitated constitutes sexual misconduct. Guidance regarding Sexual Consent: Consent can only be accurately gauged through direct communication about the decision to engage in sexual activity. Presumptions based upon factors (such as but not limited to: clothing, alcohol consumption, or inappropriate bodily gestures) are unwarranted, and should not be considered as evidence for consent. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent, and you are thus urged to seek consent in verbal form. Talking with sexual

partners about desires and limits may seem awkward, but serves as the basis for positive sexual experiences shaped by mutual respect and willingness.

### Incapacitation

This term is defined as lacking the physical and/or mental ability to make informed and rational decisions or judgments. This term includes, but is not limited, to the following: persons, who are intoxicated, passed out, or asleep. Use of alcohol or drugs shall not diminish one's responsibility to obtain consent and does not excuse conduct that constitutes sexual misconduct under this policy.

### Investigator

This is an appropriately trained individual who may be a University employee, who reviews and investigates reports of sexual misconduct under this policy.

### Reporter

This is an individual who reports to the University a concern regarding a possible sexual misconduct. The Reporter need not be a Complainant. Without a statement from the actual Complainant, an investigation may be limited in its scope. Respondent A university student or participant in a University program, who is reported to have allegedly engaged in some form of sexual misconduct and/or has been charged with a violation of the sexual misconduct policy.

### Sexual Misconduct

Umbrella term used to encompass unwanted or unwelcome conduct of a Sexual nature that is committed without valid consent, including sexual misconduct and sexual harassment. Sexual misconduct may occur between people of the same sex or between people of different sexes. Sexual misconduct can include both intentional conduct and conduct that result in negative effects, even if those negative effects were unintended. Sexual misconduct can also include retaliation in connection with a Complainant's or Reporter's allegations under this policy.

### Sexual Assault

Is defined as any type of sexual contact or behavior that occurs without explicit consent. Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, unwanted or unwelcome touching of a sexual nature, including hugging, kissing, fondling, oral sex, anal or vaginal intercourse, or other physical sexual activity that occurs without valid consent. Some examples of sexual assault, but are not limited to:

- Someone had sex/inappropriate sexual contact with you while you were incapacitated from alcohol or drugs. You may have been asleep, passed out, too intoxicated to know what was happening, or have the ability to stop their actions.
- You agreed through words or actions to do one thing, but were forced to do more.
- You were kissing someone, and the physical intimacy escalated. You said no, but the other person continued. You did not willingly participate. The other person had sex with you anyway.
- An individual forced you to have sex when you did not want to.

- An individual refused to use a condom even though clearly communicated to use one.

## Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature if: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, living environment, employment, or participation in a University-related activity or University Program; (2) submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's education, living environment, employment, or participation in a University-related activity; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's education, living environment, employment, or participation in a University-related activity. Examples may include, but are not limited to, the following: unwanted sexual statements; unwanted personal attention including stalking and cyber-stalking; unwanted physical or sexual advances that would constitute sexual assault, as defined in this policy; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without the knowledge and consent of all parties involved; touching oneself sexually for others to view; and voyeurism (spying on others who are in intimate or sexual situations). Some examples of sexual harassment may include, but are not limited to:

- Unwelcome jokes, comments, erotic material, language, flirtation, advances or propositions that are frequent and may occur within the classroom, workplace, residence/ room and on/off campus.
- An individual won't stop calling, texting, following you or showing up at your residence/room, place of work, or any location on/off campus, even after you have asked them to stop.
- Your Professor, Supervisor or an individual of authority makes frequent sexual jokes, comments, stares at you, inappropriate touching or insinuates that you will receive a better grade or other reward if you develop a special relationship.
- An individual/neighbor in your residence/room places sexually graphic material and/or verbiage on your door/personal residence and/or personal property.

## Domestic Violence

Includes violent offenses committed by the complainant's current or former spouse or significant other, current or former roommate/cohabitant, person similarly situated or protected under domestic or family violence law.

## Dating/Relationship Violence

This term is defined as the use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse used to control a partner in an intimate relationship constitute intimate partner violence. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Intimate partner violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short or long-term relationships (current or former) between persons intended to provide some emotional/romantic and/or physical intimacy.



## Stalking

This term is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for her or his safety, for the safety of a third person, or to feel extreme emotional distress, bodily injury or death. Stalking behaviors include, but are not limited to: non-consensual communication by any means, collecting information by any means, use of surveillance in person or via electronic means (telephone, mail, email, text, social networking or any other like method), collecting information about a person's routine, friends, family, or coworkers, uninvited visits to a residence, workplace, classroom, worship location, or other locations where an individual is commonly found.

1. "Course of conduct" means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property.
2. "Emotional distress" means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
3. "Reasonable person" means a reasonable person in the victim's circumstances.

## Support Person

An individual chosen by a Complainant, Respondent or Reporter, to provide support during the review of a report and/or during the hearing process of possible sexual misconduct. The person(s) chosen may not already be directly involved in the investigative process (for example, a witness, or Reporter) and may not speak on behalf of the person they are supporting, but instead may be present only to assist or advise the individual they are supporting, in a non-advocacy role.

## Title IX

Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106) (as amended) is a federal law that prohibits sex-based discrimination, including sexual harassment and sexual misconduct, in education programs that receive federal financial assistance.

## **ATHLETICS**

### **Increasing Women's Presence in Athletics**

Title IX has helped girls and women participate in interscholastic and intercollegiate athletics in far greater numbers than they had in the past. When Title IX became law, dramatic change was needed to level the playing fields of this nation's schools and to change the perception of the place of girls and women on them. Just one year before the enactment of Title IX, in 1971, a Connecticut judge was allowed by law to disallow girls from competing on a boys' high school cross country team even though there was no girls' team at the school. And that same year, fewer than 300,000 high school girls played interscholastic sports. Today, that number is 2.4 million.

Girls and women also are increasingly participants in sports that have traditionally been seen as out of bounds for women, including lacrosse, wrestling, soccer, rugby and ice hockey. In one sport that is more and more a favorite for young girls-- soccer--the results have led to a World Cup championship. In 1996, the U.S. national soccer team captured the first-ever women's Olympic medal in this sport before a crowd of 76,481, and in doing so established its position as the world's premier women's soccer program.

Before the passage of Title IX, athletic scholarships for college women were rare, no matter how great their talent. After winning two gold medals in the 1964 Olympics, swimmer Donna de Varona could not obtain a college swimming scholarship: for women, they did not exist. It took time and effort to improve the opportunities for young women: two years after Title IX was voted into law, an estimated 50,000 men were attending U.S. colleges and universities on athletic scholarships--and fewer than 50 women. In 1973, the University of Miami (Florida) awarded the first athletic scholarships to women--a total of 15 in golf, swimming, diving, and tennis. Today, college women receive about one-third of all athletic scholarship dollars.

