

## To report sexual misconduct...

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[www.threerivers.edu/SMRE](http://www.threerivers.edu/SMRE)

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**If you fear for your safety, please call 911**

5.2	Sexual Misconduct Reporting, Support Services and Processes	16-067	2016-06-16
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## **5.2 Sexual Misconduct Reporting, Support Services and Processes Policy**

### ***Statement of Policy***

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct, intimate partner violence and stalking. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

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

Affirmative consent must be given by all parties before engaging in sexual activity. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff/faculty and students are discouraged pursuant to BOR policy.

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

### ***Terms, Usage and Standards***

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

Affirmative consent may never be assumed because there is no physical resistance or other negative response. A person who initially consents to sexual activity shall be deemed not to have affirmatively consented to any such activity which occurs after that consent is withdrawn. It is the responsibility of each person to assure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that affirmative consent is sustained throughout the sexual activity. It shall not be a valid excuse to an alleged lack of affirmative consent that the student or employee responding to the alleged violation believed that the student reporting or disclosing the alleged violation consented to the activity (i) because the responding student or employee was intoxicated or reckless or failed to take reasonable steps to ascertain whether the student or employee reporting or disclosing the alleged violation affirmatively consented, or (ii) if the responding student or employee knew or should have known that the student or employee reporting or disclosing the alleged violation was unable to consent because the student or employee was unconscious, asleep, unable to communicate due to a mental or physical condition, or incapacitated due to the influence of drugs, alcohol or medication. The existence of a past or current dating or sexual relationship between the persons involved in the alleged violation shall not be determinative of a finding of affirmative consent.

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

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

**Sexual misconduct** includes engaging in any of the following behaviors:

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

- sexual flirtation, touching, advances or propositions
- verbal abuse of a sexual nature
- pressure to engage in sexual activity
- graphic or suggestive comments about an individual's dress or appearance
- use of sexually degrading words to describe an individual
- display of sexually suggestive objects, pictures or photographs

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

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

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

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

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

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

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

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

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sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

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

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
- Emotional abuse includes but is not limited to, damage to one’s property, driving recklessly to scare someone, name calling, threatening to hurt one’s family members or pets and humiliating another person.
- Cohabitation occurs when two individuals dwell together in the same place as if married.
- The determination of whether a “dating relationship” existed is to be based upon the following factors: the reporting victim’s statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.

(e) **Stalking**, which is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person; and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person’s ability to perform the activities of daily life.

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

***Confidentiality***

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

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

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privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.

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

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of sexual misconduct to the extent reasonably possible.

***Mandated Reporting by College and University Employees***

Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all employees are required to immediately communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from a student regardless of the age of the reported victim. All employees are also required to communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from an employee that impacts employment with the institution or is otherwise related to the business of the institution.

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

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

***Rights of Parties***

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

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- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidential, whether or not those who report feel ready to make any decisions about reporting to police, a college or university employee or the campus's Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s), a University counseling center psychologist, a University health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

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

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

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

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

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

***Support Services Contact Information***

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



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

***Employee Conduct Procedures***

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

***Student Conduct Procedures***

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

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

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

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

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s). The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

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

***Dissemination of this Policy***

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

4.3	Consensual Relationships Policy	16-114	2016-10-20
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### 4.3 Policy on Consensual Relationships

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

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

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

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

#### **Policy Prohibited Between Employee and Student**

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

#### **Strongly Discouraged Between Employee and Student**

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

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

**Between Employee and Employee**

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

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

Anyone who enters into a romantic, dating or sexual relationship where a professional power differential exists must realize that if a charge of sexual harassment is subsequently filed, it may be difficult to defend the charge by claiming that there was mutual consent. Employees could be held personally liable in a criminal or civil lawsuit. Affirmative consent is the standard used to determine whether sexual activity was consensual. As defined by Public Act 16-106, "Affirmative consent" means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

**Sanctions**

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

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

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

The Board of Regents for Higher Education (BOR) of the Connecticut State Colleges and Universities (CSCU) accept that institutions of higher education foster educational opportunities for people under the age of 18 years. The BOR, in acknowledging the special care required for children, strives to the utmost to protect children on its campuses from any form of abuse or neglect.

