



Office for Equity & Inclusion  
North College, Room 317  
237 High Street  
Middletown, CT 06459  
(860) 685-4771

October 2017

Subject:

***Wesleyan University report regarding Connecticut General Statutes Section 10a-55m***

Dear Ms. Phillips:

Attached please find the 2017 submission of the report regarding Connecticut General Statutes Section 10a-55m.

**Wesleyan University Policies**

Wesleyan University posts its policies regarding sexual misconduct, sexual assault, domestic violence, intimate partner violence, and stalking in written format in our student handbook (<http://www.wesleyan.edu/studentaffairs/studenthandbook/StudentHandbook.pdf>) and on our website (<http://www.wesleyan.edu/inclusion/misconduct/index.html>) for the entire campus community.

The following attachments conform to the requirement in section 2 (Institution Policies):  
Attachment A-1, A-2: Wesleyan University Policy Prohibiting Discriminatory Harassment and Sexual Misconduct and related definitions (updated August 2015 and August 2017).

**Victim's Rights and Options**

Wesleyan University provides written notification of a victim's rights and options under sexual assault, stalking, and intimate partner violence during in-person meetings, training sessions and via a newly created web site: (<http://www.wesleyan.edu/sexualassault>). All members of the Wesleyan University Sexual Assault Response Team (SART), Title IX Officer, Deputy Title IX Officer, Public Safety Officers as well as the Dean of Students Office are instructed to provide both this written as well as verbal notification of their rights, followed up with email communications.

The following attachment conforms to the requirement in section 2 (Institution Policies):  
Attachment B: Sexual Assault Response Options (updated August 2017).

**Prevention, Awareness, and Risk Reduction Programs**

Wesleyan University provides prevention, awareness, and risk reduction programs throughout the academic year, to include New Student Orientation, New Faculty Orientation, New Employee Onboarding, as well as through ongoing workshops, webinars and educational

opportunities. A variety of information and opportunities can be found at: <http://www.wesleyan.edu/inclusion/misconduct/titleix.html> and/or [www.wesleyan.edu/sexualassault](http://www.wesleyan.edu/sexualassault)

***Harassment Prevention Training Workshop description:***

In 2013, the university affirmed that **all** staff and faculty members are required to attend training on understanding and preventing harassment in order to comply with state and federal law. The program provides training and education on sexual harassment awareness and prevention as required by Connecticut law. In addition, it provides training and education on sexual harassment and discrimination under Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities, which receive Federal financial assistance. Finally, the program provides an overview of all non-discrimination laws and conversation about fostering a respectful and inclusive campus environment. By the end of the current academic year, over 40 sessions will have been offered.

The following attachment conforms to the requirement in section 2 (Institution Policies): Attachment C: TVII-TIX Training 16-17 – fac-staff (the schedule for 2017-2018 is currently being developed).

**We Speak We Stand Bystander Intervention**

WE Speak WE Stand, is Wesleyan's Bystander Intervention program. WE Speak, WE Stand aims to create a community that is actively engaged in the prevention of sexual assault, relationship violence and advocates for the responsible use of alcohol. The goal of the program is to empower bystanders to intervene in high risk situations involving alcohol use, sexual assault and relationship violence. Empowered bystanders make the campus community safer by standing up and speaking out when they witness situations that could potentially harm the health and safety of others. Intervening with peers can be challenging for a number of reasons and training will provides skills to move from inaction to action and intervene safely and effectively. Participants will learn more about being an active bystander at one of our upcoming trainings. Participants must attend the full training. Snacks will be provided. The training features two distinct and separate tracks: sexual violence prevention and alcohol use intervention. The sexual violence track defines sexual assault, explores social messaging around sexual assault, details effective ways to respond, and provides an overview of reporting options.

Participants leave with tools and strategies to intervene when encountering attitudes and beliefs that foster an environment that tolerate sexual violence. The alcohol track provides tools needed to intervene in situations involving alcohol. Specifically, participants learn how alcohol affects physiology and behavior and how to recognize an alcohol related medical emergency. Participants demonstrate and practice appropriate ways to intervene when a fellow community member a problem with alcohol use.

### **Training for Administrative Deliberation Panelists and Title IX Committees**

Wesleyan University is committed to providing the professional tools and competencies necessary to contribute to the contentious improvement of our implementation of Title IX. Still in development, a schedule of in-person and webinar training sessions will be implemented with members of all five Title IX Committees, the Administrative Hearing Panel, as well as those interested in serving as possible process advisors.

The following attachments conform to the requirement in section 2 (Institution Policies): *We Speak We Stand Bystander Intervention and Bystander Intervention booklet*

### **Prevention and Awareness Campaigns**

Training of the Res Life student staff was augmented this year with more skill-building in bystander intervention, especially on issues involving high-risk alcohol use and sexual violence. The RA staff undergo a student developed comprehensive Title IX training curriculum. The mandatory Haven student orientation session on sexual violence was modified this year to ensure 100% of first year students are educated on Wesleyan-specific policies and reporting avenues. “WE Speak WE Stand” featured a student cast and focused on bystander intervention. Two distinct peer-theater pieces addressed sexual assault prevention and high-risk alcohol use. As a result, new students had small residentially based discussions about the performances, where they also received information about sexual assault and alcohol use. At the beginning of each semester, the Dean of Students sends an e-mail to all students that contains links to Wesleyan’s sexual violence resources and policy. In consultation with students, and in light of the reauthorization of the Violence Against Women Act (VAWA), the University made a number of changes to its Sexual Misconduct and Assault Policy and the procedures for adjudicating these cases. Our online reporting allows students to report violations of policy or behavior of another student that prompts concern and allows for anonymous reporting from anywhere in the world with an Internet connection. Last year the University modified its appeals processes. Now, if a student is appealing a case heard by the Honor Board or the Student Judicial Board, those appeals should be submitted to the Vice President for Student Affairs, who will work with a committee to review and determine whether the appeal has merit. Similarly, the Vice President for Equity & Inclusion/Title IX Officer will send updates on reporting and resource information to faculty and staff annually at the beginning of the academic year, with a reminder about their reporting obligations. At present, 85% of all faculty and staff, including graduate students, have undergone a two-hour intensive workshop on Title IV/Title IX. The goal is 100% by the end of 2017. All new faculty undergo a two-hour Title VII/IX training session prior to the beginning of the academic year and all new staff will need to complete Title VII/IX training within the first 30 days of employment.

The new position (currently posted) of Director, Office of Survivor Advocacy and Community Education will partner with the Director of WesWELL and the Title IX office work year-round to partner with various student groups to sponsor a wide variety of awareness campaigns, workshops and support groups, including:

- Bystander intervention training for students
- Three pre-made bulleting boards for all residential staff:
  - Reporting and resources
  - Consent and communication
  - Healthy Relationships
- NO RED ZONE campaign
- Healthy relationship workshop series with emphasis on IPV & stalking
- Consent campaign
- “Red Flag” campaign
- Sexual Assault Survivors Support Group
- “Mindfulness and Movement” holistic healing for survivors
- Yoga support group
- Male survivors support group

Specific training on sexual violence is provided to Wesleyan’s SART, to Public Safety officers, and to all the members of the administrative panels that adjudicate sexual misconduct cases. Trauma-informed service providers and adjudication panels continue to be our top priority. Public Safety now has trained Title IX investigators on every shift, bringing the total number of trained Title IX investigators to four. All staff and faculty members of the Title IX committees go through both onsite and offsite training.

The Office for Equity & Inclusion / Title IX sends an annual report on Sexual Violence to the campus community and follows that with an opportunity for open dialogue. This report is also an opportunity to reinforce the following:

*The work is far from done, and we are continuing to improve our support for survivors, as well as our reporting and adjudication procedures. Each and every one of us must strive for a campus free of sexual assault, and I take this opportunity to issue the reminder that all faculty and staff, except those who have confidential status, are required by law to report incidents.*

The full report is published on the web site:

<http://www.wesleyan.edu/inclusion/titleix/Reports/Sexual%20Violence%20Update%202017FINAL.pdf>

### **Incident Reports to the Institution, Confidential and Anonymous Reports to the Institution, and Disciplinary Cases and Outcomes**

The above report includes a table which summarizes the numbers and dispositions of cases formally reported to the University. The figures reported go beyond the mandated Clery numbers and include adjudication figures and outcomes. Based on our 2015 Title IX survey and national data, we know sexual violence is significantly underreported on all college campuses; our work

in the coming years is dedicated to creating a culture of safe reporting. The data is provided as part of our federal and state requirements as well as our interest in creating transparency, with the expectation that the number of incidents reported to the University will increase as we improve both our reporting mechanisms and the structures in place to support survivors in a manner that properly addresses trauma. Please note that the number of cases reported may differ from the number of cases adjudicated for a variety of possible reasons (e.g. the perpetrator was not identified or was not a student, the survivor did not wish to proceed with formal judicial charges at the time, etc.).

If you require additional information, please don't hesitate to contact me by email at [afarias@wesleyan.edu](mailto:afarias@wesleyan.edu) or at my office at 860-685-4771.

Sincerely,

A handwritten signature in blue ink that reads "Antonio Farias". The signature is written in a cursive, flowing style.

Antonio Farias  
Vice President for Equity & Inclusion/Title IX Officer

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**Policy Prohibiting Discriminatory Harassment & Sexual Misconduct****Wesleyan University**

Wesleyan is an institution devoted to learning, openness, and the life of the mind. It follows that its character can be measured in part by the kind of human relationships built and sustained within this small but complex environment. Wesleyan strives to be a community built upon mutual trust and respect for its constituent members: students, faculty, staff, and those visiting or under temporary contract. A community will flourish only to the degree that the virtues of mutual respect, generosity, and concern for others are maintained. Therefore, it is vitally important that harassment and discrimination in all their forms not be tolerated.