Here it is important to recognize that there is no mandate under Title IX that requires a college to eliminate men's teams to achieve compliance. The thought that "if women are to gain opportunities, then men must lose opportunities," presents a false dichotomy. As with other educational aspects of Title IX, and according to the expressed will of Congress, the regulation is intended to expand opportunities for both men and women.

Source: <http://www2.ed.gov/pubs/TitleIX/part5.html>

## **CONFIDENTIALITY**

Sacred Heart University cannot promise complete confidentiality. Each situation is handled as discreetly as possible. SHU will treat all individuals with respect, and maintain confidentiality to the extent that the state and federal law permits.

Under Title IX, whether an individual is obligated to report incidents of alleged sexual violence generally depends on whether the individual is a responsible employee of the school. A responsible employee must report incidents of sexual violence to the Title IX coordinator or other appropriate school designee, subject to the exemption for school counseling employees. SHU is obligated to address sexual violence that a responsible employee knew or should have known about. However, addressing the concern does not mean that the University will push for formal disciplinary hearing proceedings against his/her will. The University may deem it necessary to move forward in formal disciplinary proceedings if it determines there is an ongoing threat to the campus community.

The responsible employee will make every effort to ensure that the student understands: (i) the employee's obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Title IX coordinator or other appropriate school officials, (ii) the student's option to request that the school maintain his or her confidentiality, which the school will consider, and (iii) the **student's ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual assault related services.** (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers). Please note, however, that if someone

presents a danger to themselves or others, medical/health professionals may break confidentiality to ensure safety.

Source: <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf> - OCR Question & Answer

### **Myths and Facts about Sexual Misconduct and Title IX**

Myth: Victims provoke sexual assaults when they dress provocatively or act in a promiscuous manner.

**Fact:** Rape and sexual assault are crimes of violence and control that stem from a person's determination to exercise power over another. Neither provocative dress nor promiscuous behaviors are invitations for unwanted sexual activity. Forcing someone to engage in non-consensual sexual activity is sexual assault, regardless of the way that person dresses or acts.

Myth: If a person goes to someone's room or house or goes to a bar, s/he assumes the risk of sexual assault. If something happens later, s/he can't claim that s/he was raped or sexually assaulted because s/he should have known not to go to those places.

**Fact:** This "assumption of risk" wrongfully places the responsibility of the offender's action with the victim. Even if a person went voluntarily to someone's home or room and consented to engage in some sexual activity, it does not serve as blanket consent for **all** sexual activity. When in doubt if the person is comfortable with an elevated level of sexual activity, stop and ask. When someone says "no" or "stop," that means "STOP!" Sexual activity forced upon another without valid consent is sexual assault.

Myth: It is not sexual assault if it happens after drinking or taking drugs.

**Fact:** Being under the influence of alcohol or drugs is not an invitation for sexual activity. A person under the influence does not cause others to assault her/him; others choose to take advantage of the situation and sexually assault her/him because s/he is in a vulnerable position. **A person who is incapacitated due to the influence of alcohol or drugs is not able to consent to sexual activity.**

Myth: Most sexual assaults are committed by strangers. It's not rape if the people involved know each other.

**Fact:** Most sexual assaults and rape are committed by someone the victim knows. A study of sexual victimization of college women showed that about 90% of victims knew the person who sexually victimized them. Most often, a boyfriend, ex-boyfriend, classmate, friend, acquaintance or co-worker sexually victimized the person. It is important to remember that sexual assault can occur in both heterosexual and same-gender relationships.

Myth: Rape can be avoided if women avoid dark alleys or other "dangerous" places where strangers might be hiding or lurking.

**Fact:** Rape and sexual assault can occur at any time, in many places, to anyone.

Myth: A person who has really been sexually assaulted will be hysterical

**Fact:** Victims of sexual violence exhibit a spectrum of responses to the assault which can include: calm, hysteria, withdrawal, anxiety, anger, apathy, denial and shock. Being sexually assaulted is a very traumatic experience. Reaction to the assault and the length of time needed to process through the experience vary with each person. There is no “right way” to react to being sexually assaulted. Assumptions about the way a victim “should act” may be detrimental to the victim because each victim copes in different ways.

Myth: All sexual assault victims will report the crime immediately to the police. If they do not report it or delay in reporting it, then they must have changed their minds after it happened, wanted revenge or didn't want to look like they were sexually active.

**Fact:** There are many reasons why a sexual assault victim may not report the assault to the police or campus officials. It is not easy to talk about being sexually assaulted and can feel very shameful. The experience of retelling what happened may cause the person to relive the trauma. Another reason for delaying a report or not making a report is the fear of retaliation by the offender. There is also the fear of being blamed, not being believed and being required to go through judicial proceedings. Just because a person does not report the sexual assault does not mean it did not happen.

Myth: Only young, pretty women are assaulted

**Fact:** The belief that only young, pretty women are sexually assaulted stems from the myth that sexual assault is based on sex and physical attraction. Sexual assault is a crime of power and control. Offenders often choose people whom they perceive as most vulnerable to attack or over whom they believe they can assert power. Men and boys are also sexually assaulted, as well as persons with disabilities. Assumptions about the “typical” victim might lead others not to report the assault because they do not fit the stereotypical victim.

Myth: It's only rape if the victim puts up a fight and resists

**Fact:** Many states do not require the victim to resist in order to charge the offender with rape or sexual assault. Those who do not resist may feel if they do so, they will anger their attacker, resulting in more severe injury. Many assault experts say that victims should trust their instincts and intuition and do what they believe will most likely keep them alive. Not fighting or resisting an attack does not equal consent.

Myth: Someone can only be sexually assaulted if a weapon was involved.

**Fact:** In many cases of sexual assault, a weapon is not involved. The offender often uses physical strength, physical violence, intimidation, threats or a combination of these tactics to overpower the victim. Although the presence of a weapon while committing the assault may result in a higher penalty or criminal charge, the absence of a weapon does not mean that the offender cannot be held criminally responsible for a sexual assault.

Source: <http://www.csulb.edu/depts/oed/policies/title-ix-notice.html>

## **NotAnymore program – 2015 Bystander Intervention**

All incoming freshmen and transfer students are required to view and complete 1.5 video on sexual misconduct, stalking, domestic violence education and bystander intervention. We also administered to the graduate – both full-time and part-time students.

## **#sexatSHU Series – with Colloquia's and Wellness & Counseling**

**October, 2015 #sexatSHU: It doesn't happen here: How do we talk about sex at a Catholic Institution?** Panel discussion moderated by professors and staff from Counseling center and s.w.e.t. peer education program.

**October, 2015 #sexatSHU: Everything you always wanted to know about sex but were afraid to ask.** An evening for students that will provide practical information on sexual wellness and making proactive and healthy choices.

