



Albertus Magnus College

Report to the General Assembly Education Committee Pursuant
to Public Act 14-11

Table of Contents

Sexual Misconduct Policy.....	3
Student Rights.....	12
Educational Programs & Campaigns.....	23
Incidents on Campus.....	24
Number of Disciplinary Cases.....	24
Outcomes of Disciplinary Cases.....	24

SEXUAL MISCONDUCT POLICY

NOTICE OF NON-DISCRIMINATION

Albertus Magnus College (“Albertus” or the “College”) is committed to preserving the safety and dignity of all members of its community. The College prohibits all forms of sex discrimination including, but not limited to, sexual harassment, sexual assault, intimate partner violence, sexual exploitation, and stalking. The College has a zero-tolerance policy for sexual misconduct: sex discrimination is prohibited under Title IX and will not be tolerated in any form. The College will investigate and address all instances of such behavior thoroughly, effectively, and in a timely manner.

The Policy applies to all members of the College community regardless of sexual orientation or gender identity, as well as to conduct of third parties, such as guests and visitors, directed toward College students, faculty, or staff members. The Policy applies to behavior occurring both on and off campus.

TITLE IX COORDINATOR

The Vice President for Student Services serves as the Title IX Coordinator on behalf of the College. The Title IX Coordinator coordinates the College’s efforts to comply with and carry out its responsibilities under Title IX and serves as a resource for the College community. College community members or visitors participating in any College program or activity who allege that they have been subject to sex discrimination may contact the Title IX Coordinator to share their concerns.

The Title IX Coordinator for Albertus Magnus College is:

Mr. Andrew Foster
Vice President for Student Services
Title IX Coordinator
Hubert Campus Center 108
203.773.8542
afoster@albertus.edu

JURISDICTION

The College will investigate incidents of sexual misconduct in the following situations:

- Incidents that occur on or off campus and involve a current College community member
- Incidents in which the alleged violator is a current College community member

Reports of sexual misconduct from an individual outside of the College community and not relating to college conduct may be investigated if the College determines that the conduct described in the complaint constitutes a sufficient threat to the College community to warrant investigation.

All individuals are encouraged to make reports of sexual misconduct in a timely manner. An individual can file a report regarding sexual misconduct at any time to any College official. All individuals are advised to file a report with the local law enforcement authorities.

DEFINITIONS

Complainant

Complainant refers to the community member who reported the incident of alleged sexual misconduct.

Respondent

Respondent refers to the community member who allegedly violated the Sexual Misconduct Policy and/or has been charged with a violation of the Sexual Misconduct Policy.

Sexual Misconduct

Sexual Misconduct is a broad term encompassing any sexual behavior that is committed without effective consent or that has the purpose or effect of threatening, intimidating, or coercing a person. Sexual misconduct may vary in its severity and consists of a range of behaviors that may be grounds for action under Albertus Magnus College policies. In general, any non-consensual physical contact of a sexual nature may constitute sexual misconduct. However, physical contact is not a necessary component. For example, making photographs, videos or recordings of a sexual nature without consent constitutes sexual misconduct, even if the documented activity was consensual.

The sexual orientation and/or gender identity of individuals is not relevant to allegations under this policy.

NOTE: Many of the behaviors and actions that constitute sexual misconduct under this Policy also constitute criminal offenses under state and/or federal laws.

Sexual misconduct offenses include, but are not limited to, sexual harassment, hostile environment, sexual assault, sexual exploitation, intimate partner violence, and stalking.

1. Sexual Harassment

Sexual Harassment is unwelcome verbal or physical conduct that is of a sexual nature when

- submission to such conduct is made, explicitly or implicitly, a condition of employment or educational experience; or
- such conduct is sufficiently severe, persistent or pervasive that it alters the conditions of or substantially interferes with one's work or academic performance by creating an intimidating or hostile academic or work environment.

Sexual harassment includes acts of sexual assault and sexual violence.

Sexual Harassment can involve various relationships within the College community between students, faculty, staff members, vendors, and service providers (e.g., student and student,

supervisor and employee, staff member and student, vendors and faculty, et cetera.)

2. Hostile Environment Caused by Sexual Harassment

A “hostile environment” exists when sexual harassment is sufficiently serious to deny or limit the ability to participate in or benefit from the College’s activities or programs. A hostile environment can be created by anyone involved in the College’s program or activity (e.g., administrators, faculty, students, visitors). To determine whether a hostile environment exists, the College considers a number of factors related to the severity, persistence, or pervasiveness of the harassment, including:

- the type, frequency, and duration of the conduct;
- the identity and relationships of persons involved;
- the number of individuals involved;
- the location of the conduct and the context in which it occurred; and
- the degree to which the conduct affected one or more student’s education.

3. Sexual Assault

Sexual assault is actual or attempted sexual contact with another person without that person’s consent. It includes, but is not limited to, non-consensual sexual contact and rape.