The University is committed to providing an environment of well-being, learning, and accountability for its members by preventing the occurrence of discriminatory harassment and sexual misconduct and addressing its effects.

**Process for Investigating and Resolving Student Sexual Misconduct Complaints**

The University's commitment to non-discrimination includes an assurance that the University will not tolerate unlawful discrimination or harassment on the basis of person's sex, marital or parental status, sexual orientation, gender identity or any other unlawful basis or retaliation in its community.

The University follows through on that commitment, in part, through the implementation of its Policy Prohibiting Discriminatory Harassment & Sexual Misconduct and Process for Investigating and Resolving Student Complaints.

**Note:** *where the Title IX Officer is listed as the point of contact for any role in the Sexual Misconduct Policy, they may designate a Deputy Title IX Officer or another qualified member of the University community to assume the role, as necessary and appropriate.*

This process describes how the University will investigate a report that an individual has engaged in conduct that could violate the sexual misconduct portion of this policy and determine what, if any, safety measures and/or disciplinary sanctions are appropriate.

**1. Initial Steps:**

After receiving a report of conduct that could fall under the Sexual Misconduct Policy, the Title IX Officer will take a number of initial steps; these initial steps are not an investigation. Rather, these initial steps will enable the University to assess the need to

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take any immediate action to address the safety and health needs of the reporting/affected student (“reporting party”) and the University community, to determine the next steps for support, resources and /or investigating the reported conduct, as well as the need for any interim measures.

These initial steps may include, but are not limited to, the following:

- The Title IX Officer will contact the reporting party and encourage them to meet to discuss the nature and circumstances of the reported conduct, review relevant documentation that is available, and address the need for any interim measures; based upon what the reporting party chooses to share with the Title IX Officer at this time. Examples of interim measures with respect to sexual misconduct may include no-contact orders, requests for academic adjustments, changes to living, dining, transportation, and other actions to address the situations and the individual’s immediate physical safety and emotional needs and concerns on an interim basis.
- The Title IX Officer will assess the reported conduct to determine whether the circumstances and/or responding party pose a threat to the health or safety of the University community that warrants issuance of a timely warning, a no-contact order for any persons, or any other interim protections including, but not limited to, suspension of a student or restricting any individual from other privileges prior to completing an investigation. During the interim action, the University reserves the right to prohibit the responding party from entering upon the University’s property or participating in any activities absent written authorization from an appropriate University official. The failure of the responding party to comply with an interim restriction is a violation of this Policy and may lead to additional disciplinary action. The decision to impose interim restrictions will be communicated by the Title IX Officer in writing
- The Title IX Officer will explain the Sexual Misconduct Policy; and the right to report and the right to delay or decline to report the matter to the University and/or to local law enforcement if the conduct is potentially criminal in nature (and that such a report will not change the University’s obligation to potentially investigate the matter but it may briefly delay the timing of the investigation if a law enforcement agency requests that the University delay its process for a reasonable amount of time to allow it to gather evidence of criminal conduct).
- The Title IX Officer will notify the reporting party of the available resources for seeking medical treatment, counseling, spiritual guidance, or other interim measures.
- The Title IX Officer will also discuss the reported conduct and next steps in terms of reporting allegations of sexual misconduct. If, at this time, the reporting party

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requests that the process not move forward, the University will weigh that request against the obligation to address any risk of harm to the reporting party or other individuals in the community given the nature of the incident.

### 2. The Investigation Phase

- **Notice of an Investigation.** If it is determined that an investigation will begin, the Title IX Officer will prepare a written notice to the reporting party and responding party that will include a brief description of the allegations, the portions of the policy that are alleged to have been violated, and any interim measures in place that either party must be made aware. This written notice does not constitute a finding or a determination of responsibility.
- **Information about Advisors in Connection with Allegations of Sexual Violence, Other Inappropriate Sexual Contact, Relationship Violence and Stalking.** In connection with an allegation of sexual misconduct, harassment and/or assault, each party may have a single advisor of their choice present during any disciplinary proceeding, including any related meeting, interview, or hearing, held pursuant to the Sexual Misconduct Policy. Advisors may not participate at any disciplinary proceeding, and may not speak or otherwise communicate on the part of the party that the advisor is advising. However, the advisor may ask to suspend any meetings, interviews, or hearings briefly to provide private consultation related to the disciplinary proceeding in progress. An advisor is subject to the same confidentiality expectations applicable to others in attendance as outlined in the Student Handbook. Accommodations, including scheduling of interviews or reviews, generally will not be made for any advisors if they unduly delay the process. The advisor is not permitted to attend a meeting or proceeding (without the party being present) without the prior approval of the Title IX Officer, at their discretion. The University reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation.
- **Support Services and Resources.** The parties should review University and community resources regarding the available support services and resources at the University and in the community. At the request of either party or witness, the Title IX Officer can discuss further the support services, resources, and options available.
- **Designation of Investigator.** The Title IX Officer will designate at least one investigator to conduct a prompt, fair, and impartial investigation of the reported conduct and prepare a report of investigative findings (the "Investigative Report"). All investigators will be selected from a group of qualified and trained individuals employed by or engaged by the University for the purpose of conducting



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investigations under the Sexual Misconduct Policy. The Title IX Officer will provide the parties with the name of the person(s) assigned to investigate the reported conduct. As soon as possible, but no later than three (3) calendar days after delivery of the identity of the Investigator(s), the parties shall inform the Title IX Officer (in writing) of any conflicts of interest with regard to the selected Investigator(s). The Title IX Officer will consider the nature of the conflict and determine if different individuals should be assigned as Investigator(s). The Title IX Officer's decision regarding any conflicts is final. The Title IX Officer may consult with other University personnel to discuss any conflicts of interest.

- **Nature of the Investigation.** The investigation provides an opportunity for fact-finding and will include separate interviews with the reporting party, the responding party, and any witnesses whom the Investigator(s) believe will provide necessary and relevant information. The investigation may include the review of documentation or other items relevant to the reported conduct. The Investigator(s) will provide the parties with notice of meetings at which their presence is required.
- **The Parties' Identification of Potential Witness and Documentation.** The parties have the opportunity (and are expected) to provide the Investigator(s) with the identification of potential witnesses who have specific information about the reported conduct and with whom they would like the Investigator(s) to speak. The parties also have the opportunity (and are expected) to provide the Investigator(s) any documentation or other items or questions they would like to be considered. All information described in this section must be presented to the Investigator(s) in writing and include a brief description as to how the persons, documents, and/or items are relevant to the reported conduct. This information must be provided to the Investigator(s) during the Investigation Phase and without delay upon becoming aware of it. The Investigator(s) will exercise discretion in their determination of what information to consider and which potential witnesses can provide relevant information to the investigation. Furthermore, the University reserves the right to interview any member of the Wesleyan community that may have specific information about the incident that has been reported.
- **Investigation Prohibitions.** At no point will the investigation require both parties to be in the same room. At no point will either party be permitted to question or cross-examine the other party directly during the investigation, determination or appeal process. Additionally, the Investigator(s) generally will not gather or consider information related to either party's sexual history unless deemed relevant to the incident in question.

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- **Responding Party Voluntary Agreement to Policy Violation.** At any point prior to convening a Deliberation Panel, as described below, a responding party may agree in writing to the alleged violation(s) of the Sexual Misconduct Policy related to sexual harassment and may also accept a sanction as proposed by the Dean of Students Office. In cases of sexual violence, inappropriate sexual contact, sexual exploitation, stalking or relationship violence, the individuals responsible for imposing sanctions will determine and impose sanction(s) as a result of the full deliberation of the Deliberation Panel.

### 4. Investigative Report and Determination of Responsibility by Deliberation Panel

- **Content of the Investigative Report.** At the conclusion of the Investigation Phase, the Investigator(s) will prepare an Investigative Report, which should include a summary of the factual information presented during the Investigation Phase, a separate section where the Investigator(s) point out relevant consistencies or inconsistencies (if any) between all sources of information, and a separate section describing the Investigator'(s) assessment of the credibility of parties and witnesses. The Investigative Report will not include a determination as to whether a party has violated the Sexual Misconduct Policy or what sanctions may be appropriate. These determinations will be made by the Deliberation Panel, as described below.
- **Notification of Charges and Review by the Parties**

The investigative report will be reviewed by the office of the dean of students and if warranted will result in written notification of charge(s) within the university's judicial process. The notification will inform both parties of their opportunity to review the entire Investigative Report and may submit written comments and/or questions about the content of the Investigative Report to the Investigator(s) within five (5) calendar days of the date they are notified that the Investigative Report is available for review. This review will take place at a secure location and in a secure manner determined by the University. The time to submit written comments can be extended for a brief period if the Title IX Officer concludes, in their sole discretion, that the additional time is warranted. Likewise, the secure location and manner of reviewing the Investigative Report can be modified if the Title IX Officer deems it necessary and appropriate. Each party may have their advisor present as they review the Investigative Report with someone from the Dean of Students Office. Photographs or any other copies of the Investigative Report are not allowed by either party or advisor. The comments submitted by the parties may not exceed ten (10) double spaced pages unless a higher page limit is otherwise determined to be necessary and appropriate in the sole discretion of the Title IX Officer. After reviewing the submissions, if any, from the parties, the Investigator(s) may determine that either additional investigation is required or no further investigation is needed. The investigator has the sole discretion to determine if any information or questions submitted are irrelevant and therefore not to be considered and will be

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redacted. If further investigation is conducted, the Investigator(s) will include any additional relevant information in the Investigative Report. The Investigative Report will then be submitted to the Title IX Officer for review. Any submissions made by either party pursuant to this section, as well as any other documentation deemed relevant by the Investigator(s), will be attached to the Investigative Report. When the investigator has completed any additional fact finding, both parties will be permitted to review the entire investigative report although no further comments will be added at this point.