Pursuant to state law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer, collectively referred to as "mandatory reporters" who in the ordinary course of their employment has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required to cause a report to be made to the Department of Children and Families within 12 hours of becoming aware or suspecting abuse, neglect or imminent harm to a child.

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

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

A report is required if there is reasonable cause to suspect that a person under the age of 18 is in imminent harm, has had non accidental injuries or has been abused or neglected. Reasonable cause to believe or suspect that child abuse has occurred is sufficient to make a report.

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

Reasonable steps will be taken to preserve privacy while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of the information reported, which information may be subject to privacy requirements of the Family Education

Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the CSCU community and to assure that the appropriate disciplinary processes are implemented.



## BOR/CSCU STUDENT CODE OF CONDUCT

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## **I. STUDENT CODE OF CONDUCT**

### **PREAMBLE**

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

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

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

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

### **INTRODUCTION**

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

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



## PART A: DEFINITIONS

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

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

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

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

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

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

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

The Student Code shall apply to Students and to University Student Organizations. The term “student” shall generally apply to the student as an individual and to a Student Organization as a single entity. The officers or leaders of a particular Student Organization usually will be expected to represent the organization during the disciplinary process. Nothing in this Student Code shall preclude holding certain members of a Student Organization accountable for their individual acts committed in the context of or in association with the organization’s alleged violation of this Code.

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

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

## PART C: SCOPE OF AUTHORITY

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

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

Community College students conduct is subject to the Code on campus and off-campus whenever such conduct impairs College-related activities or affairs of another member of the College community or creates a risk of harm to a member or members of the College community. Students must be aware that, as citizens, they are subject to all federal and state laws in addition to all CSCU

regulations governing student conduct and responsibilities. Students do not relinquish their rights nor do they shed their responsibilities as citizens by becoming members of the CSCU Community. However, where a court of law has found a student to have violated the law, an institution has the right to impose the sanctions of this Code even though the conduct does not impair institution-related activities of another member of the university or college community and does not create a risk of harm to the college or university community. The decision to exercise this right will be in the sole discretion of the President of the impacted institution or his/her designee.

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

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

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

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

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

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

2. Acts of dishonesty, including but not limited to the following:
  - a. Misuse of University or College documents, including, but not limited to forging, transferring, altering or otherwise misusing a student fee card, student payroll card, identification card or other College or University identification document, course registration document, schedule card, transcript, or any other institution-issued document or record.
  - b. Knowingly furnishing false information to any CSCU Official, faculty member or office.

3. Theft of property or services, or damage to, defacement or destruction of, or tampering with, real or personal property owned by the State of Connecticut, CSCU/BOR, the institution, or any member of the CSCU Community.
4. Actual or threatened physical assault or abuse, threatening behavior, intimidation, or coercion.
5. Sexual misconduct may include engaging in one of more behaviors:
  - (a) **Sexual harassment**, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education; submission to or rejection of such conduct by an individual is used as a basis for academic decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic performance or creating an intimidating, hostile or offensive educational environment. Examples of conduct which may constitute sexual harassment include but are not limited to:
    - sexual flirtation, touching, advances or propositions
    - verbal abuse of a sexual nature
    - pressure to engage in sexual activity
    - graphic or suggestive comments about an individual's dress or appearance
    - use of sexually degrading words to describe an individual
    - display of sexually suggestive objects, pictures or photographs
    - sexual jokes
    - stereotypic comments based upon gender
    - threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

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

A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. Consent cannot be assumed because there is no physical resistance or other negative response. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent).

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

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

- Prostituting another person;
  - Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
  - Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
  - Going beyond the bounds of consent (such as letting your friends hide in the closet to watch you having consensual sex);
  - Engaging in non-consensual voyeurism;
  - Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
  - Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
  - Possessing, distributing, viewing or forcing others to view illegal pornography.
6. Intimate partner violence is defined as:
- Including intimate partner violence, which is any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault, as defined in section 5 above; (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment, as defined in section 5 above or, (5) sexual exploitation, as defined in section 5 above.
  - Physical abuse, which can include but is not limited to, slapping, pulling hair or punching.
  - Threat of abuse, which can include but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
  - Emotional abuse, which can include but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.
7. Violations of privacy, including, but not limited to, voyeurism and the use of web-based, electronic or other devices to make a photographic, audio or video record of any person without his or her express consent, when such a recording is intended or likely to cause injury or distress. This includes, but is not limited to: (i) surreptitiously taking pictures or videos of another person in spaces such as sleeping areas, bathrooms, gymnasiums, locker rooms, and changing areas; and (ii) sexually exploiting another person by electronically recording or permitting others to view or electronically record, consensual sexual activity without a partner's knowledge or permitting others to view or listen to such video or audio tapes without a partner's knowledge and consent. Publicizing or threatening to publicize such records will also be considered a violation of this Code.
8. Hazing, which is defined as an act which endangers the mental or physical health or safety of a Student, or which destroys, damages, or removes public or private property for the purpose of initiation or admission into, affiliation with or as a condition for continued membership in a group or organization. The express or implied consent of the victim will not be a defense to an allegation of hazing. Consenting to the activity by