## **Prevention Education and Training Committee:**

**The Balancing Victims' Rights & Institutional Responsibility When Responding to Victims of Sexual Violence on Campus - Trauma-Informed Training for Public Safety Officers and other members of the University Community.**

This training is designed to assist Connecticut colleges and universities in meeting the needs of victims of sexual violence on their campuses. The training provides information about the prevalence of sexual violence on college campuses, the unique culture of college campuses, and how to address the confidentiality concerns of victims on campus. The training addresses strategies for how institutions can balance institutional obligations and victims' rights, including the importance of having policies in place for coordinated responses to trauma and incidences of sexual violence which include both campus and community-based services.

**The Center for Family Justice** – established a college consortium of the local schools – Sacred Heart University, Fairfield University, University of Bridgeport, Housatonic Community College and St. Vincent's College.

**Title IX Coalition in CT** – Coalition of all the Colleges and Universities in Connecticut who work within Title IX and/or Sexual Misconduct.

- ♦ Resident Success Assistant and Residence Hall Directors – Staff Training and Development
- ♦ Sexual Misconduct Policy, Introduction, Training and awareness.
- ♦ SWEET Peer Educators – programs on bystander and all types of awareness
- ♦ Take Back the Night Event
- ♦ Bystander Intervention Training – Step Up

- ♦ It's on US national Campaign
- ♦ Film Screening of the Hunting Ground
- ♦ Sexual Misconduct Prevention Training classes – 24 classes with 1,200 attendees
- ♦ Faculty & Staff trainings and educational information
- ♦ Residence Life/Hall & Classroom Presentations
- ♦ Counseling Department Trainings
- ♦ Greek Life Presentations
- ♦ Athletic Team presentations and awareness programs
- ♦ Sexual Assault Awareness Month – Tables
- ♦ SHU SAFETY AWAREness information tables
- ♦ Delta Tau Delta White Ribbon Campaign
- ♦ Walk a Mile in her shoes – Center for Family Justice
- ♦ Support Groups through the Counseling Center
- ♦ Various Legal Issues Panels through our Colloquia Series of Programs
- ♦ Maxient Database -purchased and implemented and the database program for Title IX Cases and sexual misconduct cases.
- ♦

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, Sacred Heart University takes the matter very seriously. The University employs interim protection measures such as no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern or predation. If a student is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, s/he is subject to action in accordance with the Sexual Misconduct Policy in the student handbook.

A student wishing to officially report such an incident may do so by contacting the Title IX Coordinator, Leonora P. Campbell at [campbelll@sacredheart.edu](mailto:campbelll@sacredheart.edu) or 203-396-8386. Anyone with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence is encouraged to report it immediately.

### **Violence Against Women Act**

The Violence against Women Act (VAWA) is a federal law enacted in 1994 to improve the criminal justice and community-based responses to domestic violence, dating violence, sexual assault, and stalking. The reauthorization of VAWA (2000, 2005, and 2013), along with the Campus Safe Act and the Jeanne Clery Act, have worked together to improve the safety of college campuses and enhance the outlook for abuse victims.

Sacred Heart University is committed to maintaining a safe and secure work and academic environment, free of any form of sexual misconduct, including domestic violence, dating violence, sexual assault, stalking, and sexual harassment. A violation of the Violence against Women Act shall constitute grounds for disciplinary action, up to and including dismissal from the University.

# **Sacred Heart University Policy on Sexual Misconduct**

## **I. Introduction**

Sacred Heart University is firmly committed to maintaining a learning, living, and working environment for the University community free of sexual misconduct. The Sexual Misconduct policy describes the University's policy toward Sexual Misconduct and zero tolerance policy towards sexual violence. It also provides guidance for those who have been involved in an incident of sexual misconduct, outlines the University's disciplinary response to alleged incidents of sexual misconduct, and identifies the relevant organizations within the University responsible for managing the policy and programs associated with it. Sacred Heart University's policy is intended to comply with relevant state and federal statutes and it applies to faculty, staff and students.

## **Policy Statement**

Sacred Heart University is committed to an environment that promotes a spirit of responsibility, dignity, and respect in matters of sexual misconduct. All students and employees are entitled to pursue their work and education free of sexual misconduct or sexual violence in any form, including assault, acquaintance or date rape. When sexual misconduct or sexual violence occurs at Sacred Heart University, the standards of the University, as well as the criminal laws of the state of Connecticut, are violated. Sacred Heart University is dedicated to preventing sexual misconduct by providing information and resources to the Sacred Heart University community about the risks and myths that contribute to sexual misconduct; providing assistance, support and procedures to a person who has experienced or been involved in an incident of sexual misconduct; and by providing a process for investigation and adjudication that includes appropriate disciplinary sanctions for those who commit sexual misconduct violations.

All complaints or reports of Sexual Misconduct will be investigated. Sexual misconduct committed by students, whether on or off campus, is prohibited and will not be tolerated. This applies to academic, educational, co-curricular, athletic, study abroad, residential and off-campus conduct, and other University programs. Sacred Heart University urges individuals who have been involved in an incident of sexual misconduct, to pursue criminal charges against the person or persons they believe to have committed the sexual misconduct. A person who has experienced a sexual misconduct involving a member of the campus community is also urged to make a complaint to the University. A criminal charge and an internal complaint may be pursued at the same time. Retaliation against an individual who brings a complaint, participates in an investigation or pursues legal action is prohibited, will not be tolerated and will result in disciplinary action.

Students, faculty members, and staff members should understand that consensual sexual relationships, particularly those between individuals of unequal status, may be or become a violation of this policy. Anyone who engages in a sexual relationship with a person over whom the individual has any degree of formal power or authority must understand that the validity of the consent involved can and may be questioned. The University does not condone sexual relationships between staff or faculty members and students, and between supervisors and their employees.

Members of the University community are encouraged to contribute to the prevention of, intervention in, and effective response to student sexual misconduct. All members of the community may play a role in building a safe and just educational environment.

The University is committed to:

- Educating students about the implications and consequences of their behavior.
- Providing proper support and resources to aid any students harmed by sexual misconduct
- Encouraging students to take responsibility for their behavior
- Providing a process for investigation and adjudication that includes appropriate disciplinary sanctions.
- Modeling healthy and respectful behavior in personal and professional relationships;
- Increasing personal awareness of what constitutes sexual misconduct;
- Speaking out against behavior that encourages sexual misconduct or discourages reporting;
- Developing the necessary skills to be an effective and supportive ally to survivors of sexual misconduct;
- Intervening in situations that can lead to sexual misconduct and related misbehavior; and
- Interrupting an incident of sexual misconduct if it is safe to do so.

The University has created or identified resources, both across campus and in the larger community, to reduce, eliminate, and address the effects of sexual misconduct involving students. Many programs or units serve to ensure a safe campus, educate about and prevent sexual misconduct, assist and advocate for survivors of sexual misconduct, and ensure a fair process when sexual misconduct is reported.

The University creates, supports, and evaluates education and support programs aimed at the eradication of sexual misconduct involving members of the Sacred Heart University student community. To support these programs the Title IX Coordinator will coordinate sexual misconduct education and prevention programs. As necessary and appropriate, funds will be allocated to this program each year to advance the goals of this policy and educate the University community.