- Sexual Contact refers to intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any intentional bodily contact in a sexual manner.
- Non-Consensual Sexual Contact is any intentional sexual touching with any object or body part by a man or a woman upon a man or a woman that is without consent and/or by force.
- Non-Consensual Sexual Intercourse includes vaginal or anal penetration by an object or body part and vaginal, anal, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact, by a man or woman upon a man or a woman, without effective consent.

4. Intimate Partner Violence

Intimate partner violence (IPV) occurs when a former or current intimate partner uses or threatens physical violence, coercion, threats, intimidation, stalking, or other forms of emotional, sexual, or economic abuse. Such violence can be a single act or a pattern of behavior. Intimate partner relationships are defined as short- or long-term relationships (current or former) between persons intended to provide some emotional and/or romantic physical intimacy.

- Dating violence may constitute a form of IPV. Dating violence includes violence by a person who has been in a social relationship of a romantic or intimate nature with the

complaining party. The existence of such a relationship is determined by its length, its type, and the frequency of interaction of persons involved in the relationship.

- Domestic violence may constitute a form of IPV. Domestic violence includes violent misdemeanor or felony offenses committed by the complaining party's current or former spouse, cohabitant, or a person with whom he or she shares a child.

5. Sexual Exploitation

Sexual exploitation occurs when a person takes sexual advantage of another for the benefit of anyone other than that person without his/her consent. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy
- Prostituting another person
- Non-consensual recording of sexual activity
- Distributing images or audio of another person's sexual activity or body, if the individual distributing the images or audio knew or should have known that the person depicted did not consent to such disclosure
- Going beyond the boundaries of consent (such as letting other people hide in the closet to watch you having consensual sex)
- Engaging in voyeurism
- Knowingly transmitting a sexually transmitted infection, sexually transmitted disease, or other infectious and/or communicable diseases or serious health conditions (e.g., HIV/AIDS) to another person
- Exposing one's genitals in non-consensual circumstances, inducing another to expose their genitals
- Sexually-based stalking and/or bullying

6. Stalking

Stalking is conduct directed at a specific person that would cause a reasonable person to fear for his, her, or others' safety, or to suffer substantial emotional distress.

- Stalking may include, but is not limited to, pursuit, following, harassment, monitoring, pursuing contact.
- Stalking may occur in person or through communications such as letters, e-mails, texting, and phone calls.

Consent

Sexual activity requires consent, which is defined as an active, unambiguous, knowing, and voluntary agreement to engage in a particular sexual activity throughout a sexual encounter. Consent must be freely and actively given. Consent may be given by words or actions; however, silence, a lack of resistance, or the absence of "no" does not imply consent.

- Consent to one form of sexual activity does not imply consent to further sexual activity.

- Past consensual sexual activity does not imply consent to future sexual activity.
- Consent to sexual activity with one person does not imply consent to sexual activity with another person.
- A current relationship does not imply consent to sexual activity.
- Consent must be ongoing throughout a sexual encounter and can be revoked at any time.
- Consent to sexual activity can be withdrawn at any time verbally, through physical resistance, or by loss of consciousness. Once consent is withdrawn, all sexual activity must cease and any further sexual contact constitutes sexual misconduct.
- Consent cannot be obtained by intimidation, force, or coercion.
 - Intimidation is the act of using coercion, instilling fear, or making threats to induce submission, compliance, or acquiescence from another.
 - Force includes the use of physical violence and/or imposing on someone physically to gain sexual access, as well as threats, intimidation or implied threats, and coercion to overcome resistance or produce consent (e.g., “Have sex with me or I will ... you.” “Okay, don’t ...me, I will do what you want.”).
 - Coercion is unreasonable pressure for sexual activity. When someone makes clear to a person that s/he does not want sex, that s/he wants to stop, or that s/he does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
 - There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced. The presence of force is not demonstrated by the absence of resistance.

Legal age of consent - In order to give consent, a person must be of the legal age of consent. In the state of Connecticut, the legal age of consent is sixteen. Engaging in sexual activity with a person who has not given consent or who legally cannot give consent is an act of sexual violence and also may be a criminal offense under state and/or federal law.

Incapacitation - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). Indications of consent are irrelevant if the initiator knows or should have reasonably known of the incapacity of another person. Sexual activity with someone whom you know to be - or based on the circumstances should reasonably have known to be - mentally or physically incapacitated (e.g. by alcohol or other drug use, unconsciousness or blackout) constitutes a violation of this policy.