remaining silent or not objecting in the presence of hazing is not a neutral act and is also a violation of this Student Code.

9. Stalking, which is defined as repeatedly contacting another person when:
  - a. The contacting person knows or should know that the contact is unwanted by the other person; and
  - b. The contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

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

10. Harassment, which is defined as conduct which is abusive or which interferes with a person's pursuit of his or her customary or usual affairs, including, but not limited to, such conduct when directed toward an individual or group because of race, ethnicity, ancestry, national origin, religion, gender, sexual orientation or expression, age, physical attribute, or physical or mental disability or disorder, including learning disabilities and mental retardation.
11. Conduct that is disorderly, lewd or indecent (including, but not limited to, public nudity and sexual activity in areas generally open to members of the campus community), breach of peace or aiding, abetting or procuring another person to breach the peace on CSCU premises or at functions sponsored by, or affiliated with the University or College.
12. Behavior or activity which endangers the health, safety, or well-being of oneself or others.
13. Offensive or disorderly conduct which causes interference, annoyance or alarm or recklessly creates a risk thereof at CSCU or CSCU premises, CSCU web or social media sites, at a CSCU-sponsored activity or in college or university courses, including cyber bullying. This offense does not apply to speech or other forms of constitutionally protected expression.
14. Unauthorized possession, duplication or use of keys (including, but not limited to, card access, card keys, fobs, etc.) to any CSCU premises or forcible and/or unauthorized entry on or into CSCU premises.
15. Starting fires, causing explosions, falsely reporting the presence of fire, bombs, incendiary or explosive devices, or falsely reporting an emergency.
16. Unauthorized or improper possession, use, removal, tampering or disabling of fire and/or safety equipment and warning devices, failure to follow standard fire and/or emergency



safety procedures, or interference with firefighting or emergency response equipment or personnel.

17. Use, possession, purchase, sale or distribution of alcoholic beverages, except as expressly permitted by law and CSCU regulations. Alcoholic beverages may not, under any circumstances, be used by, possessed by, or distributed to any person under twenty-one (21) years of age.
18. Use, possession, purchase, sale, distribution or manufacturing of narcotics, controlled substances and/or drugs, including, but not limited to, marijuana and heroin, or drug paraphernalia, except as expressly permitted by law.
19. Use, possession or distribution of firearms, ammunition for firearms, other weapons or dangerous instruments, facsimiles of weapons or firearms, fireworks, explosives or dangerous chemicals. A dangerous instrument is any instrument, article or substance that, under the circumstances in which it is being utilized, is capable of causing death or serious physical injury. The possession of a deadly weapon or dangerous instrument on campus is strictly prohibited, even if such item is legally owned.
20. Gambling, including, but not limited to, promoting, wagering, receiving monies for wagering or gambling for money or property on CSCU premises.
21. Disruption or obstruction of any College or University function, activity or event, whether it occurs on or off the campus, or of any non-University or College function, activity or event which is authorized by the institution to occur on its premises.
22. Intentional obstruction of the free flow of pedestrian or vehicular traffic on CSCU premises or at University or College-sponsored or supervised functions or interference with entry into or exit from CSCU premises or with the free movement of any person.
23. Failure to comply with the directions of CSCU officials or law enforcement officers acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.
24. Conduct that violates published BOR/CSCU policies, rules, and regulations, including, but not limited to, residence hall rules and regulations.
25. Conduct prohibited by any federal, state, and/or local law, regulation or ordinance.
26. Unauthorized use of CSCU property or the property of members of the CSCU Community or of CSCU Affiliates.
27. Theft, unauthorized use, or abuse of University or College computers and/or peripheral systems and networks, including, but not limited to:
  - a. Unauthorized access to CSCU computer programs or files;