The Title IX Coordinator in conjunction with the Dean of Students shall provide a yearly orientation for new students and shall make known to all students:

- The existence of the sexual misconduct policy and the University's commitment to enforce it.
- The process and responsibility of reporting sexual misconduct offenses to the Title IX Coordinator, Deputy Title IX Coordinators, Public Safety Office and the Dean of Students On-going wellness promotion programs that address issues including, but not limited to, sexual health and wellness, drug and alcohol education in collaboration with the University Counseling Center.
- Through Bystander awareness programs, students will become knowledgeable and supportive of efforts to identify and prevent incidents of sexual misconduct.

## **II. Definitions**

For purposes of this policy, the following terms have the definitions provided below. Please note that some of these terms may also be used in other contexts.

**Complainant** - An individual who reportedly experienced sexual misconduct, regardless of whether that individual participates in the disclosure or review of that report by the University at any point.

**Consent** - Sexual activity requires consent, which is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of a “no”; a clear “yes,” verbal or otherwise, is necessary. Lack of protest does not imply consent. Consent to some sexual acts does not imply consent to others, nor does past



consent to a given act imply present, continued or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time.

Consent cannot be obtained by physical force, threats, intimidation, or coercion. Agreement under such circumstances does not constitute consent.

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. If at any time during a sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify the other's willingness to continue. Engaging in sexual activity with a person whom you know – or reasonably should know – to be incapacitated constitutes sexual misconduct.

**Guidance regarding Sexual Consent** - Consent can only be accurately gauged through direct communication about the decision to engage in sexual activity. Presumptions based upon factors (such as but not limited to: clothing, alcohol consumption, or inappropriate bodily gestures) are unwarranted, and should not be considered as evidence for consent. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent, and you are thus urged to seek consent in verbal form. Talking with sexual partners about desires and limits may seem awkward, but serves as the basis for positive sexual experiences shaped by mutual respect and willingness.

**Incapacitation** - This term is defined as lacking the physical and/or mental ability to make informed and rational decisions or judgments. This term includes, but is not limited, to the following: persons, who are intoxicated, passed out, or asleep. Use of alcohol or drugs shall not diminish one's responsibility to obtain consent and does not excuse conduct that constitutes sexual misconduct under this policy.

**Investigator** - An appropriately trained individual who may be a University employee, who reviews and investigates reports of sexual misconduct under this policy.

**Reporter** - This is an individual who reports to the University a concern regarding a possible sexual misconduct. The Reporter need not be a Complainant. Without a statement from the actual Complainant, an investigation may be limited in its scope.

**Respondent** - A university student or participant in a University program, who is reported to have allegedly engaged in some form of sexual misconduct and/or has been charged with a violation of the sexual misconduct policy.

**Sexual Misconduct** - Umbrella term used to encompass unwanted or unwelcome conduct of a Sexual nature that is committed without valid consent, including sexual misconduct and sexual harassment. Sexual misconduct may occur between people of the same sex or between people of different sexes. Sexual misconduct can include both intentional conduct and conduct that result in negative effects, even if those negative effects were unintended. Sexual misconduct can also include retaliation in connection with a Complainant's or Reporter's allegations under this policy.

**Sexual Misconduct can include but is not limited to:**

**Sexual Assault** - Is defined as any type of sexual contact or behavior that occurs without explicit consent. Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, unwanted or unwelcome touching of a sexual nature, including hugging, kissing, fondling, oral sex, anal or vaginal intercourse, or other physical sexual activity that occurs without valid consent.

Some examples of sexual assault, but are not limited to:

- Someone had sex/inappropriate sexual contact with you while you were incapacitated from alcohol or drugs. You may have been asleep, passed out, too intoxicated to know what was happening, or have the ability to stop their actions.
- You agreed through words or actions to do one thing, but were forced to do more.
- You were kissing someone, and the physical intimacy escalated. You said no, but the other person continued. You did not willingly participate. The other person had sex with you anyway.
- An individual forced you to have sex when you did not want to.
- An individual refused to use a condom even though clearly communicated to use one.

**Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature if: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, living environment, employment, or participation in a University-related activity or University Program; (2) submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's education, living environment, employment, or participation in a University-related activity; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual's education, living environment, employment, or participation in a University-related activity.

Examples may include, but are not limited to, the following: unwanted sexual statements; unwanted personal attention including stalking and cyber-stalking; unwanted physical or sexual advances that would constitute sexual assault, as defined in this policy; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without the knowledge and consent of all parties involved; touching oneself sexually for others to view; and voyeurism (spying on others who are in intimate or sexual situations).

Some examples of sexual harassment may include, but are not limited to:

- Unwelcome jokes, comments, erotic material, language, flirtation, advances or propositions that are frequent and may occur within the classroom, workplace, residence/ room and on/off campus.
- An individual won't stop calling, texting, following you or showing up at your residence/room, place of work, or any location on/off campus, even after you have asked them to stop.
- Your Professor, Supervisor or an individual of authority makes frequent sexual jokes, comments, stares at you, inappropriate touching or insinuates that you will receive a better grade or other reward if you develop a special relationship.
- An individual/neighbor in your residence/room places sexually graphic material and/or verbiage on your door/personal residence and/or personal property.

**Domestic Violence** - Includes violent offenses committed by the complainant's current or former spouse or significant other, current or former roommate/cohabitant, person similarly situated or protected under domestic or family violence law.

**Dating/Relationship Violence** - This term is defined as the use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse used to control a partner in an intimate relationship constitute intimate partner violence. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Intimate partner violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short or long-term relationships (current or former) between persons intended to provide some emotional/romantic and/or physical intimacy.

**Stalking** - This term is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for her or his safety, for the safety of a third person, or to feel extreme emotional distress, bodily injury or death. Stalking behaviors include, but are not limited to: non-consensual communication by any means, collecting information by any means, use of surveillance in person or via electronic means (telephone, mail, email, text, social networking or any other like method), collecting information about a person's routine, friends, family, or coworkers, uninvited visits to a residence, workplace, classroom, worship location, or other locations where an individual is commonly found.

1. Course of conduct - means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property.
2. Emotional distress - means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
3. Reasonable person - means a reasonable person in the victim's circumstances.

**Support Person** - An individual chosen by a Complainant, Respondent or Reporter, to provide support during the review of a report and/or during the hearing process of possible sexual misconduct. The person(s) chosen may not already be directly involved in the investigative process (for example, a witness, or Reporter) and may not speak on behalf of the person they are supporting, but instead may be present only to assist or advise the individual they are supporting, in a non-advocacy role.

**Title IX** - Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106) (as amended) is a federal law that prohibits sex based discrimination, including sexual harassment and sexual misconduct, in education programs that receive federal financial assistance.

**Title IX Coordinator and Deputy Title IX Coordinators** - The University officials charged with ensuring the University's overall compliance with Title IX and related University policy.