**Convening the Deliberation Panel.** Upon review, the Title IX Officer will submit the Investigative Report to the Office of the Dean of Students; they will convene a four-member panel (named the “Deliberation Panel”) from an established pool of University community members trained to decide cases pursuant to this policy. The panel will not include the Title IX Officer or any deputies. In no instance will the panel include students. The Office of the Dean of Students will provide the parties with the names of the persons assigned as the Deliberation Panel members for their case. As soon as possible, but no later than three (3) calendar days after delivery of the identity of the assigned Deliberation Panel members, the Parties should inform the Office of the Dean of Students (in writing) of any conflicts of interest in regard to the selected members assigned to the Deliberation Panel. If a conflict of interest is raised regarding any of the individuals assigned to the Deliberation Panel, the Office of the Dean of Students and Title IX Officer will consider the nature of the conflict and determine if different individuals should be assigned to the Deliberation Panel. Their decision regarding any conflicts is final. The Office of the Dean of Students will then provide the Deliberation Panel members with the Investigative Report and set a subsequent date for the Deliberation Panel to meet to determine responsibility.

- **Review and Determination by the Deliberation Panel.** The Deliberation Panel will make a determination as to whether or not the responding party is responsible for violating the Sexual Misconduct Policy by having engaged in some or all of the reported conduct. The Deliberation Panel has the authority to accept the Investigative Report without seeking additional investigation, or to ask the Investigator(s) to conduct additional investigation on specific points. The Deliberation Panel, in its discretion, may invite the Investigator(s) to attend a Deliberation Panel meeting if the Panel believes it would be helpful to have an opportunity to ask the Investigator(s) any questions arising from the Investigative Report.
- **Notification of Decision.** Upon reaching a determination of responsibility, the Deliberation Panel will provide a written notification of its decision and rationale to the Office of the Dean of Students. If sanctions are necessary, they will be assigned in

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accord with the **Sanctioning Guidelines**\*\*. The notification will consist of a brief statement of the allegations and determination(s) made by the Deliberation Panel and with respect to responsibility of the responding party, any sanctions that are imposed.

- **Standard of Proof.** Consistent with state and federal Title IX standards, the University must use a preponderance of the evidence standard (*i.e.*, it is more likely than not that the reported incident and/or behavior violated University sexual harassment and/or violence policies). Therefore, all findings and determinations of responsibility under Wesleyan's Sexual Misconduct Policy will be made using this preponderance of the evidence standard. Please note:
  - *the preponderance of the evidence standard is not the standard used for criminal culpability in most jurisdictions and a determination of responsibility under the Sexual Misconduct Policy does not equate with a finding of a violation of criminal laws;*
  - *conversely, lack of a prosecution or conviction in a criminal proceeding does not necessarily imply that the University's Sexual Misconduct Policy was not violated. The two procedures are significantly different and utilize different standards for determining violations.*

## 5. Notification of Investigation Outcome

- Upon completion, the Office of the Dean of Students will inform the parties simultaneously and in writing of (i) the outcome of the disciplinary proceeding; and (ii) the procedures for either party to appeal the result of the disciplinary proceeding.
- The Office of the Dean of Students will also inform other University officials with a legitimate educational interest about the outcome of the finding.

## 6. Appeals

- The following process applies to all appeals. Within five (5) calendar days of the delivery of the decision, either party may appeal the decision by submitting to the Office of the Dean of Students a letter stating why they believe the decision was inappropriate. A party may only appeal on the following grounds:
  - **Procedural error** by the Investigator(s) or Deliberation Panel that materially prejudiced the findings/outcome; and/or
  - **Newly discovered material information** that was not known/available to the Investigator(s), the Deliberation Panel, or the individual determining the sanction, and which likely would have changed the finding of responsibility or the sanction imposed had it been available.
  - The party submitting the appeal must set forth in detail the grounds for review and must attach all materials that they wish to have considered in the

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appeal process. The Office of the Dean of Students will provide a copy of the appeal to the other party; at which time they may provide a written response if they choose.

- **The Appellate Officer(s):** In the instance of an appeal, the information is forwarded to the Vice President for Student Affairs who will convene a committee of faculty/staff from a pool of who have received training on sexual misconduct cases and appeals. The Office of the Dean of Students will provide the parties with the names of any appellate committee members(s) for their case. As soon as possible, but no later than three (3) calendar days after delivery of the identity of the officer(s), the parties should inform the Office of the Dean of Students in writing of any conflicts of interest in regard to the assigned. The Office of the Dean of Students and/or Title IX Officer will consider the nature of the conflict and determine if different individual(s) should be assigned to review the appeal.
  - The appellate officer(s) will decide the merits of the appeal and, in so doing, may consult with any other individual that they deem appropriate. Sanctions of all types (including, but not limited to, suspension, dismissal, or separation) can be imposed while an appeal is pending at the sole discretion of the University.
  - The appellate officer(s) may deny the appeal and affirm all or part of the determination of responsibility or the determination of sanction, or they may refer the matter back to the Investigator(s), the Deliberation Panel, and/or the individual determining the sanction for further consideration. If the matter is referred back to the Investigator(s), the Deliberation Panel, and/or the individual determining the sanction for further consideration, the appellate officer(s) will provide specific instructions with the referral. In the event of a referral for further consideration, the Title IX Officer will be consulted and further proceedings may be commenced, as appropriate under the circumstances and consistent with this policy.
  - The decision of the appellate officer(s) regarding the appeal will be in writing and is final. The Office of the Dean of Students will inform the Parties simultaneously and in writing of the outcome of the appeal.

## 7. Timeframe for Completion of Investigation and Disciplinary Process

- The University cannot promise a definitive timeframe for completion of the investigation-adjudication; but will strive to do so within sixty (60) days of the delivery of the written notice of the investigation to the Parties. This time period does not include the time for any appeal. The U.S. Department of Education has made clear that the length of investigations may vary with the complexity and unique factors in each case. Examples of such factors include, without limitation, circumstances in which critical witnesses are unavailable or if law enforcement requests the University temporarily halt its investigation for a brief period of

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time. Accordingly, all timeframes set forth in this Policy may be altered by the Title IX Officer for good cause. The University's overarching goal is that all complaints be investigated in a prompt, fair, and impartial manner.

### **\*\* Sanctioning Guidelines – Student Sexual Misconduct/Title IX Cases**

For resolution of University situations of **student sexual misconduct**, the standard of preponderance is used. A preponderance of evidence is defined as enough fact-based information to make it more likely than not that the facts presented show a violation of University policy.

Additionally, unless the Panel believes there are compelling circumstances, *the sanctioning guidelines* are:

**Related to Non-consensual Sexual Penetration:** Penetrating or attempting to penetrate another individual without their consent. This includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to **non-consensual sexual penetration**, then dismissal from the University will be the first consideration by the Administrative Panel during the deliberation of sanctions and the minimum resulting sanction for someone found responsible for this portion of the policy will be separation from the University until the reporting party is no longer a student.

**Non-Consensual Sexual Contact:** Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to **non-consensual sexual contact**, the specific behavior and duration of behavior will be the two main considerations of the Administrative Panel in their deliberation of sanctions. The Panel will consider sanctions ranging from disciplinary probation to a separation from the University, including dismissal.

**Sexual Exploitation:** An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to: observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; non-consensual

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streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; prostituting another individual; knowingly exposing another individual to a sexually transmitted disease or virus without their

knowledge; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to **sexual exploitation**, the first consideration of the Administrative Panel will be a separation from the University up to and including dismissal. Particular attention will be paid to exploitation related to a reporting party's identity in a protected class or being in a subordinate role to the responding party.

**Stalking:** A course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm or place that individual in fear of harm or injury, including physical, emotional, or psychological harm. This includes cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cellphones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

- If a responding party is found responsible for violating the Sexual Misconduct and Assault policy related to **stalking**, the specific behavior and the duration of the behavior will be the two main considerations of the Administrative Panel in their deliberation of sanctions. The Panel will consider sanctions ranging from disciplinary probation to a separation from the University including dismissal.

**Retaliation:** Acts or attempts to retaliate or seek retribution against the reporting party, responding party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a responding party or reporting party. Retaliation may include continued abuse or violence and/or other forms of harassment.

- If a responding party is found responsible for **retaliation** against a reporting party or other individuals related to a Sexual Misconduct or Assault policy complaint the specific behavior, the intended effect, and the impact of the retaliation will be the main considerations in the Administrative Panel's deliberation of sanctions. The Panel will consider sanctions ranging from disciplinary probation to a separation from the University including dismissal.

## **Policy Prohibiting Discriminatory Harassment & Sexual Misconduct**

### **Wesleyan University**

Wesleyan is an institution devoted to learning, openness, and the life of the mind. It follows that its character can be measured in part by the kind of human relationships built and sustained within this small but complex environment. Wesleyan strives to be a community built upon mutual trust and respect for its constituent members: students, faculty, staff, and those visiting or under temporary contract. A community will flourish only to the degree that the virtues of mutual respect, generosity, and concern for others are maintained. Therefore, it is vitally important that harassment and discrimination in all their forms not be tolerated. As noted in University Policy, members of the University community have the right to a safe and welcoming campus environment.

These policies and procedures apply to all University community members, and all members of the University community are responsible for being familiar with and abiding by them at all times.

Wesleyan University will not tolerate discriminatory harassment and/or sexual misconduct (whether it comes in the form of intimate partner violence, non-consensual sexual activity and sexual assault, sexual exploitation, stalking or sexual harassment) against students, faculty, staff, trustees, volunteers, and employees of any university contractors/agents.