- b. Unauthorized alteration, transfer or duplication of CSCU computer programs or files;
  - c. Unauthorized use of another individual's identification and/or password;
  - d. Deliberate disruption of the operation of CSCU computer systems and networks;
  - e. Use of the Institution's computing facilities and resources in violation of copyright laws (including unauthorized peer-to-peer file sharing of copyrighted material, including, but not limited to, copyrighted music, movies, and software);
  - f. Use of computing facilities and resources to send obscene messages (which are defined as messages which appeal mainly to a prurient, shameful or morbid interest in nudity, sex, excretion, sadism or masochism, go well beyond customary limits of candor in describing or representing such matters, and are utterly without redeeming social value); and
  - g. Violation of the BOR Policy Statement on Acceptable and responsible use of Information Technology resources and/or any applicable BOR computer use policy.
28. Abuse of the CSCU conduct and disciplinary system, including but not limited to:
- a. Failure to obey the notice from a Hearing Body or CSCU Official to appear for a meeting or hearing as part of the Student Conduct system;
  - b. Falsification, distortion, or intentional misrepresentation of information to a Disciplinary Officer or Conduct Administrator, or before a Hearing Body;
  - c. Initiation of a conduct or disciplinary proceeding knowingly without cause;
  - d. Disruption or interference with the orderly conduct of a disciplinary proceeding;
  - e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary system;
  - f. Attempting to influence the impartiality of a Disciplinary Officer, Conduct Administrator or member of a Hearing Body prior to, and/or during the course of, the disciplinary proceeding;
  - g. Harassment (verbal or physical) and/or intimidation of a Disciplinary Officer, Conduct Administrator, or member of a Hearing Body prior to, and/or during the course of the disciplinary proceeding;
  - h. Failure to comply with the sanction(s) imposed under the Student Code; and
  - i. Influencing or attempting to influence another person to commit an abuse of the disciplinary system.

***PART E: HEARING PROCEDURES FOR SEXUAL MISCONDUCT, SEXUAL INTIMATE PARTNER, DOMESTIC VIOLENCE & STALKING REPORTS***

In addition to disciplinary procedures applicable to State University students in Section II, Community College students in Section III, or Charter Oak State College Students in Section IV, for any hearing conducted involving allegations of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence the reported victim and the accused student shall each have the following rights::

1. At any meeting or proceeding, both the reported victim and accused student may be accompanied by an advisor or support person of the student's choice provided the advisor or support person does not cause a scheduled meeting or hearing to be delayed or postponed and provided an advisor or support person may not directly address the Hearing Body, question witnesses, or otherwise actively participate in the hearing process (or other proceeding or pertaining to a report of sexual misconduct);
2. The reported victim of sexual misconduct is entitled to request that disciplinary proceedings begin promptly;
3. Any hearing regarding an accusation of sexual misconduct shall (i) be fair, prompt and impartial; (ii) be conducted by a Hearing Body annually trained in issues relating to sexual misconduct (iii) use the preponderance of evidence (more likely than not ) standard; (iv) shall allow both the accused student and reported victim the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding; and (v) shall provide both the accused student and the reported victim with equal access to any information that will be used during meetings and hearings.
4. In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential;
5. Any reported victim shall be provided written notice of the decision of the Hearing Body at the same time as the accused student, normally within one (1) business day after the conclusion of the Hearing. In accordance with the Family Educational Rights and Privacy Act (FERPA) the notice to any reported victim of sexual misconduct shall contain only the following: the name of the accused student, the violation committed, if any, and any sanction imposed against the accused student.
6. The reported victim shall have the same right to request a review of the decision of the Hearing Body (appeal rights) in the same manner and on the same basis as shall the accused student; however, if a request for review by a reported victim is determined to be properly made and if the review determines there is sufficient grounds for altering the decision of the Hearing Body, among the other actions that may be taken as set forth above, the sanction of the hearing may also be increased. Notwithstanding the foregoing, in any hearing pertaining to sexual misconduct both the reported victim and the accused student are entitled to be simultaneously provided notice of any change in the results of the hearing prior to the time when the results become final as well as to be notified when such results become final.