- A person who is incapacitated by alcohol and/or drugs, including “rape drugs”, whether voluntarily or involuntarily consumed, cannot give consent. Possession, use, and/or distribution of any of these “rape drug” substances, including but not limited to Rohypnol, Ketamine, GHB, Burundanga, et cetera, is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>

- This policy covers a person whose incapacity results from any condition, including but not limited to mental disability, sleep, and/or involuntary physical restraint.
- Evidence of incapacity may be detected by physical cues, such as slurred speech, bloodshot eyes, the odor of alcohol on a person's breath or clothing, inability to maintain balance, vomiting, unusual or irrational behavior, and unconsciousness. Any of these particular cues alone does not necessarily indicate incapacity. Context is important in helping to determine incapacitation. People can reach incapacitation at different points and as a result of different stimuli.

REPORTING POLICIES

The College encourages victims of sexual misconduct to talk to somebody about what happened as soon as possible so that they can get the support and assistance they need, and so the College can respond appropriately. Everyone is encouraged to make formal reports of incidents. Only people who have a need to know about the incident will be informed, and information will be shared only as necessary with investigators, witnesses, and the accused person.

There are several different resources available for reporting. When choosing a reporting resource, the following information should be considered:

- All reports of sexual misconduct, including sexual harassment, sexual assault, and intimate partner violence will be treated seriously and with dignity by the institution.
- Those who have been assaulted have the right to take both legal action (criminal and/or civil action) and action through the College against the individual allegedly responsible. Members of the College community may notify local law enforcement of sexual misconduct. The non-emergency contact information for the New Haven Police Department is (203) 946-6316. The New Haven Police Department is located at 1 Union Avenue in New Haven.

Anonymous Reporting Option

Any member of the College community may anonymously report an alleged violation of the College's Title IX policy by calling the Falcon Tip Line at 203-672-6795 or by completing the Falcon Tip form www.albertus.edu/falcontips. These reports will be directed to the Title IX Coordinator for review and appropriate action. Please note that the College's response to such anonymous reports may be limited due to lack of information.

Confidential Reporting Options

There are several formal reporting options available to members of the College community. Different employees on campus have different abilities to maintain a victim's confidentiality.

- Some employees known as "Confidential Resources" are required to maintain near complete confidentiality. Talking to them is sometimes called a "privileged communication." Examples of these types of employees include professional, licensed counselors and pastoral counselors who provide mental health counseling to the College

community. You may contact these individuals at the Office of Dominican Ministries and the Student Health Services Office.

Office of Dominican Ministries
Campus Ministry
Hubert Campus Center 110
203-672-6678

Student Health Services
Physical Health Services
Hubert Campus Center – 2nd Floor
(203) 773-8938

Mental Health Counseling Services
Campus Center – 2nd Floor
Room 200
203-773-8149

Hours: Monday 9- 3:15, Wednesday 9-5:00, Thursday 9- 3:15

- Most employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX coordinator. A report to these “responsible employees” constitutes official notice to the College, and generally obligates the College to investigate and take appropriate steps to address the situation. Members of the College community are encouraged to speak to officials of the institution (Deans, Vice Presidents, or other administrators with supervisory responsibilities, Campus Security, Human Resources, and Student Services) to make formal reports of incidents. Formal reports of sexual misconduct will be taken seriously by the institution and will be investigated and properly resolved through administrative procedures.
 - Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.
 - While these employees may maintain a victim’s privacy vis-à-vis the College, they may have reporting or other obligations under state law, such as those listed below:
 - Mandated reporters are required to report or cause a report to be made when, in the ordinary course of their employment or profession, they have reasonable cause to suspect or believe that a child under the age of 18 has been abused, neglected or is placed in imminent risk of serious harm. See, e.g., Connecticut General Statutes §17a-101a. The list of mandated reporters includes, but is not limited to, licensed physicians, licensed practical nurses, licensed professional counselors, licensed surgeons, members of the clergy, mental health professionals, sexual assault counselors, and social workers.
 - Communications between mental health professionals and patients are generally confidential and cannot be disclosed to a third party without the patient's consent. However, mental health professionals may disclose privileged communications without the patient's consent in certain circumstances, such as when they have a good faith belief that there is a risk of imminent injury to the patient or others or to the property of other individuals. See, e.g., Conn. Gen. Stat. 52-146.
 - Disclosure may be required by court order.
 - If the College determines that the alleged perpetrator(s) pose a serious and immediate threat to the College community, the College’s Campus Security Authority may be called upon to issue a timely warning to the community. Such warnings will not include any information that identifies the victim.
 - Reporting Obligations for Faculty and Staff

- The College recognizes that faculty and staff bear a particularly important responsibility to deter sexual misconduct. Any faculty or staff member (other than those who are statutorily prohibited from reporting) who learns of conduct that may violate this policy must contact the Title IX Coordinator within 24 hours, or as soon as possible. Individuals who are statutorily prohibited from reporting (such as health professionals and certain members of Campus Ministry to whom the pastoral privilege applies) are not required to report to the Title IX Coordinator.