In an ongoing effort to prevent sexual misconduct on the Wesleyan campus, the University provides education and prevention programs for all members of the Wesleyan community and pursues available administrative and/or criminal remedies for complaints of sexual misconduct as appropriate.

All acts of discriminatory harassment and/or sexual misconduct threaten personal safety and violate the standards of conduct -- mutual respect, generosity, and concern for others -- expected of all community members.

### **Statement of Policy**

Wesleyan University prohibits all forms of discriminatory harassment and sexual misconduct. Wesleyan University is committed to ensuring that each member of the University community has the opportunity to participate fully in the process of education and development. Wesleyan strives to maintain a safe and welcoming environment free from acts of discriminatory harassment and sexual misconduct. However, when incidents occur, the University is committed to responding in a manner that provides safety, privacy and support to those affected.



### **Individuals and Entities Affected by this Policy**

This policy shall apply to all individuals affiliated with Wesleyan University, including but not limited to students, faculty, staff, trustees, volunteers, and employees of contractors/agents. It is intended to protect the rights and privacy of the reporting party, responding party and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy may be subject to disciplinary or other corrective action.

This policy applies to anyone on the property of Wesleyan University and anyone present at Wesleyan-sponsored programs or events. This policy extends to off-campus violations by both students and employees in limited circumstances, as outlined by the Clery Act.

### **Sexual Relationships**

Wesleyan University is committed to maintaining a learning and working environment as free as possible from conflicts of interest, exploitation, and favoritism. Where a party uses a position of authority to induce another person to enter into a relationship, the harm both to that person and to the institution is clear. Even when the relationship is consensual, there is significant potential for harm when there is an institutional power difference between the parties involved, for example, between supervisor and employee, faculty and student, or academic advisor and advisee.

All members of the University community must be aware that romantic relationships with subordinates/students are likely to lead to difficulties and have the potential to place faculty and staff at great personal and professional risk. Any member of the University community who participates in decisions concerning the person with whom they have or have had a romantic relationship creates the potential for conflicts of interest, exploitation, and favoritism in those situations. In the event of a charge of sexual harassment arising from such circumstances, the University will in general be unsympathetic to a defense based upon consent when a power differential existed within the relationship.

### **Rights of Those Who Report Policy Violations**

Those who report any type of discriminatory harassment or sexual misconduct, to a University employee will be referred to the Office for Equity & Inclusion / Title IX Office and informed of all their rights and options, both on and off-campus, including the necessary steps for each option.

The University will provide assistance to those involved in a report of sexual misconduct or discriminatory harassment, including but not limited to reasonably available accommodations and modifications for academic, transportation, housing or working situations, as well as honoring lawful protective or temporary restraining orders.

## **Sexual Misconduct Support Services**

Whenever the Title IX Officer or another employee receives a report that students, faculty, staff, trustees, volunteers, and employees of contractors/agents (hereafter referred to as “community member”) has been subjected to sexual misconduct, the Title IX Officer or other employee shall immediately provide the community member with contact information for and assistance in accessing and using campus and/or local advocacy, counseling, health, and mental health services.

Those who report being subjected to sexual misconduct shall be provided information about their right to notify law enforcement and receive assistance from campus authorities in making the notification.

## **Procedures**

Procedures for the investigation and resolution of complaints are specific for students, faculty, and staff and are outlined in respective handbooks. Each process provides an equitable and timely process for both reporting and responding parties.

## **Accountability, Investigation and Resolution**

In determining whether alleged conduct constitutes discriminatory harassment or sexual misconduct, the University looks at the totality of circumstances including the nature of the conduct and the context in which the alleged incident(s) occurred.

The determination that the conduct violates University policy will be made on a case-by-case basis using the “preponderance of the evidence” standard. Violations may lead to disciplinary action up to and including academic dismissal or termination of employment. The University will take immediate and appropriate corrective action based on the findings in each case as outlined in the respective handbooks:

- Student Handbook/Dean of Students Office
- Staff Handbook/Human Resources Office
- Faculty Handbook/FCRR

## **Retaliation**

Any individual who intentionally engages in retaliation may be subject to disciplinary or other corrective action as appropriate.

## **Policy Oversight**

The Department of Education’s Office for Civil Rights (OCR) has published clear guidance that instructs and directs the Office for Equity & Inclusion and the Title IX Officer to ensure campus-wide protocol is implemented and serve as the central person to whom all complaints or notice related to discriminatory harassment, sex/gender bias, sexual misconduct and disability discrimination is directed.

The Vice President for Equity & Inclusion serves as Wesleyan's Title IX Officer and has the following responsibilities:

- Ensure prompt response to stop the harassment/discrimination
- Implement immediate remedial support for the reporting party
- Initiate the preliminary investigation
- Oversee action to reasonably prevent the recurrence
- Conduct ongoing educational campaigns and climate monitoring of sexual misconduct allegations.

**Wesleyan Office for Equity & Inclusion**

Antonio Farias

Vice President for Equity & Inclusion / Title IX Officer

317 North College

860-685-4771

[afarias@wesleyan.edu](mailto:afarias@wesleyan.edu)

Debbie Colucci

Equity Compliance Director / Deputy Title IX Officer

112 North College

860-685-2456

[dcolucci@wesleyan.edu](mailto:dcolucci@wesleyan.edu)

# **Policy Prohibiting Discriminatory Harassment & Sexual Misconduct**

## **Definitions**

### **Wesleyan University**

The following definitions supplement Wesleyan's Policy regarding discriminatory harassment and sexual misconduct.

#### **Discriminatory Harassment**

It is illegal to discriminate against someone on the basis of race, color, religion, national origin, or sex. Accordingly, the University recruits, hires, trains, promotes and educates individuals without regard to race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression. Under the Federal guidance and direction of Title II, Title IV, Title IX, ADEA, EPA, and ADA / Section 504, Wesleyan University administers all personnel action such as compensation, benefits, transfers, layoffs, return from layoffs, education, tuition assistance, and social and recreational programs without regard to race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression.

#### **Contractors/Agents**

This policy shall apply to all individuals affiliated with Wesleyan University, including employees of outside agencies such as those providing custodial, landscaping/grounds and/or dining services.

#### **Consent and related concepts:**

To sexual relationships, Wesleyan defines consent and the related concepts as follows:

- **Consent:**
  - Sexual consent is when all parties agree to engage in sexual activity. Consent should always be mutual, voluntary and given without pressure, intimidation, or fear.
  - Consent must be freely and affirmatively communicated between all individuals in order to participate in sexual activity or behavior. It can be expressed either by words or clear, unambiguous actions. It is the responsibility of the person who wants to engage in sexual activity to ensure consent of their partner(s).
  - Consent must be obtained at each step and be present throughout the sexual activity - - at any time, a participant can communicate that they no longer consent to continuing the activity. If there is confusion as to whether anyone has consented or continues to consent to sexual activity, it is essential that the participants stop the activity until the confusion is clearly resolved.
  - Silence, lack of protest, or no resistance does not indicate consent.
  - Consent is not present if it results from the use of physical force, threat of physical force, intimidation, coercion, incapacitation or any other factor that would eliminate an individual's ability to exercise free will to choose whether or not to have sexual contact.
  - A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, a willingness to engage in sexual activity must be freely and affirmatively communicated each time.

- **Coercion:**
  - Coercion is the use or attempted use of pressure and/or oppressive behavior, including express or implied threats, intimidation, or physical force, which places a person in fear of immediate harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion also includes administering or pressuring another to consume a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in sexual activity.
- **Incapacitation:**
  - Incapacitation is defined as the inability, temporarily or permanently, to give consent, because an individual is mentally and/or physically helpless, unconscious, or unaware that the sexual activity is occurring. This may or may not be due to alcohol or other drugs (see below).
  - An individual who is incapacitated cannot consent to sexual activity.
- **Alcohol or Other Drugs:** The University considers any sexual contact while under the influence of alcohol or other drugs to be risky behavior. Alcohol and drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, misconduct, or violence and does not diminish one's responsibility to obtain consent.

If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

- From the perspective of the reporting party, the use of alcohol or drugs can limit a person's ability to freely and clearly give consent.
- From the perspective of a responding party, the use of alcohol or drugs can create an atmosphere of confusion over whether or not consent has been freely and clearly sought or given.
- It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.
- Warning signs of incapacitation may include one or more of the following: slurred speech, vomiting, unsteady gait, combativeness, emotional volatility, and/or sleeping.
- The perspective of a reasonable person will be the basis for determining whether a responding party should have been aware of the amount of the ingestion of alcohol or drugs by the reporting party, or of the extent to which the use of alcohol or drugs impacted a reporting party's ability to give consent.
  - For example, an individual who is in a blackout may appear to act normally and be giving consent, but may not actually have conscious awareness or the ability to consent to or later recall the events in question. The extent to which a person in this state affirmatively gives words or actions indicating a willingness to engage in sexual activity (and the person reasonably could not have known of the person's level of alcohol consumption and/or level of impairment) must be evaluated in determining whether consent has been given.

**Sexual misconduct:** Wesleyan University prohibits all forms of sexual misconduct. Sexual misconduct refers to a broad spectrum of behavior encompassing sexual harassment and all forms of non-consensual sexual activity. For the purposes of this policy, the University prohibits the following specific forms of sexual misconduct: sexual assault, sexual exploitation, intimate partner violence, stalking, sexual harassment and retaliation. Sexual misconduct affects individuals of all genders, gender identities, gender expressions, and sexual orientation, and does not discriminate by racial, social, or economic background.

**Sexual assault:** Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault includes the following acts:

**Related to Non-consensual Sexual Penetration:** Penetrating or attempting to penetrate another individual without their consent. This includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

**Related to Non-consensual Sexual Contact:** Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.

**Sexual exploitation:** An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to: observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; prostituting another individual; knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

**Intimate partner violence:** Intimate partner violence, also referred to as dating violence, domestic violence and relationship violence; includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual or dating relationship with that person. It may involve one act or an ongoing pattern of behavior. Intimate partner violence can encompass a broad range of behavior, including, but not limited to threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background.