### **III. Policy Coverage/Jurisdiction**

Sacred Heart University will adjudicate incidents of sexual misconduct in the following situations:

- Incidents that occur on or off campus;
- The alleged violator is a current student;

Reports of sexual misconduct from an individual outside of the University community and not relating to University conduct may be investigated if Sacred Heart University determines the described conduct

described in the complaint constitutes a sufficient threat to the University community to warrant investigation. The Complainant can file a report as long as the Respondent is still a student at Sacred Heart University. If the Respondent is not a student, individuals are advised to file a report with the local law enforcement authorities. Students are advised that a delay in reporting could have a negative impact on evidence.

#### **IV. Confidentiality of Information**

Sacred Heart University will preserve student confidentiality to the extent possible and allowed by law. The degree, to which confidentiality can be protected, however, depends upon whether or not the individual is legally protected to withhold this information. The person being consulted should make these limits clear before any disclosure of facts. An individual can speak confidentially with certain persons in legally protected roles at Sacred Heart University, including counseling, advocacy, health, mental health, or sexual-assault-related services (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers).

As required by law, all disclosures to Sacred Heart University employees of an on- campus sexual misconduct are tabulated for statistical purposes by the Public Safety Department, without personal identifying Information. In compliance with federal law, these statistics and other mandated crime statistics are reported annually. The Title IX officer will also be notified, in writing, that a sexual misconduct complaint has been filed.

The Family Educational Rights and Privacy Act (FERPA) prohibit the disclosure of conduct records to any third party without written permission from the student(s) involved. Requests from parents, family members, and concerned students for information about the Complainant and/or the Respondent will not be honored without written permission from the student(s) involved.

HIPAA Health Insurance Portability and Accountability Act- HIPAA provides for the protection of individually identifiable health information that is transmitted or maintained in any form or medium. Any release and/or transfer of healthcare information is only permitted with written permission.

#### **V. Filing a report of Sexual Misconduct**

The University strongly encourages the prompt reporting of a sexual misconduct. The report may be made by:

- A person who believes they experienced sexual misconduct (a “Complainant”); or
- A person who has information that a sexual misconduct may have been committed by a either a University student or a participant in a University Program (a “Reporter”).

If the Reporter or Complainant chooses not to participate in the University review of the report, the University may, as described below, pursue the report without that person’s participation. The student will be informed of their right to file a criminal complaint with local law enforcement authorities. The University reserves the right to initiate an investigation on its own if it perceives an imminent and/or on-going threat to the University community.

#### **File a Report with the Public Safety and Police Department**

For a sexual misconduct that took place on-campus or in a Sacred Heart University facility, students can contact Public Safety at (203-371-7999) and/or call the respective (Fairfield or Bridgeport) Police Departments directly at 911 to file a report with the police. Campus authorities can assist in notifying the local police if the student chooses.

### **File a Report with the Title IX Coordinator and/or Deputy Title IX Coordinators**

Whether a student elects to report a sexual misconduct to the police, he or she is urged to make an official report directly to the Title IX Coordinator and/or Deputy Title IX Coordinators. Public Safety can also assist in this process, particularly if the misconduct is being filed after business hours. Public Safety can be reached at (203-371-7999). A report should be filed with the Title IX Coordinator or the Deputy Title IX Coordinators.

### **False Reports**

An allegation that is both intentionally false and malicious may be a violation of the Sacred Heart University Student Conduct Code and will be investigated and adjudicated accordingly.

## **VI. University Response to Investigating an Allegation of Sexual Misconduct**

### **Services**

Sacred Heart University encourages students who have been involved in a sexual misconduct incident to file an official report. Students are also advised to seek medical attention as soon as possible and within 72 hours of a sexual misconduct. Students can choose one of a combination of options to create the most appropriate plan for them.

The Dean of Students Office will first suggest that the student attend to any medical needs immediately. The student will receive information on hospital procedures and resources available. Accompaniment to the hospital will be provided if desired by the student.

### **Obtain Medical and Counseling Attention Medical - Legal Evidence Collection**

A person who has experienced sexual misconduct is encouraged to request of medical-legal evidence. Collection of evidence entails interaction with police and medical professionals. Prompt collection of physical/medical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. The sooner a sexual misconduct incident is reported, the more likely physical/medical evidence will still be present.

**Medical Treatment** - A person who has experienced a sexual misconduct is urged to seek appropriate medical evaluation as promptly as possible, ideally within 72 hours of the incident.

**Support and Counseling** - Counselors at a variety of agencies both on- and off-campus can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, and reporting to authorities. Information, support and advice are available for anyone who wishes to discuss issues related to sexual misconduct. In the event a sexual misconduct incident has or has not occurred, and whether or not the person seeking information is a complainant, respondent or is a third party will be provided.

## **Students May Consult**

Sacred Heart University Counseling Center (203-371-7955)  
Sacred Heart University Health Services (203-371- 7838)  
Dean of Students Office (203-371-7916)  
Office of Campus Ministry (203-371-7840)  
Title IX Coordinator, (203-365-7633)  
The Center for Family Justice, 203-334-6154  
Hotline Information Domestic Violence Local Hotline: (203)384-9559  
Domestic Violence CT Hotline: 1(888) 774-2900  
Domestic Violence National Hotline: 1(800) 799-SAFE  
Rape Crisis Services Hotline: (203) 333-2233  
V.E.D.A.S. Hotline (Español): 1(888) 568-8332

## **Interim Interventions**

Students who have been involved in an alleged incident of sexual misconduct will have access to other available assistance in changing academic and living situations. If requested by the student and if such changes are reasonably available no formal complaint, or investigation, campus or criminal need occur before this option is available.

## **Accommodations may include:**

- Change of an on-campus student's housing to a different on-campus location;
- Assistance from University support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Exam (paper, assignment) rescheduling;
- Taking an incomplete in a class;
- Transferring class sections';
- Temporary withdrawal;
- Alternative course completion options.

**No Contact Letter** - The Dean of Students will issue no contact letters upon receipt of a report of sexual misconduct in which the respondent and complainant are Sacred Heart University students. Students may also request a no contact letter towards students who have engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others.

**Decision to Proceed with Investigation** - The Title IX Coordinator will supervise an investigation into the incident. The Title IX Coordinator will determine the most effective method of reviewing the concerns raised by the reported sexual misconduct. In all cases, the University will respond to the report in a prompt, thorough, procedurally fair, and effective manner. Upon receipt of a report, the University will strive to complete its review within sixty (60) calendar days.

**Immediate Response** - The Title IX Coordinator in coordination with the Dean of Students will initiate an immediate response to separate the Complainant and Respondent from engaging each other in

common areas, residence halls, campus buildings, and student activities; and will outline options to change the Complainant's or Respondent's academic and/or living situations if those changes are requested by the Complainant or Respondent and are reasonably available.