Amnesty

If you have been a victim of a sexual assault or you think that you may have witnessed an incident of sexual assault, you are encouraged to report the incident immediately to a Title IX Coordinator or Campus Security. In an effort to encourage reporting, students who may have violated the College's Alcohol or Drug Policy at the time of the incident s/he is reporting will not be charged with conduct code violations.

Complainants or witnesses should not let their use of alcohol or drugs be a deterrent to reporting an incident. When investigating an alleged incident, the College's primary focus will be on addressing the sexual misconduct violation and not on alcohol/drug violations that may be discovered or disclosed in the course of the investigation.

In rare circumstances where other violations occur, students may be referred for disciplinary adjudication. Examples include, but are not limited to: fights, verbal or physical harassment, disorderly conduct, property damage, or vandalism.

Retaliation

Retaliation against any person in the College community for reporting a violation of Title IX or for participating in the grievance procedures set forth herein is strictly prohibited and may result in disciplinary action, including interim or permanent measures. The College defines retaliation as any adverse action taken against an individual who has participated in any manner in an investigation, proceeding, or hearing under these policies and procedures. Any concerns regarding retaliation should be raised immediately with the College's Title IX Coordinator.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (e.g. on or off-campus, in the surrounding area,) for publication in the annual Campus Security Report. This report helps to provide the College community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student/conduct affairs, campus security, local police, coaches, athletic directors, residential life staff, student activities staff, human resources staff, advisors

to student organizations, and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category. This reporting protects the identity of the complainant and may be done anonymously.

Federal Timely Warning Reporting Obligations

Complainants of sexual misconduct should be aware that the College administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a complainant's name and other identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

INVESTIGATION OF TITLE IX COMPLAINTS

When investigating alleged violations of Title IX, the College endeavors to provide all those involved with a prompt, fair and equitable process, as per the guidelines established by the United States Department of Education. As such, it is important to note that when investigating and determining the outcomes of such complaints the College will apply the standard burden of proof preponderance of evidence ("more likely than not").

Throughout the investigation of any Title IX complaint, both the Respondent and the Complainant may have a support person present. A support person is an individual chosen by a Complainant, Respondent or Reporter to provide support and encouragement 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 to assist or advise the individual they are supporting in a non-advocacy role.

Student Rights

Both the Complainant and the Respondent have rights in an investigation. These rights include the following:

- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct, gender-based discrimination, and/or harassment made in good faith to the College;
- The right to be treated with respect by College staff throughout the process;
- The right to be notified of available counseling, mental and physical health services for victims of sexual misconduct, gender-based discrimination and/or harassment on campus and off campus;

- The right to identify witnesses and other parties, and to request the Deputy Coordinator contact those individuals as part of the investigation;
- The right to have a support person present during the investigation and hearing;
- The right to report the incident to off-campus authorities and/or law enforcement and to be assisted by College staff in doing so;
- The right to have an Investigation team of mixed genders, to know the members of the Investigation Team ahead of time, and to address concerns of bias and/or conflict of interest in regards to Investigation team members;
- The right to review all documents and reports produced by the investigation, subject to limitations provided by law, as well as the names of all witnesses who may be called to provide statements to the committee, at least 24 Hours prior to the hearing;
- The right to challenge information and documents prior to the hearing;
- The right to have the College request attendance and accommodate individuals called as witnesses for a hearing;
- The right to be present and participate in the investigation process;
- The right to make an impact statement to the investigation team, should the investigators find the accused student responsible for violating this policy;
- The right to be informed of the outcome and sanction of any investigation within 24 hours of a decision being rendered, and to receive that decision in writing;
- The right to appeal the finding and sanction of the investigation team, in accordance with the appeal guidelines established in this policy;
- The right to privacy, and the assurance that information regarding the complaint will be shared only with those necessary;
- The right to report the incident to off-campus authorities and/or law enforcement and to be assisted by College staff in doing so;
- The right to know what provisions of the Code of Student Conduct the accused student is charged with violating;
- The right to have a copy of the investigation script at least 48 hours prior to the meeting;
- The right to participate in investigation hearings by means other than being in the same room with the accused student

- The right to have the Title IX grievance process fully explained, and to receive written notice of all Student Conduct Code charges at least 48 hours before an investigation hearing

Note that the use of alcohol or other drugs will never function as a defense for any behavior that violates this policy.

Interim Measures

Any student who has been involved in an alleged incident of sexual misconduct will have access to 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. This can include:

- Housing Accommodations
- Dining Services Accommodations
- Academic Accommodations
- No Contact Orders
 - Individuals may request a no contact order towards persons who have engaged in or who threaten to engage in sexual misconduct, stalking, threatening, harassing, or other improper behavior that presents a danger to the welfare of the complainant or others. Individuals may request a no contact order by requesting one from the Division of Student Services or through the Title IX Coordinator.
- Interim Suspensions
 - In the case where an individual's presence on campus at the college constitutes an immediate threat of harm to the community, an Interim Suspension may be enforced while an investigation is pending.