The University will not tolerate intimate partner violence of any form. For the purposes of this policy, the University does not define intimate partner violence as a distinct form of misconduct. Rather, the University recognizes that sexual harassment, sexual assault, sexual exploitation, stalking, harm to

others, emotional and psychological abuse, harassing conduct, and retaliation may all be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating or other social relationship of a romantic or intimate nature with the reporting party.

**Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to: fear for their safety or the safety of others; or suffer substantial emotional distress. This includes cyber-stalking, a particular form of stalking in which electronic media is used to pursue, harass, or make unwelcome contact with another person. Stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

**Sexual harassment:** Sexual harassment is a form of discriminatory harassment occurring within an employment or educational context that federal and state law addresses with very specific provisions. In cases where sexual harassment is alleged, the University has a duty to act promptly, so as to assure that if such harassment is, in fact, occurring or has occurred, corrective action is taken and further harm is prevented.

According to the state of Connecticut unwelcome sexual advances, requests of sexual favors, and/or other verbal or physical contact of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's academic or employment success,
- submission to or rejection of such conduct by an individual is used as the basis for academic or employment evaluation and decisions affecting such an individual, or
- such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive living, learning, or work environment.

The effect of sexual harassment will be evaluated based on the perspective of a reasonable person in the position of a reporting party. A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

**Retaliation:** Acts or attempts to retaliate or seek retribution against the reporting party, responding party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation; including subjecting a person to an adverse employment or educational action because they made a complaint under any portion of this policy or responded to, assisted or participated in any manner in an investigation under this policy. Any individual or group of individuals, not just a responding party or reporting party, can be guilty of retaliation. Retaliation may include continued abuse or violence and other forms of harassment.

**Title IX Officer(s):** Additionally, Title IX Officer(s), as directed by OCR, have responsibilities in Recruitment, Admissions, and Counseling. The Title IX Officer reviews materials used for counseling students, in terms of class, or career selection, or for counseling applicants for admissions, to ensure that the University does not use different materials for students based on sex and/or gender identity or expression, or use materials that permit or require different treatment of students based on sex and/or gender identity or expression.

# SEXUAL ASSAULT RESPONSE OPTIONS

Sexual assault is never the survivor's fault. If you or someone you know has been sexually assaulted, or if you are not sure whether you are dealing with a case of sexual assault, a variety of resources are available to you, many of which are confidential.

**Have you experienced unwanted sexual contact?**

**YES UNSURE**

Consider speaking with a confidential resource to discuss the situation and to learn more about reporting options, no-contact orders, and academic and housing accommodations. Confidential resources include therapists at Counseling and Psychological Services, chaplains in the Office of Religious and Spiritual Life, and some clinicians at the Davison Health Center. Talking with someone may help you clarify your thoughts and feelings about the situation.

**Did it happen in the last 96 hours?**

**YES NO**

**Consider having an evidence collection kit administered at Middlesex Hospital.** The kit collects physical evidence that can be used at a later time in a criminal case. The kit is assigned a number and sent anonymously to the police if a formal report is made later.

- Public Safety can provide rides to the hospital.
- Counseling and Psychological Services staff and counselors at the Women and Families Center are on-call 24/7 and are available to accompany you to the hospital.

**Consider contacting the Davison Health Center for STI screening and pregnancy testing (if applicable).** All fees for services are waived. Consider contacting Counseling and Psychological Services, the Office of Religious and Spiritual Life, and/or the Women and Families Center for emotional support.

**Consider speaking with a confidential resource on campus or in the community to learn more about no-contact orders and academic and housing accommodations.** CAPS therapists and counselors at the Women and Families Center can provide you with a safe place to clarify your thoughts and feelings about the situation and identify the options that work best for you.

**Would you like to report what happened?**

**YES NO**

**To Wesleyan:** Contact a Title IX Investigator to make a report. You have the option of meeting with a confidential resource in Counseling and Psychological Services, the Office of Religious and Spiritual Life, and the Health Center to discuss your options before making the report. You can bring a support person to your meeting with the investigator.

**To the Middletown Police Department:** Contact Captain Gary Wallace at 860.638.4141 or [gary.wallace@middletownct.gov](mailto:gary.wallace@middletownct.gov). You can also work with a Title IX Investigator to arrange to have an officer come to campus to take the report. A counselor from the Women and Families Center is available to accompany students to the police station and provide support during any part of the reporting process.

**To both Wesleyan and Middletown Police:** Students have the option of reporting sexual assault to both Wesleyan University and the Middletown Police Department. To initiate a report, contact a Title IX Investigator who will assist with helping you report to the police. You can also go directly to the Middletown Police Department to report.

Wesleyan policies and processes differ from Connecticut criminal law and will yield different outcomes. In general, the entire process of investigating and adjudicating at Wesleyan will take no longer than 60 days from the time of the initial report.

**Anonymously:** You may file an anonymous report by clicking the "Report an Incident" link at [wesleyan.edu/inclusion](http://wesleyan.edu/inclusion). You do not have to provide any identifying information. Because identifying information is not used in this type of report, Public Safety cannot investigate the incident and there cannot be a formal judicial follow-up by the University.

**To discuss reporting concerns, please call  
Antonio Farias, Title IX Officer: 860.685.3927**

## CAMPUS RESOURCES

### \* Counseling and Psychological Services

Provides free individual therapy and support groups.

**24/7 ON-CALL SERVICE: 860.685.2910**

### \* Office of Religious and Spiritual Life

[wesleyan.edu/orsl](http://wesleyan.edu/orsl) 860.685.2278

### \* Davison Health Center

860.685.2470

**MONDAY-THURSDAY: 9 A.M.-6 P.M.**

**FRIDAY: 9 A.M.-5 P.M.**

**SATURDAY: 10 A.M.-2 P.M.**

\* These individuals are confidential resources. They must file a report but do not include identifying information.

### Public Safety

**EMERGENCY: 860.685.3333**

**NON-EMERGENCY: 860.685.2345**

### Sexual Assault Response Team (SART)

SART members are Wesleyan faculty and staff who are trained to provide support and assistance to any student who is a survivor of any form of sexual violence. SART members can help by explaining options for medical care, mental health care, housing and academic concerns, and reporting options. For more information about SART, please visit [wesleyan.edu/sexualassault](http://wesleyan.edu/sexualassault).

## TITLE IX INVESTIGATORS

**DEBBIE COLUCCI**, Deputy Title IX Coordinator: 860.685.2456

**LT. PAUL VERRILLO**, Public Safety: 860.685.2818

**VALERIE WALKER**, Public Safety: 860.685.2345

**MELISSA WIDLAK**, Public Safety: 860.685.2345

## COMMUNITY RESOURCES

### Women and Families Center

[womenfamilies.org](http://womenfamilies.org)