The Title IX Coordinator and the Dean of Students have the discretion to remove the Complainant or Respondent from a hostile living situation. All Incident Reports and directions to the Respondent and Complainant will be forwarded to the Director of Public Safety.

The Title IX Coordinator or designee will meet with the Complainant to review the details of the allegation and to explain the subsequent steps involved in a sexual misconduct investigation.

The Title IX Coordinator has the discretion to consult with and/or refer the Complainant to Public Safety which will assist the Complainant to write the Incident Report. The completed Incident Report will be promptly forwarded to the Title IX Coordinator. The Complainant may also directly submit the Incident Report to the Title IX Coordinator. Nothing herein shall preclude an immediate suspension in order to preserve the safety of the campus community.

### **Preliminary Investigation**

Both parties will be informed of the respective time and place of the interviews and that contact between the parties will be limited to necessity. During this stage of investigation, the Complainant and Respondent have the right to be accompanied by a support person.

The Title IX Coordinator will investigate the incident by separately questioning the Complainant, Respondent, and any identified witnesses. The purpose of the preliminary questioning is to ascertain to reasonable suspicion if there may have been a violation of Sacred Heart University's Sexual Misconduct Policy and what immediate responses need to occur. Should this questioning not produce a reasonable suspicion, the hearing will not proceed. However, Complainants may still seek options such as filing a no contact letter and reporting the incident to the local police department. At the conclusion of the interviews, a preliminary report of the findings of the investigation will be prepared for presentation to the Hearing Panel as well as the Complainant and Respondent. It's important at this stage that all members of the University Community respect the role of the Title IX Coordinator and the Dean of Students and not engage in behavior that compromises the process. During any stage of the investigation, if the Title IX Coordinator or the Dean of Students reasonably suspects that the Respondent poses an imminent threat of harm or disruption to the campus community, he or she may immediately be removed from campus housing and/or be restricted from movement on campus.

### **Standard of Proof**

The Investigator's findings will be made using the "preponderance of the evidence" standard. This standard requires that the information supporting a finding of responsibility be more convincing than the information in opposition to it. Under this standard, individuals are presumed not to have engaged in sexual misconduct unless a preponderance of the evidence supports a finding that sexual misconduct occurred.

## **Hearing Panel**

The Title IX Coordinator will appoint a permanent hearing panel comprised of three (3) individuals chosen as follows: Each Vice President (Student Affairs, Academic Affairs, and Human Resources) shall choose one (1) individual to serve as a hearing officer. The Academic Affairs representative shall be a full-time faculty member.

The Title IX Coordinator will provide training for hearing officers initially and within 30 days of the appointment of new members to the hearing panel. The panel will hear the facts of the case from both parties and shall determine by a preponderance of the information gathered whether the Respondent has violated the specific charge under the Sexual Misconduct Policy. Ordinarily, no information will be permitted concerning the sexual history of the Complainant or Respondent except in those instances where there was a prior sexual relationship between the parties and the testimony may be relevant to the issue of consent. The hearing will be closed to the public, and a support person may accompany either party. Either party may make a request for accommodations during the hearing procedures such as indirect questioning, special seating arrangements in the hearing room, or speaking to the panel without the other party and the corresponding advocate present in the hearing room provided the other party has audible access to the testimony. The panel will select a chair from among its membership. Panel members will deliberate in private and the chair will issue the panel's decision to the Title IX coordinator regarding whether the Respondent is found to be responsible or not responsible for the charges. The deliberations of the panel will not be recorded.

## **Disciplinary Sanctions**

Sanctions against a student who has violated the Sexual Misconduct Policy will vary depending on the severity of the violation. The Hearing Panel will recommend sanctions to the Dean of Students, who has final approval. Action against a student found to have violated the policy may include but are not limited to one or more of the following:

1. Expulsion from campus housing
2. Mandated brief intervention, and/or may include censure Suspension from the University
3. Expulsion from the University

Both the Complainant and Respondent must be informed of the outcome of a sexual misconduct proceeding within three (3) business days of the panel's decision. To assist the Title IX Coordinator in formulating appropriate sanctions, the Complainant may make a statement of the impact of the misconduct.

## **Appeal Process**

Any disciplinary action against a student who has violated the Sexual Misconduct Policy may be appealed to the Senior Vice President of Enrollment Planning and Student Affairs of the University whose decision shall be final.

## **Retaliation**

1. Both Title IX and Sacred Heart University prohibit retaliation against any person for using this reporting system, or for participating in investigations or subsequent proceedings. The University will take steps to prevent retaliation and take strong responsive action if it occurs.



2. Retaliation is defined as any action by any person what is perceived as: intimidating, hostile, harassing, retribution, or violent that occurred in connection to the making and investigation of the report.

3. Complainants or Respondents should report any subsequent problems of harassment or retaliation. The Title IX Coordinator or a designee will follow up with complainants periodically to determine whether any retaliation or new incidents of harassment have occurred, and handle such reports accordingly.

## **VII. Institutional Responsibilities**

**Recording Investigative Materials and Reports** - The permanent disciplinary record of a student who violates the Sexual Misconduct Policy will reflect this violation if and only if the allegations of the Complainant are found to be true. However, a separate file including the incident report, findings of the hearing panel, and the Title IX Coordinator's final report will be maintained for at least seven (7) years from the date of the final report.

**Disciplinary Action for Faculty and Staff** - A violation of this policy will be addressed according to applicable faculty and staff personnel policies. For a proven violation, possible sanctions range from censure to separation from the University.

**Legal Options** - In addition to University disciplinary actions, a person who engages in a sexual misconduct may be the subject of criminal prosecution and/or civil litigation.

A police report must be made for criminal prosecution to be considered by the state's prosecuting authority. The chances of successful prosecution are greater if the report is timely and is supported by the collection of medical legal evidence.

**Managing the Interests of the Alleged Respondent** - It must be recognized that the alleged Respondent in a University investigation has legal and other rights, and that complaints in which each of the parties are members of the campus community are the most ethically and legally complex. A presumption of guilt should not be made as the result of any allegations.

Insofar as it is possible, the University shall act to protect the identity of the Respondent until such time as allegations against the individual are confirmed through the procedures outlined in this policy.

In the event that a student is accused of sexual misconduct against another individual and a formal complaint is lodged with the Title IX Coordinator, the Respondent shall be encouraged to seek advice from a member of the University community on the following;

- A copy of any relevant documentation about conduct proceedings depending on the nature of the allegation, the Respondent should consider seeking qualified legal advice should criminal or civil action result; and the student's capacity to access confidential counseling from someone with no contact with the Complainant.
- The Respondent has a right to select a support person within the guidelines of this policy. Counseling and/or support can only be offered to a Respondent who is a Sacred Heart University student.
- When the parties are members of the University community, arrangements will be made limiting or ceasing any on-going contact during the investigation phase. This will occur in conjunction with Public Safety and the Dean of Students or designee.