Confidentiality and Privacy

When the College receives a report of sexual misconduct, all reasonable steps will be taken by the appropriate campus officials to preserve the privacy of the reported victim while promptly investigating and responding to the report.

While the institution will strive to maintain the confidentiality of the information reported, the institution must fulfill its duty to protect the campus community.

Information provided to a Confidential Resource by a victim of a sexual assault or the person reported to have been assaulted cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, s/he must speak with a Confidential Resource.

- A Confidential Resource has no obligation to report information of a sexual assault or another form of sexual misconduct to the College. Examples include the Office of Dominican Ministries and Student Health Center.

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of a sexual assault to the extent reasonably possible. The Title IX Coordinator will determine whether or not it is necessary to take steps to protect the safety of the reported victim and/or other members of the college community when weighing a student's request for confidentiality.

Below are the factors that would be considered by the Title IX Coordinator when making this decision:

- Whether there are multiple allegations involving the same alleged perpetrator
- Whether the alleged perpetrator has a documented history of violence
- Whether the alleged perpetrator threatened further sexual violence or other violence against the student or others
- Whether the sexual violence was committed by multiple perpetrators
- Increased risk of future acts of sexual violence under similar circumstances
- Whether the sexual violence was perpetrated with a weapon
- The age of the student subjected to the sexual violence
- Whether the College possesses other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence)

ADJUDICATION PROCEDURES

The College will address allegations of sexual misconduct promptly and equitably. The process for addressing alleged sexual misconduct by a student is set forth below. The individuals involved in the adjudication process will include trained College staff members who will determine whether the sexual misconduct occurred and the appropriate sanctions. Either the complainant or the respondent may raise issues regarding potential conflicts of interest of such individuals.

In its discretion, the College may determine that allegations of sexual misconduct in a particular instance will be addressed outside the procedures in this policy. In no event will mediation be used to adjudicate a sexual misconduct case. In determining the outcome of a complaint of sexual misconduct, the College will apply the standard burden of proof, Preponderance of Evidence ("more likely than not").

Sanctions

- Any member of the College community found responsible for violating the sexual misconduct policy is subject to action up to and including dismissal.

- Any student found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.*
- Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.*
- Any student found responsible for violating the policy on sexual harassment, hostile environment, intimate partner violence, sexual exploitation, or stalking will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.*

*The Investigation Team, along with the Director of Residential Life and Community Standards reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial investigation team nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

PREVENTION AND EDUCATION

The College is committed to ensuring the safety, personal dignity, rights and freedoms of all members of the College community. Albertus Magnus provides ongoing prevention and awareness programs in the area of sexual misconduct.

- Student awareness and educational campaigns, including Title IX Resources pamphlets, Sexual Assault Information pamphlets, and resource pamphlets.
- Student Orientation programs to educate new students on issues of sex discrimination, the College's sexual misconduct policy, reporting procedures, and available resources
- Employee education
 - The Title IX Coordinator educates College employees on issues of sex discrimination and how to report these issues. The Title IX Coordinator also trains employees on how to sensitively handle reporting.

TRAINING

The College is committed to ensuring that all employees are trained on issues of sex discrimination. Training for faculty and staff is the responsibility of the Title IX Coordinator.

- Staff are trained annually on what constitutes sex discrimination, their reporting responsibilities, how to handle reports of sex discrimination, and campus resources.

- All individuals involved in investigating or adjudicating issues of sex discrimination undergo training prior to engaging in any such responsibilities.
- Trainings are conducted by the Title IX Coordinator in collaboration with other experts.

SEXUAL MISCONDUCT AND ASSAULT RESPONSE TEAM (“SMART”)

The College has established a campus resource sexual misconduct and assault response team (“SMART”). All SMART members will be educated in: the awareness and prevention of sexual assault, stalking and intimate partner violence, and communicating with and providing assistance to any student or employee of the College who is the victim of such assault, stalking or violence; the sexual assault, stalking and IPV policies of the College; the provisions of Title IX and the Clery Act; victim-centered response and the role of community-based sexual assault victim advocates; the role and functions of each member to ensure coordinated responses to reported incidences of sexual assault, stalking and intimate partner violence; and communicating sensitively and compassionately with victims of assault, stalking, and violence.

SMART shall meet no less than once per semester to review protocols for providing support and services to any student or employee who reports being the victim of sexual assault, stalking, or intimate partner violence and to ensure that they are updated as necessary. SMART is comprised of 8 members, representing the faculty, staff, crisis center partners and security.