Provides hospital accompaniment and free counseling services

100 Riverview Center, Suite 274, Middletown, CT 06457

**HOTLINE (ENGLISH): 888.999.5545**

**(SPANISH): 888.568.8332**

**OFFICE: 860.344.1474**

### Middletown Police Department

222 Main Street, between Court and College Streets

**OFFICE: 860.638.4000**

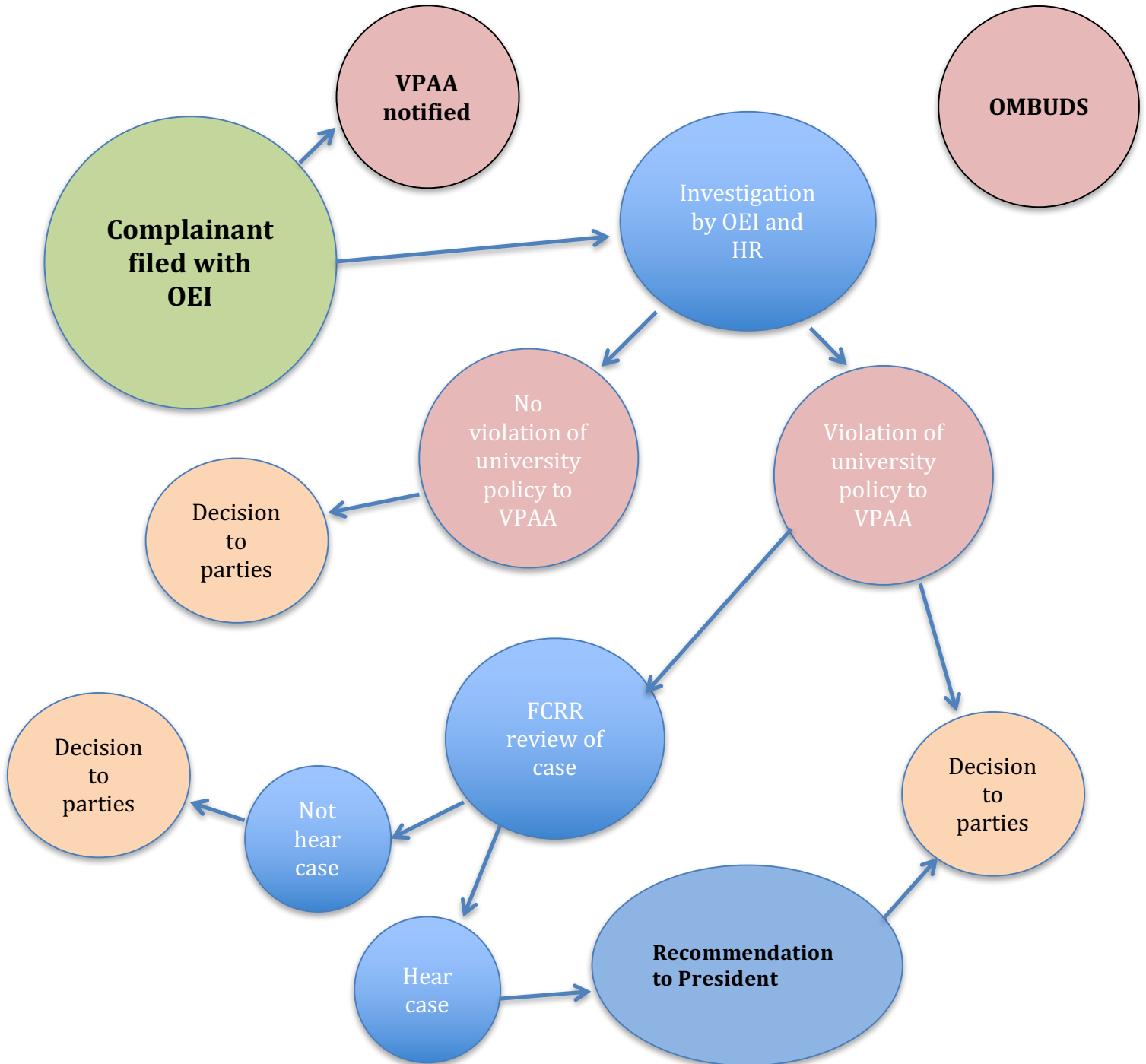


## Complaints Alleging Discriminatory Harassment and/or Sexual Misconduct

Academic Affairs (AA), the Office for Equity & Inclusion (OEI), and Human Resources (HR) work together to resolve complaints alleging Discriminatory Harassment and/or Sexual Misconduct. by or against members of Wesleyan's faculty.

### Points of Entry:

A complaint against a faculty member may be made to any of the following: the department or program chair; the dean of the division; the vice president for Academic Affairs; the Office for Equity & Inclusion / Title IX Officers; and/or the director of Human Resources. ***In the fall of 2017, the university hired an Ombudsperson. This role will provide a confidential resource and is NOT a point of entry as they have no reporting line to the university.***





Dear colleagues,

In 2013, the university affirmed that in order to comply with state and federal law, all staff and faculty members are required to attend training on understanding and preventing harassment; this training is directly connected to Wesleyan's [ONE POLICY: DISCRIMINATORY HARASSMENT AND SEXUAL MISCONDUCT](#) implemented in the fall of 2015. While we are getting closer to our goal of 100%, we are not there yet.

With this e-mail, we begin the '16-'17 schedule of training sessions, bringing the total to forty sessions since October 2014. Many thanks to those of you who have previously attended this training; you are not expected to attend these sessions, although upcoming changes in the law will require recurring training. If you are unsure if you have fulfilled the requirement, please reach out to Trisha Stephenson-Gordon [pblount@wesleyan.edu](mailto:pblount@wesleyan.edu) or Debbie Colucci [dcolucci@wesleyan.edu](mailto:dcolucci@wesleyan.edu).

### **Harassment Prevention Training**

#### **Facilitator:**

Debbie Colucci  
Equity Compliance Director & Deputy Title IX Coordinator

#### **Description:**

The program provides training and education related to harassment awareness and prevention as required by Connecticut law. In addition, it provides information on discriminatory harassment under Title VII of the Civil Rights Act and Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities receiving Federal financial assistance. Finally, the program provides conversation about fostering a respectful and inclusive campus environment.

#### **RSVP**

So that we know how many seats are needed, please let Trisha Stephenson-Gordon know when you will attend by sending your RSVP to her at [pblount@wesleyan.edu](mailto:pblount@wesleyan.edu) or calling her at x4771.

#### **Schedule:**

##### **Tuesday, October 4, 2016**

1:30—3:30pm

Usdan Room #108

-

##### **Friday, October 7, 2016**

9:30—11:30am

Usdan Room #108

-

##### **Monday, October 17, 2016**

9:30—11:30am

Usdan Room #108

-

##### **Wednesday, October 26, 2016**

1:00—3:00pm

ESC Room #184 (Woodhead Lounge)

-

**~~Tuesday, November 8, 2016~~**

~~1:30—3:30pm~~

~~ESC Room #184 (Woodhead Lounge)~~

**~~Friday, December 2, 2016~~**

~~9:30—11:30am~~

~~Downey House Room #113~~

**~~Thursday, January 19, 2017~~**

~~9:30—11:30am~~

~~Usdan Room #108~~

~~-~~

**~~Wednesday, February 1, 2017~~**

~~10:00—12:00pm~~

~~Usdan Room #108~~

**~~Tuesday, February 14, 2017~~**

~~9:30—11:30am~~

~~Usdan Room #108~~

**~~Monday, March 6, 2017~~**

~~9:30—11:30am~~

~~Usdan Room #108~~

**~~Wednesday, March 8, 2017~~**

~~1:00—3:00pm~~

~~Usdan Room #108~~

**~~Tuesday, March 28, 2017~~**

~~1:30 – 3:30pm~~

~~Usdan Room #108~~

**~~Friday, April 7, 2017~~**

~~9:30 – 11:30am~~

~~Boger Hall Room #115~~

Thank you for participating in this important process. By attending a harassment prevention-training workshop, you are helping Wesleyan fulfill Connecticut's legal requirements and you are continuing to build our community.

Best wishes,

*Joyce, Julia and Antonio*

Joyce Jacobsen

Provost and Vice President for Academic Affairs

Julia Hicks, SPHR

Director of Human Resources

Antonio Farias

Vice President for Equity and Inclusion/Title IX Officer

## **What is my responsibility and role under Title IX?**

### **Confidential Resources:**

Sometimes when a person experiences sexual violence they want to get advice from someone who is not required to report their conversation and can keep information about their experience confidential.

At Wesleyan, this includes:

- *Any clinician or therapist with Counseling and Psychological Services (CAPS).*
- *Any health care provider at Davidson Health Center.*
- *Any clergy with the Office of Religious and Spiritual Life.*
- *The Director of the Office of Survivor Advocacy and Community Education*

### **Mandated Reporters:**

All other Wesleyan faculty and staff are understood to be “mandated reporters.” This means they are required by university policy as well as state and federal guidance to report any incident.

If you know someone has experienced sexual misconduct of any kind, you are required to connect the individual to the Title IX Officer or Deputy Title IX Officer.

For questions about specific situations, please contact:

#### **Antonio Farias**

Vice President for Equity & Inclusion / Title IX Officer  
[afarias@wesleyan.edu](mailto:afarias@wesleyan.edu)

#### **Debbie Colucci**

Equity Compliance Director / Deputy Title IX Officer  
[dcolucci@wesleyan.edu](mailto:dcolucci@wesleyan.edu)

For additional information and resources:  
**[www.wesleyan.edu/sexualassault](http://www.wesleyan.edu/sexualassault)**

# FOUNDATION FOR BYSTANDER INTERVENTION AS A PREVENTION PROGRAM



# Bystander Intervention Prevention Program

- Rape does not result from misunderstanding or failure for the parties to communicate, nor is it a one-time mistake.
  - Research by David Lisak found:
    - Approximately 1 in 16 men reported that they had committed rape.
    - On average, each of these men committed approximately 6 rapes.
    - Rapists target vulnerable victims, they use alcohol as a weapon, as it makes the victim more vulnerable at the time but also impairs their credibility with the justice system should they choose to report the rape.

Source: Lisak, David (October 1994).

["The psychological impact of sexual abuse: content analysis of interviews with male survivors"](#). *Journal of Traumatic Stress* 7: 525–548.

# Bystander Intervention Prevention Program

- Enthusiastic Consent
  - Is effective sexual health education.
  - It is not sexual assault prevention.
    - You can not teach a predator to communicate in order to prevent rape.
  - Is effective healthy relationship education.
- Bystander Intervention
  - Is effective sexual violence prevention.
  - A predator needs to see society's reaction to realize it is wrong.
    - Ex: peers intervening, friends speaking out, being expelled, lawsuits against them, being arrested, etc.

# Bystander Intervention

## Prevention Program

- Bystander Model asks that each student take responsibility for a community problem
  - Effective training teaches skills to empower students to be competent and work together to de-escalate a risky situation
- High risk behaviors are complex and have multiple causes
- Diversity of our campus means there is no “one size fits all”
- Prevention approaches must go beyond changing individuals to changing systems