**Public Notification of Incidents** - As required by state and federal law, the University collects and reports annually statistical information concerning sexual misconduct incidents occurring in its jurisdiction. To promote overall public safety, the department of Public Safety will also alert the campus community to incidents and trends of immediate concern.

### **Sexual Harassment Policy**

It is the policy of Sacred Heart University that any practice or behavior that constitutes sexual harassment will not be tolerated, and the University is committed to providing and preserving an atmosphere free from harassment in any form. Sexual harassment is illegal and is prohibited by the Connecticut Discriminatory Employment Practices Act (Section 46a-60(a) (8) of the Connecticut General Statutes) and Title VII of the Civil Rights Act of 1964 (42 United States Code Section 2000e et. seq.) The University condemns any offensive or inappropriate sexual behavior at work and within the academic community of the institution. More specifically, the faculty, staff and students of the University will not condone nor be subject to actions and words that constitute sexual harassment, gender discrimination or any other unreasonable interference with their performance based on an individual's gender. Individuals who engage in sexual harassment will be severely disciplined up to and including discharge.

Any employee who feels that he/she is being sexually harassed by anyone including supervisors, co-workers, faculty, students or vendors should immediately report the incident to Human Resources.

#### **Some examples of prohibited conduct are:**

- Demanding sexual favors in exchange for favorable reviews, assignments, promotions, continued employment or other promises.
- Continued or repeated sexual jokes, language, flirtation, advances or propositions.
- Verbal abuse of a sexual nature.
- Graphic verbal commentary about an individual's body, sexual prowess or sexual deficiencies.
- Sexually degrading or vulgar words to describe an individual.
- Leering, whistling, touching, pinching, brushing the body, assault or suggestive, insulting or obscene comments or gestures.
- Name calling, gossip, comments or jokes that may be derogatory towards a particular sex.

The University will investigate every reported incident as soon as possible. Any employee, supervisor or agent of the University who has been found to have sexually harassed an employee will be subject to appropriate disciplinary action, up to and including termination.

Investigations will be conducted as thoroughly, discreetly and confidentially as possible. The University recognizes that every investigation requires a determination based on all the facts in the matter.

The employee who has reported the complaint and any employee involved in the investigation has the University's assurance that no retaliation will be taken as a result of the harassment complaint. It is our policy to encourage discussion of the matter to help protect others from being subject to inappropriate behavior.

The University cannot resolve a sexual harassment issue unless it is communicated to Human Resources. It is the employee's responsibility to bring any incidents to the attention of Sacred Heart University so that we can take whatever measures necessary to correct the situation.

All supervisors, managers and exempt employees will receive sexual harassment training. Employees who are interested in attending a refresher session should contact Human Resources.

### **Campus Sex Crimes Prevention Act**

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community of where information concerning registered sex offenders may be obtained. In Connecticut, this information is accessible from the Connecticut State Police at the following website: <http://www.ct.gov/dps>. You can find a link to this website on the Public Safety web page: <http://www.sacredheart.edu/publicsafety.cfm>.

Sacred Heart University has a written policy concerning sexual harassment and new employees receive training from the Department of Human Resources. Sexual Harassment is also a violation of the student code of conduct. Sexual harassment means with respect to an individual, any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature by an agent or an employee of an institution of higher education.



# SACRED HEART UNIVERSITY

## SEXUAL MISCONDUCT ON CAMPUS

### RESPONDING TO STUDENTS

## A STEP-BY-STEP GUIDE FOR FACULTY & STAFF FOR ASSISTING STUDENTS

If a student should disclose a sexual misconduct situation to you:

#### STEP 1

##### Listen & Care

- ◆ Be sure to create a safe environment for the student by actively *listening* and *caring* in a non-judgmental and supportive manner.
- ◆ Ensure and assess the student's immediate physical and mental safety. If student appears to be in danger or crisis, contact Public Safety 203-371-7995 or 911 or Counseling Services, 203-371-7955.
- ◆ Remind the student that the only confidential sources on campus are Wellness & Counseling Services and Campus Ministry.
- ◆ Do not ask questions or try to make a judgment about the incident. You are there to *listen* and *care* not investigate.

#### STEP 2

##### Provide & Connect

- ◆ Continue to ensure the student's safety and wellbeing by *providing* the student with resources on and off campus, as well as their reporting options.
- ◆ Students should receive and if feasible review a copy of Sacred Heart University's Sexual Misconduct Student Resources & Referral Options flyer. This flyer will provide them with resources both on and off campus. Do your best to *connect* students with Counseling Services or another confidential source if they so choose.

#### STEP 3

##### Contact

- ◆ To continue to ensure the student's safety, you are required to report the disclosure and make *contact*:  
  
SHU's Title IX Coordinator:  
Leonora P. Campbell  
203-396-8386  
[campbelll@sacredheart.edu](mailto:campbelll@sacredheart.edu)
- ◆ Title IX requires you to provide all information you were given about the incident, including identifying all information of any students involved. If the student has requested confidentiality, you may include that in your report.

Sacred Heart University is firmly committed to maintaining a learning, living, and working environment for the University community free of sexual misconduct. **The Sexual Misconduct Policy** describes the University's policy toward sexual misconduct of any kind including sexual assault, sexual harassment, dating/relationship violence (intimate partner), domestic violence, stalking, and zero tolerance towards any sexual violence. It also provides guidance for those who have been involved in an incident of sexual misconduct, outlines the University's disciplinary response to alleged incidents, and identifies campus and community resources within the University responsible for managing the policy and programs associated with it. Sacred Heart University's policy is intended to comply with relevant state and federal statutes and it applies to faculty, staff and students.

**SEXUAL MISCONDUCT ON CAMPUS:  
RESPONDING TO STUDENTS  
RESOURCES & REFERRAL OPTIONS FOR STUDENTS**

In the event that a student discloses sexual misconduct information to you,  
please provide them with the following resources and options:

**EMERGENCY SERVICES**

**On-Campus**

**SHU Public Safety**

203-371-7911

203-371-7995

**Off-Campus**

**Fairfield Police**

203-254-4800

**Bridgeport Police**

203-576-7671

**Trumbull Police**

203-261-3665

**SUPPORT SERVICES**

**On-Campus**

**SHU Counseling Services**

203-371-7955

**Campus Ministry**

203-371-7841

**Off-Campus**

**Victim Advocate Support**  
The Center for Family Justice  
203-334-6154

**Sexual Assault Hotline**  
203-333-2233

**National Domestic  
Violence Hotline**  
1-800-799-SAFE(7233)

**CONFIDENTIAL  
RESOURCES**

**SHU Counseling Services**

203-371-7955

**Campus Ministry**

203-371-7841

**SHU Health Services**

203-371-7838

**Right to pursue University  
conduct action and/or Legal  
proceedings**

The University encourages all those who have experienced any form of sexual misconduct to report the incident promptly; to seek out all available campus and community resources; and pursue University conduct action and/or legal proceedings against the offender.