OTHER RESOURCES

Emergency: 911

New Haven Police Department Non-Emergency Contact: (203) 946-6316
1 Union Avenue, New Haven

Yale New Haven Hospital, Non-Emergency: (203) 688-4242
20 York Street, New Haven

Women & Families Center: (203) 389-5010
1440 Whalley Avenue, New Haven

The Umbrella Center for Domestic Violence Services: (203) 736-2601, ext. 1381
127 Washington Avenue, North Haven

New Haven Sexual Assault Crisis Services: (203) 789-1475
131 Dwight Street, New Haven

CT Sexual Assault Crisis Services: (888) 999-5545
www.connsacs.com

Albertus Magnus College Campus Security: (203) 773-8509
www.albertus.edu/student-resources/campus-safety.php

Albertus Magnus Campus Ministry: (203) 672-6678
www.albertus.edu/student-life/dominican-ministries

Albertus Magnus Campus Counseling Center: (203) 392-6415

Albertus Magnus Department of Human Resources: (203) 773-4474

Albertus Magnus College Code of Student Conduct
www.albertus.edu/handbook

Albertus Magnus Employee Rules of Conduct
www.albertus.edu/pdf/employee-policy-manual-july2013.pdf

Albertus Magnus Title IX Coordinator
www.albertus.edu/student-life/title-ix.php

Not Alone, an official website of the U.S. Government
notalone.gov

For reference to relevant state statutes regarding sex offenses, please see Connecticut General Statutes § 46b-120, § 46b-127, § 46b-133d, § 53a-70, § 53a-71, and § 54-76b.

For reference to relevant state statutes regarding disclosure of communications by mental health professionals, see Connecticut General Statutes §52-146.

Investigation and Administrative Resolution of Sexual Misconduct Allegations

The College encourages students to report allegations of sexual misconduct to the Deputy Title IX Coordinator. Formal notice of a complaint can be made in writing or orally to an appropriate staff member or responsible employee. The complaint should clearly describe the alleged incident, including when and where it occurred, the identity of the perpetrator if known, and who was present. The College strongly encourages prompt filing of a complaint so that an effective investigation can be conducted.

Investigation will commence promptly upon receipt of notice of alleged sexual misconduct. It is anticipated that the investigation and administrative resolution process will be completed within 60 days of the receipt of notice. If the process is expected to take longer than 60 days, the Deputy Title IX Coordinator will communicate the reasons for any such delay and the expected timeline to the parties in writing as soon as possible. The College reserves the right to extend any time periods identified herein.

The College does not tolerate intentional false reporting of incidents. It is a violation of the Code of Student Conduct to make an intentionally false report of any policy violation.

Initial Response

Upon notification of alleged sexual misconduct, the Deputy Title IX Coordinator will meet with the Complainant to review the details of the report, to explain the options available to them as how they would like to proceed; this includes the steps involved in a sexual misconduct investigation, to advise him/her of the availability of support resources, and to discuss their rights, as well as offer any interim measures that may be needed at this time.¹

The Deputy Title IX Coordinator may initiate an immediate interim response to separate Complainant and Respondent to prevent them from engaging with each other in common areas, residence halls, campus buildings, and student activities, and will outline options to change Complainant's and/or Respondent's academic and/or living situations if those changes are requested and are reasonably available. At this time the Deputy Title IX Coordinator will meet with the Respondent to discuss the complaint and meet separately with the Complainant and Respondent to inform them of any interim measures that may directly impact them. These responses may be temporary pending resolution of the investigation and administrative resolution process. During any stage of the investigation or resolution process, if the Deputy Title IX Coordinator reasonably suspects that Respondent poses an imminent

¹ In the event that the Deputy Title IX Coordinator is not available or where there is a concern of an appearance of impropriety arising from the Deputy Title IX Coordinator's involvement, the Title IX Coordinator will fulfill the Deputy Title IX Coordinator's functions as outlined herein.

threat of harm or disruption to the College community, s/he may be immediately removed from campus housing and/or be restricted from movement on campus.

The College recognizes that the Complainant may desire confidentiality. In such cases the Complainant is asked to put the request in writing. The College will maintain confidentiality to the extent permitted by law and other safety considerations; the Complainant must understand, however, that the College's ability to investigate the incident and pursue disciplinary action against the alleged perpetrator may be limited by such request. Similarly, in some cases the Complainant may request that the College not investigate a report. The College may then determine that it must investigate a report and take measures to protect the rights, interests, and personal safety of the College community. The College also may proceed with an investigation and administrative resolution process even where a Complainant withdraws his/her complaint or requests that the process be terminated.

After reviewing the complaint and speaking with the Complainant, the Deputy Title IX Coordinator will determine if there is reasonable suspicion that policy has been violated.

- If there is reasonable suspicion of a violation, the investigation will commence. Interim measures that were taken during the initial review phase may remain in force.
- If there is no reasonable suspicion of a violation of the Policy, then the Deputy Title IX Coordinator will issue a written finding of no cause to Complainant and the process will terminate.
 - Interim measures that were taken during the initial review phase may cease.
 - Complainant may pursue other options such as requesting a no-contact order and/or reporting the incident to the local police department.
 - In the event that additional evidence or information regarding a complaint is provided to the Deputy Title IX Coordinator subsequent to a finding of no cause, the investigation may be reactivated.