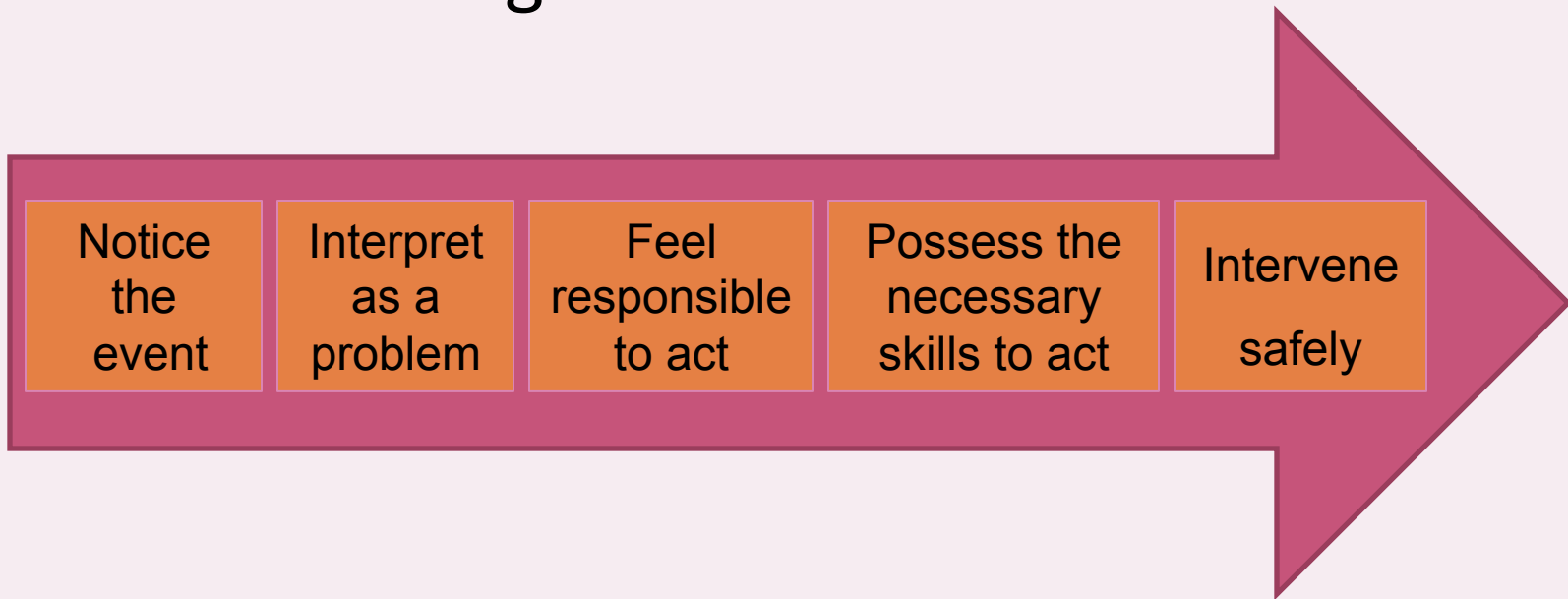


# Engaging Students to ACTION

- Increasing awareness of the issue/problem
  - Student buy-in
- Providing reflection
  - *I am a bystander*
- Forcing a CHOICE POINT
- Training for action
  - What holds you back
    - Role of social norms
- Supportive environment

# 5 Stages of Bystander Intervention:

## Moving from Inaction to Action



# We Speak We Stand Implementation

- Trainings for Residence Life Staff
  - Since Fall 2012 have trained all staff
- Orientation Leaders
  - Trained all leaders since Fall 2013
- First Year Orientation Performance
  - Transitioned to be bystander intervention focused since Orientation 2012
- Supplemental Workshops
  - conducted approximately 20 workshops since Fall 2012 with over 400 students in attendance.
- Social Marketing Campaign
  - This a passive programming technique geared to those who would not normally attend a workshop or training. It includes posters, stickers, booklets, and a web presence.



# We Speak We Stand Implementation

- Campus Wide Training
  - High Risk Alcohol Use
  - Sexual Assault and Relationship Violence
    - Since Fall 2012 have held 3 full trainings with over 75 students in attendance
- Skills Enhancement Workshop
  - Since Fall 2013 have held 2 workshops with over 15 students attendance



# Challenges and Responses

- “Preaching to the Choir”
  - Meeting students where they are
  - Train the trainer model
  - Student led and informed organizing



# Successes

- Sexual Assault Reporting rates are up
- Alcohol medical transports are up (called in by a peer)
- Positive anecdotal feedback
  - It feels humane and personal
  - Recognize their neglect of their community
  - Sharing of intervention stories



# Assessment

- Revised Summary of Selected Bringing in the Bystander In-person Program Bystander Attitude and Behavior Measures developed by University of New Hampshire
  - Administered via Survey Monkey
  - Pre-test, Training evaluation, 30 & 60 day Post-test
  - Preliminary evaluation results indicate that our program is effective in changing attitudes, increasing knowledge, and building students' capacity and willingness to intervene.

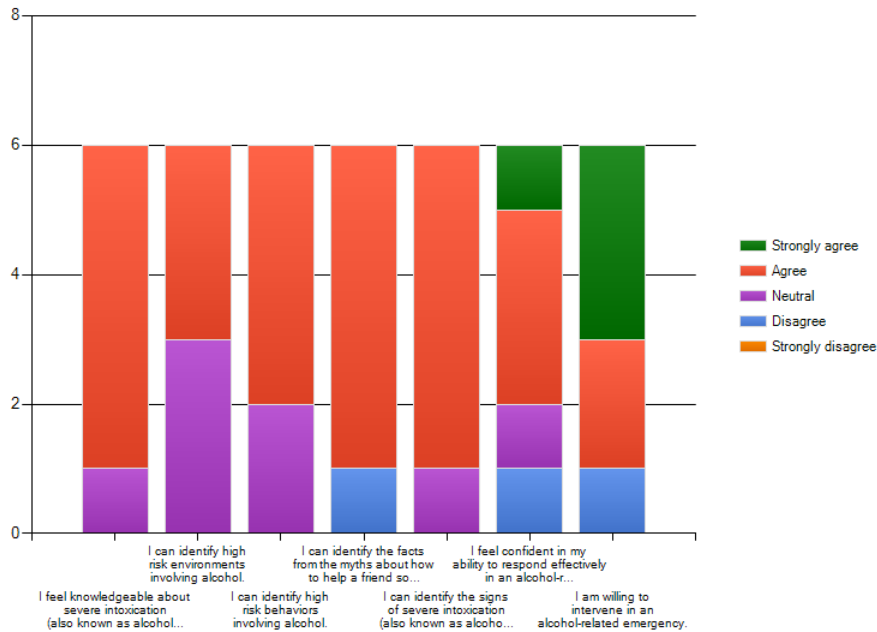


# Assessment Results

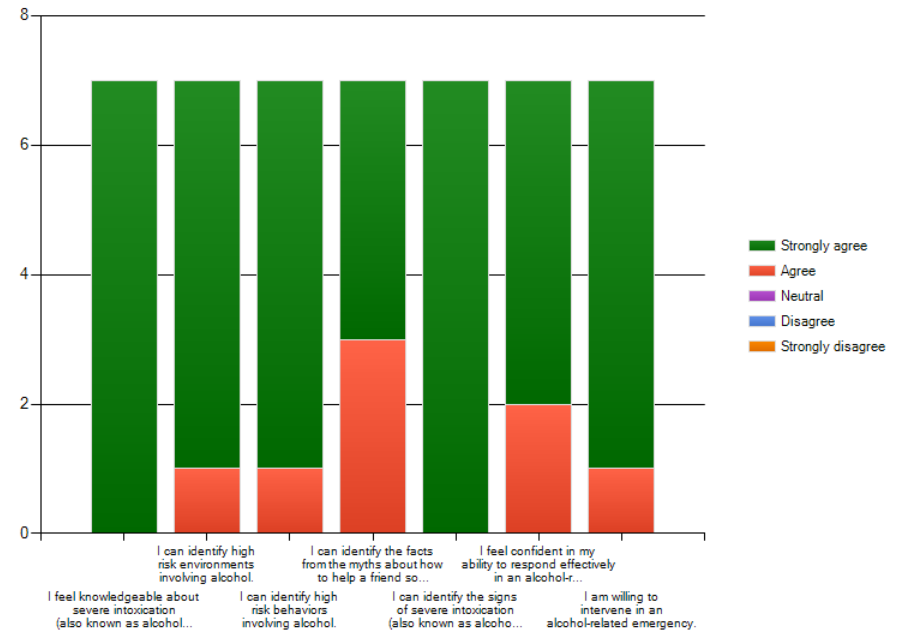
## We Speak We Stand Pre-Test

## We Speak We Stand Training Evaluation

Please indicate your level of agreement with the following questions.



Please indicate your level of agreement with the following questions.