**Retaliation**

Both Title IX and Sacred Heart University prohibits retaliation against any person for using this reporting system, or for participating in investigations or subsequent proceedings. The University will take steps to prevent retaliation and take a strong responsive action if it occurs. Complainants should report any subsequent problems of harassment or retaliation.

**MEDICAL ASSISTANCE**

**On-Campus**

**SHU Health Services**

203-371-7838

**Off-Campus**

**St. Vincent's Hospital**

Emergency Department

2800 Main Street

Bridgeport, CT

203-576-6000

**Bridgeport Hospital**

267 Grant Street

Bridgeport, CT

203-384-3000

**HOUSING or ACADEMIC  
ACCOMMODATIONS**

**On-Campus**

**Title IX Coordinator**

Leonora P. Campbell

203-396-8386

**Dean of Students Office**

Larry Wielk

203-371-7916

**Office of Residential Life**

Joel Quintong

203-416-3417





**Sacred Heart  
UNIVERSITY**

## SHU Sexual Misconduct Student Resources & Referral Options

Information for students who have experienced any form of sexual assault, harassment, domestic, dating/relationship violence (intimate partner violence) and/or stalking

**Title IX Coordinator: Leonora P. Campbell, 203-396-8386**

Ensures Title IX compliance and investigates complaints of Title IX or university policy violations.

### EMERGENCY SERVICES

#### On-Campus

#### SHU Public Safety

203-371-7911  
203-371-7995

#### Off-Campus

#### Fairfield Police

203-254-4800

#### Bridgeport Police

203-576-7671

#### Trumbull Police

203-261-3665

### MEDICAL ASSISTANCE

#### On-Campus

#### SHU Health Services

203-371-7838

#### Off-Campus

#### St. Vincent's Hospital

2800 Main Street  
Bridgeport, CT  
203-576-6000

#### Bridgeport Hospital

267 Grant Street  
Bridgeport, CT  
203-384-3000

### SUPPORT SERVICES

#### On-Campus

#### SHU Counseling Services

203-371-7955

#### Campus Ministry

203-371-7841

#### Off-Campus

#### Victim Advocate Support

The Center for Family Justice  
203-334-6154

#### Sexual Assault Hotline

203-333-2233

#### National Domestic Violence Hotline

1-800-799-SAFE(7233)

### HOUSING or ACADEMIC ACCOMMODATIONS

#### On-Campus

#### Title IX Coordinator

203-396-8386

#### Dean of Students Office

203-371-7916

#### Office of Residential Life

203-416-3417

### CONFIDENTIAL

#### RESOURCES

#### SHU Counseling Services

203-371-7955

#### Campus Ministry

203-371-7841

#### SHU Health Services

203-371-7838

### \* Medical Assistance \*

Students are encouraged to go to SHU Health Services for medical services during regular business hours. SHU Health Services is able to provide health services and referrals. (No Rape Kit available)

A Sexual Assault – Rape Kit exam is available at any local hospital. The exam includes preventive treatment for STIs, pregnancy, and evidence collection. You may contact the Center for Family Justice for a Victim's Advocate to accompany you to this exam.

A police report or criminal complaint is NOT required to receive this medical assistance.

### \* Support Services, Housing & Accommodations \*

Counseling Services is a free confidential resource, providing individual and group counseling and other mental health support for students.

Campus Ministry is a welcoming place providing support and guidance.

The Center for Family Justice provides a 24/7 crisis hotline, victim's advocacy and counseling services

The Title IX Coordinator, Dean of Students and Office of Residential Life can assist and facilitate housing & academic accommodations, referrals, and disciplinary procedures.

### \* Emergency Services \*

SHU Public Safety provides 24/7 emergency services.

If you are involved in an off-campus emergency, you are encouraged to call 9-1-1 for emergency services from Fairfield, Bridgeport or Trumbull Police Departments.

The SHU SAFE app when activated will make an emergency call. The app is equipped with a GPS to allow public safety to determine your exact location on campus. The call will go directly to public safety and they will see your location and dispatch help. You need to be located somewhere on SHU property and your phone connected to the SHU Wi-Fi system, so your location will show up and help will be sent to you.

Another feature, **Safety check**, allows you to set up a safety check with someone in your contact list. If you are going to be walking home from class late at night or going for a jog after dark, you can let your contact know when you expect to be home. If you do not deactivate the safety check by the appointed time, your contact will receive a text and will know to check on you.



## KNOW YOUR RIGHTS

- 1. You have the right to request confidentiality.** If you wish to file a complaint/disclosure you may request confidentiality and the individual will protect your privacy by limiting the people with whom they share what you have told them, however, they cannot guarantee complete confidentiality as they must notify the Title IX Coordinator for documentation purposes.
- 2. You have the right to choose or choose not to file a complaint** of sexual violence to the University and/or local law enforcement.
- 3. You have the right to have the school investigate** what happened, and have your complaint resolved promptly and equitably. However, a criminal investigation does not relieve the University of its duty under Title IX to respond.
- 4. You have the right to contact on campus Public Safety or local law enforcement,** Fairfield, Bridgeport and Trumbull Police or other – at any time, as well as the right to decline to notify either. The University will not contact the appropriate local law enforcement unless requested or unless a threat of imminent danger exists.
- 5. You have the right to notice of and access to available services:** such support services will be provided with assistance from the Title IX Coordinator, including academic support, counseling, housing, disability, health or mental health services, emergency, advocacy, visa and immigration assistance, student financial aid services, and legal assistance both on and off campus, as applicable.
- 6. You have the right to accommodations regardless of whether you file a complaint with the University, request an investigation, participate in an adjudication process, or file a criminal complaint.**
  - a. No-contact orders** are measures that restrict encounters and communications between the parties. Information is also provided to you regarding your right to pursue a restraining or protective order from the court system.
  - b. Academic accommodations** are measures that include arranging for short and long-term academic accommodation and options, as appropriate.
  - c. Transportation or working arrangements** may be changed or other employment accommodations made, as appropriate.
  - d. Housing/Residential accommodations** are measures that include arranging for new housing or providing temporary housing, as appropriate.
- 5. You have the right to assistance with reporting a crime to local law enforcement** and may be requested at any time. Such individual(s) may request orders of protection, restraining orders, or relief from abuse orders from courts of appropriate jurisdiction upon request. The University will work to respect and implement the requirements of such orders on premises that it owns or controls, as necessary and appropriate.
- 6. You have the right to a fair, prompt, equitable resolution, with an impartial internal investigation and disciplinary process.** If you file a complaint with the University and ask that the incident/s be investigated, or if the University undertakes an investigation based on other circumstances. The Title IX Coordinator will ensure both the complainant and the respondent receive due process. Both parties are entitled to have an adviser of their choosing during any and all meetings related to the investigation.
- 7. All students are protected by Title IX,** regardless of whether they have a disability, are international and regardless of their sexual orientation and gender identity.