Preliminary Investigation

If there is reasonable suspicion of a violation, the investigation will commence. Once this is determined a Notice of Investigation will be issued, and the Investigative Team will conduct interviews with the Complainant, the Respondent and witnesses.

Investigative Team

The Deputy Title IX Coordinator will designate two investigators trained in sexual misconduct complaints to lead the investigation. All members of the Investigative Team, Complainant, Respondent, and witnesses are bound by confidentiality. They may not disclose any aspect of the investigation or administrative resolution process, or any documents or information related to it, other than to the Deputy Title IX Coordinator, the Title IX Coordinator/ Vice President of Student Services, or as required by law.

Members of the Investigative Team who may be involved in the allegations of the complaint, who may know the parties or witnesses, or who otherwise have a conflict of interest shall recuse themselves from

the investigation and/or administrative resolution process. The Deputy Title IX Coordinator will designate appropriate substitutes to serve for the duration of the pending case.

Information Gathering

The Investigative Team will establish a witness list, information list, anticipated investigation timeframe, and order of interviews for Complainant, Respondent, Reporters and witnesses (the “Participants”). Participants will be informed in writing of the investigation by the Deputy Title IX Coordinator and given a minimum of 24-hours notice to prepare to meet with the Investigative Team. The Investigative Team will interview Participants separately and in person except in extraordinary circumstances. The investigative team will maintain any written statements or documentation provided by Participants.

Support Person

Complainant and Respondent may have a support person present during the investigation and/or administrative resolution process. A support person is an individual chosen by Complainant and/or Respondent to provide support and encouragement. A support person may not communicate with the Investigative Team or any Participant at any time during the process. The support person may advise the individual, but may not represent him/her or advocate on his/her behalf. A support person who violates any of these provisions may be barred from the proceedings by the Deputy Title IX Coordinator.

Witnesses

All witnesses involved in the incident may be asked by the investigation team to attend a meeting. Witnesses shall only be allowed to share information that is factual and directly pertinent to the specific incident being reviewed.

- Character references will not be heard.
- Witnesses shall be present only when sharing information with the investigation team.

Communication

The Investigative Team will communicate with the parties in a timely fashion to keep them informed as to the status of the investigation. The Investigative Team also will periodically report on the status of the investigation to the Deputy Title IX Coordinator. The Deputy Title IX Coordinator shall ensure that the Investigative Team adheres to the intended timeline and updates Participants throughout the process.

Administrative Process

All information obtained through investigation will be reported by the Investigation Team in a written report to the Deputy Title IX Coordinator. This report will include the finding of responsibility, the reasons for determination, and if found responsible, the suggested sanctions. The complainant and respondent may also provide an impact statement at this time. All documents and findings will then be submitted by the Deputy Title IX Coordinator to the Director of Community Standards in conclusion of the investigation.

Determination and Notice

At the conclusion of the investigation, the Investigative Team's findings will be made using the "preponderance of the evidence" standard (more likely than not). The Director of Community Standards will then determine the sanctions necessary based upon the notice of determination from the investigation team, and will then issue a notice of determination and the sanctions assigned to the Complainant and Respondent at the same time.

If the standard has not been met, the case will end. The Deputy Title IX Coordinator shall determine whether any interim measures that were taken should cease or continue. The parties may take any or all of the following actions:

- request a no-contact order from the College;
- report the incident to the local police department, if s/he has not already done so;
- appeal the decision. An appeal must be filed in writing with the Title IX Coordinator within 5 business days of the written notice.

Appeal

After the conclusion of the investigation process, the Deputy Title IX Coordinator will meet separately with both parties to answer any questions. The parties may appeal the decision of the Investigation team and Director of Community Standards and/or the sanctions imposed by filing written notice with the Title IX Coordinator (Vice President for Student Services) within 5 days of the issuance of the Director of Community Standard's written notice of finding.

An appeal is not a rehearing of the case or an opportunity for the Title IX Coordinator (Vice President for Student Services) to substitute his/her judgment for that of the Director of Community Standards. The purpose of an appeal is to determine if there is sufficient information presented to allow a reconsideration of the decision. The following are the sole grounds for appeal:

- A substantial error of due process that adversely influenced the outcome
- Newly discovered material information that was not available at the time of the hearing, that is directly related to the case, and that would have a significant impact on the outcome
- Sanctions that are disproportionate to the violation
- The weight of the evidence did not justify a finding of responsible or not responsible

Following the appeal letter, the Title IX Coordinator (Vice President for Student Services) will convene an appeal panel. This appeal panel will be derived of 3 faculty or staff members selected by the Title IX Coordinator. The Title IX Coordinator and the appeal panel will be provided with all information collected and the findings established by the investigation team and the Director of Community Standards.