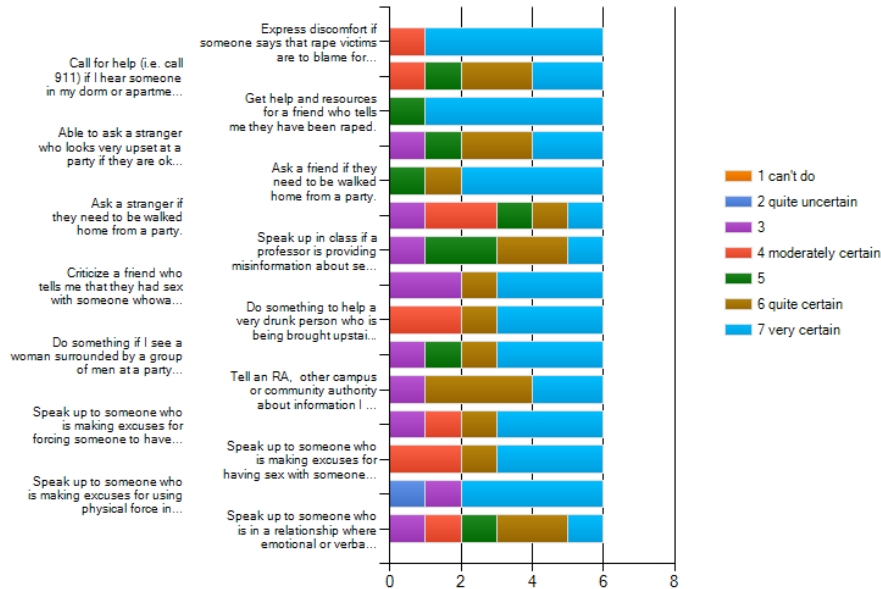


# Assessment Results

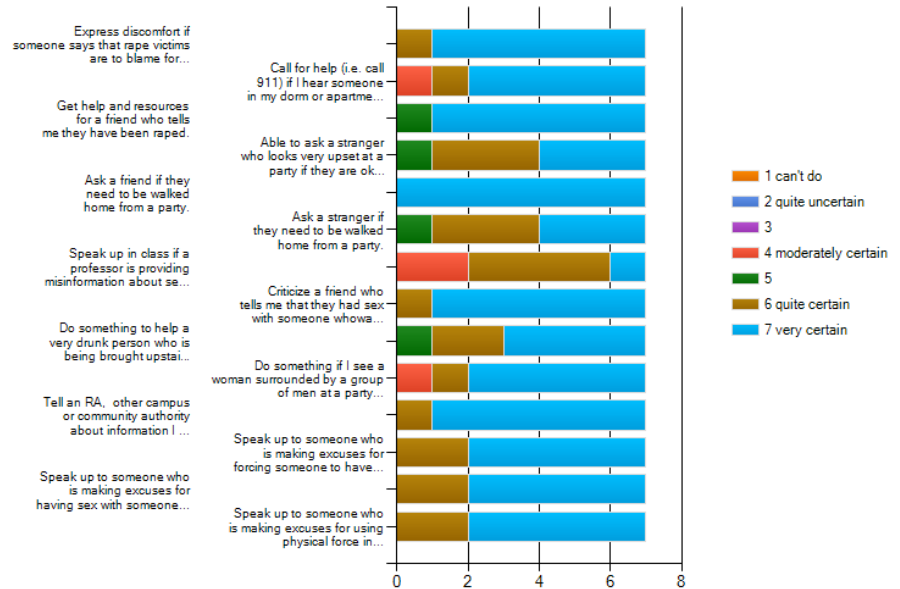
## We Speak We Stand Pre-Test

## We Speak We Stand Training Evaluation

Please read each of the following behaviors. Indicate how confident you are that you could do them. Rate your degree of confidence by recording a number from 1 to 7.



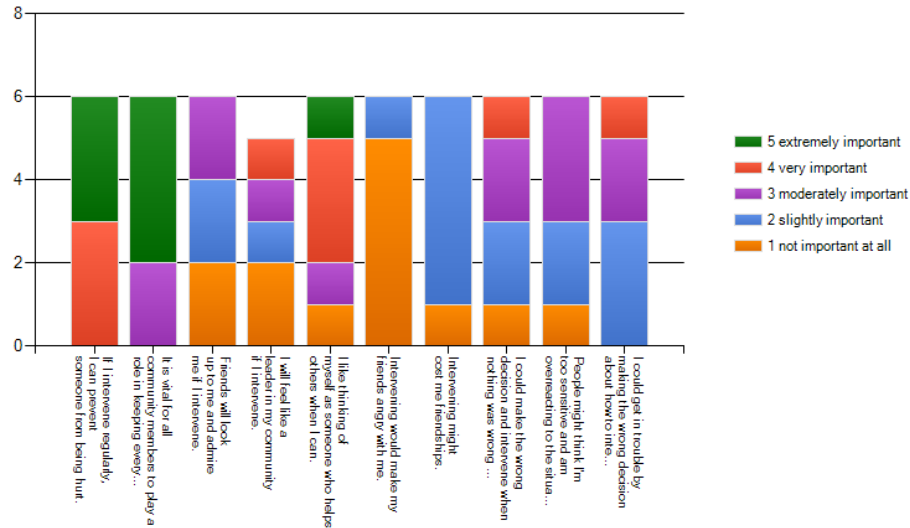
Please read each of the following behaviors. Indicate how confident you are that you could do them. Rate your degree of confidence by recording a number from 1 to 7.



# Assessment Results

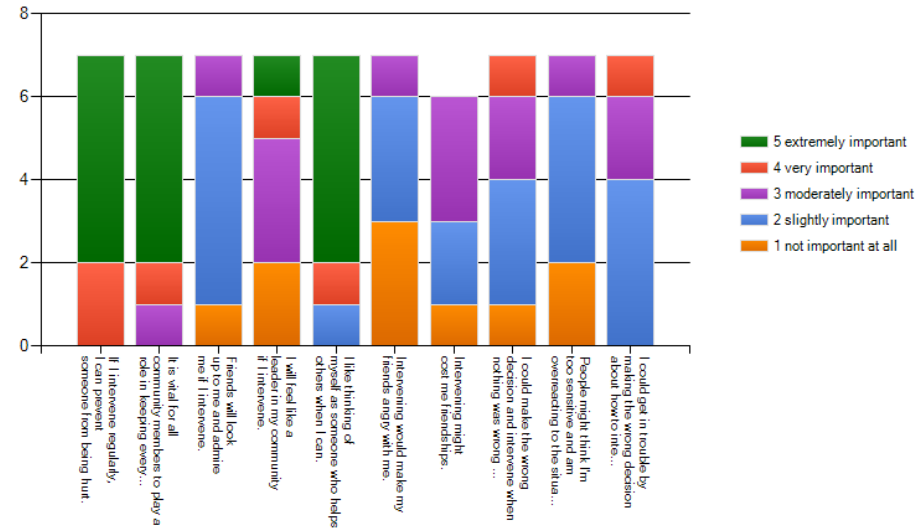
## We Speak We Stand Pre-Test

Each statement represents a thought that might occur to a person who is deciding whether or not to help someone who is in trouble. Please indicate how important each of these statements would be to you if you were considering intervening in a situation where you thought someone might be being hurt or was at risk of being hurt. Please choose the number that best describes how important each statement would be to you if you were deciding whether or not to intervene.



## We Speak We Stand Training Evaluation

Each statement represents a thought that might occur to a person who is deciding whether or not to help someone who is in trouble. Please indicate how important each of these statements would be to you if you were considering intervening in a situation where you thought someone might be being hurt or was at risk of being hurt. Please choose the number that best describes how important each statement would be to you if you were deciding whether or not to intervene.



# Important Partnerships

- Administration
  - Buy-in from student affairs staff to the President
    - Legitimizes the work on an institutional level
  - We Speak We Stand mission ties into the mission of the University
  - Wesleyan invests in building community and the We Speak We Stand program enhances that



# Important Partnerships

- Students
  - Train the Trainer model
  - Student are emotionally invested in the content and then connect with peers
  - Our students have a strong distrust of authority and administration which makes a partnership critical in order for the program to be a success



# Contact Information

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# Selected Articles

- Banyard, V. L., Plante, E. G., & Moynihan, M. M. 2005. Rape prevention through bystander education: Bringing a broader community perspective to sexual violence prevention. Grant Report. No. 2002-WG-BX-0009, Washington, D. C.: National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. <http://www.unh.edu/preventioninnovations/media/pdfs/Rapepreventionthroughbystandereducation.pdf>.
- Banyard, V. L., Plante, E. G., & Moynihan, M. M. 2004. Bystander education: Bringing a broader community perspective to sexual violence prevention. *Journal of Community Psychology* 32: 61—79.
- Banyard, V. L., Moynihan, M. M., & Plante, E. G. 2007. Sexual violence prevention through bystander education: An experimental evaluation. *Journal of Community Psychology* 35: 463—481.
- Berkowitz, A. D. 2009. RESPONSE ABILITY: A complete guide to bystander intervention. Beck & Co.
- Burn, S.M. 2009. A situational model of sexual assault prevention through bystander intervention. *Sex Roles* 60: 779-792.
- Moynihan, M. M., & Banyard, V. L. 2008. Community responsibility for preventing sexual violence: A pilot with campus Greeks and intercollegiate athletes. *Journal of Prevention and Intervention in the Community* 36: 23—38.
- Moynihan, M. M., & Banyard, V. L. 2008. Improving individuals' change in response to sexual violence: Reducing backlash using a bystander approach. *Sexual Assault Report. Kingston, NJ: Civic Research Institute*.
- Potter, S. J., Stapleton, J. G., & Moynihan, M. M. (2008). Designing, implementing, and evaluating a media campaign illustrating the bystander role. *Journal of Prevention and Intervention in the Community* 36: 39—56.

# Selected Articles

- Potter, S. J., Moynihan, M. M., Stapleton, J. G., & Banyard, V. L. 2009. Empowering bystanders to prevent campus violence against women. *Violence Against Women* 15: 106—121.
- Scully, M. & Rowe, M. 2009. Bystander training within organizations. *Journal of the International Ombudsman Association* 2: 1—9. <http://web.mit.edu/ombud/publications/bystander.pdf>

## Collection of Resources

- National Sexual Violence Resource Center Bystander Intervention Resources

<http://www.nsvrc.org/projects/150/bystander-intervention-resources>.

## Campaigns and Programs

These are examples and is not meant to be an exhaustive list.

- Mentors in Violence Prevention (MVP)

<http://www.jacksonkatz.com/mvp.html>

- Stanford Program

[www.assu.stanford.edu/bystander/pledge](http://www.assu.stanford.edu/bystander/pledge)

- Step Up! <http://www.stepupprogram.org>

The University of Arizona C.A.T.S. Life Skills Program, along with the National Collegiate Athletic Association (NCAA) and national experts, developed *Step Up! Be a leader, Make a difference to educate students and athletes about proactive, pro-social behavior. Step Up! is based on research and theory about teaching intervention skills to bystanders in order to promote more active and engaged behavior.*

- University of Kentucky, Green Dot Program

<http://www.uky.edu/StudentAffairs/VIPCenter/greendot.html>

<http://www.kdva.org/greendot/>

- University of New Hampshire, Bringing in the Bystander

<http://www.unh.edu/preventioninnovations/> (click on Projects)

- Bringing in the Bystander, Marketing Campaign Components

<http://www.unh.edu/preventioninnovations/index.cfm?ID=BCD091D3-924C-8774-7B4F4AEEB9D50C9A>

- Vermont University Bystander materials (adopted from William and Mary) <http://www.stopabuse.vt.edu/pdf/playbook.pdf>

- William and Mary Bystander On-Line Materials [http://web.wm.edu/sexualassault/geteducated\\_community\\_intervention.php](http://web.wm.edu/sexualassault/geteducated_community_intervention.php)