Note that sanctions will be enacted and interim measures may be continued while the appeal is being considered, at the discretion of the Deputy Title IX Coordinator.

Appeal Panel

The appeal panel is not charged with conducting a new investigation of alleged charges. Their role is to review all documents pertaining to the investigation (including the investigative reports, evidence, et cetera), review the finding and sanction(s) and consider the terms of the appeal. The appeal Panel is comprised of three voting members selected by the Title IX Coordinator from a pool of trained faculty and staff members. The Title IX Coordinator will assist the Appeal Panel as an administrator and help organize the process, but does not have a vote and does not participate in deliberations.

Members of the Appeal Panel who may be involved in the allegations of the complaint, who may know the parties or witnesses, or who otherwise have a conflict of interest shall recuse themselves from the process. The Title IX Coordinator will designate appropriate substitutes to serve for the duration of the pending case.

The panel will then determine the outcome and responsibility of the Respondent and can uphold the decision determined by the Investigation Team and the Director of Community Standards, adjust the sanctions assigned, or require further investigation. Both the Complainant and Respondent will be notified of the final outcome by the Title IX Coordinator at the same time.

Retaliation

Retaliation against any person for reporting sexual misconduct or for participating in investigations or the administrative resolution process is prohibited. The College will take steps to prevent retaliation and will take swift and thorough steps to respond to retaliation if it occurs. Complainants and Respondents are encouraged to promptly report any issues with retaliation to the Deputy Title IX Coordinator or the Title IX Coordinator.

The number and type of Sexual Assault, Stalking and intimate partner violence prevention and awareness campaigns or programs 2014.

- Fall Resident Life Staff Training- Supported by the local Sexual Assault Crisis Center through the Women & Families Center the Residential Life Staff received training on Sexual Assault Awareness and Prevention.
- First Year Student Orientation/ All Residential Students- Sex Signals - A two-person team of highly-trained educators provides an interactive, relevant, and often-hilarious exploration of beliefs, behaviors, and gender stereotypes related to dating and sexual interaction. Then, through several semi-improvisational scenes, and one that depicts a rapist describing a rape, the program reaches out to students who have mislabeled coercion as consent, with the hope of changing behaviors and encouraging bystander intervention.
- Pamphlets/Flyers etc- The College distributed several educational pamphlets on sexual assault. These items included a “pocket pal” titled “What you need to know about Sexual Assault”, as well as information regarding myths and facts about sexual assault. These items were

distributed in student orientation packets as well as key locations throughout campus including, the health center, residence halls, and student services. Additional materials and resource pamphlets from the Women and Families center Sexual Assault Crisis services; including those from the Umbrella Center for Domestic Violence Services.

- Student Health 101 –Digital Magazine. Monthly digital magazine that covers a wide range of topics including, Sexual Assault, Stalking and Intimate partner violence. This is published each month and is promoted to the student population through the use of social media, digital signs and flyers. Articles issued in 2014 include: Profile of a Perpetrator: who is responsible for sexual assault on campus, Profile of a Friend: How to be an ally to survivors of Sexual Assault; and A Students Guide to Getting Help After a sexual Assault.
- Domestic Violence Awareness Day- Tabling in collaboration with the Umbrella Center to provide resources to students. There was an interactive component about healthy relationships. A campus wide e-mail went out about wearing purple to support the prevention of Domestic Violence.
- Healthy Relationship Quiz- Students could fill out a quiz to show if their relationship was healthy or had signs of unhealthy behavior. There was resources given to help students get support if in an unhealthy relationship. Those who completed the quiz were entered to win movie passes.
- Consent Valentines- students were provided the opportunity to make consent valentines for their partners or friends.
- Take Back the Night- Interactive program with resources and tables, a sexual assault survivor speaker, speak out portion, march and candle vigil.

The number of incidents of Sexual Assault, Stalking and Intimate Partner Violence on Campus

- Albertus Magnus College had 3 reported incidents of Sexual Assault in 2017
- Albertus Magnus College had 1 reported incidents of Stalking in 2017
- Albertus Magnus College had 2 reported incidents of Intimate Partner Violence in 2017

The number of confidential or anonymous reports or disclosures of Sexual Assault, Stalking and Intimate Partner Violence on Campus

- Albertus Magnus College had 0 confidential or anonymous reported incidents of Sexual Assault in 2017
- Albertus Magnus College had 0 confidential or anonymous reported incidents of Stalking in 2017
- Albertus Magnus College had 0 confidential or anonymous reported incidents of Intimate Partner Violence in 2017

The number of disciplinary cases related to Sexual Assault, Stalking, and Intimate Partner Violence

Albertus Magnus College did not have any disciplinary cases related to Sexual Assault, Stalking and Intimate partner violence; as there were no reports of these incidents. Thus no final outcomes to report for 2017.