***PART F: CONDUCT AND DISCIPLINARY RECORDS***

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

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

***PART G: INTERPRETATION AND REVISION***

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

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

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

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

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

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

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

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

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

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

## PART B: DISCIPLINARY PROCEDURES - NONACADEMIC MISCONDUCT

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

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

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

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

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

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

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

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

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

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

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

- c. Record of Hearing: When expulsion or suspension from the University or residence hall separation is a possibility, the University shall make a recording of



the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Body. Further disclosure of the recording shall be governed by applicable state and federal law.

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

- j. Accommodation of Witnesses: The Hearing Body may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Reporting Party, the Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the Hearing Body to be appropriate.
- k. Written Notice of Decision: The Accused Student shall receive written notice of the decision of the Hearing Body that shall set forth the decision rendered, including a finding of “responsible” or “not responsible,” and the sanctions imposed, if any. The decision of the Hearing Body, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.

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

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

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

- b. Review Procedures: In order to prepare for the review, the Accused Student may review the recording of the original hearing in a designated University office but will not be permitted to remove the recording from that office or make copies. The review will not be heard by anyone involved in the initial hearing. The review shall be considered and a decision rendered within ten (10) Calendar Days of the filing of the request for review.

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

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

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

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

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

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

A residence hall separation may be imposed if a Student's continued presence will disrupt the academic and social well-being of the residential community. Residence hall separation is the removal of a student from the University residence hall in which he or

she resides. Such separation may include a restriction of access to all or designate University residence halls. During the period of the separation, the removed Student shall not be permitted to enter the designated hall(s) as a guest of another resident.

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

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

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

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

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

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

1. **Sanctions Which May Be Imposed for Violations of the Code:** The following sanctions may be imposed, individually or in various combinations, on any student found to have violated the Student Code, and will be entered into the Student's disciplinary records. Notation of disciplinary sanctions shall be on file only in the appropriate office in the Division of Student Affairs and shall not be released without the written

consent of the Student except to appropriate University enforcement personnel, University police, staff and administrators, or as required by law.

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

- h. Residence Hall Probation: Residence hall probation is a designated period during which an Accused Student is given the opportunity to modify unacceptable behavior and/or to complete specific assignments in an effort to regain full student privileges within the residence hall in which the Student resides. Residence hall probation may include restrictions and/or conditions on the exercise of residence hall activities and privileges. Periodic contact with a designated member of the residence hall staff or professional may be required. If the Accused Student fully complies with the terms and conditions imposed in connection with the residence hall probation, full residence hall privileges will be restored to the Student upon termination of the probationary period. Failure to comply with the terms and conditions of the probation constitutes prohibited conduct that is separate from and in addition to the conduct for which the probation was imposed. A Student accused of violation of probation will be given due notice and the procedures set forth in this Code shall be followed.
  - i. Residence Hall Separation: Separation of the Student from the residence halls for a definite period of time, after which the Student is eligible to return. Conditions for readmission may be specified.
  - j. Residence Hall Expulsion: Permanent separation of the Student from the residence halls.
  - k. Suspension: Suspension is temporary disciplinary separation from all universities among CSCU and the denial of all student privileges. Suspension shall be effective on the date that notice of the suspension is provided to the Accused Student, or later, if so stated in the notice, and shall prescribe the date and conditions upon which the Student may petition for readmission to the University. A Student separated from all universities within CSCU by suspension may under the terms of the suspension be excluded from the premises of all CSCU premises when in the judgment of the suspending authority, the Student's continued presence would constitute a danger to persons or property or a threat to the academic process. Notwithstanding the foregoing, the suspending authority of the suspended Student's home University or his or her designee may authorize a suspended student who has been excluded from all University premises to enter the premises of the student's home University for designated purposes.
  - l. Expulsion: Expulsion is permanent disciplinary separation from all universities within CSCU and the denial of all student privileges. Expulsion shall be effective on the date that notice of expulsion is provided to the Accused Student, or later, if so stated in the notice. A student separated from all universities of CSCU by expulsion may under the terms of the expulsion be excluded from all CSCU Premises when in the judgment of the expelling authority the Student's presence would constitute a danger to persons or property or a threat to the academic process.
2. **Revocation of Admission and/or Degree**: Upon the recommendation of the Hearing Body, admission to or a degree awarded from the University may be revoked by

the University, acting through its President (or his or her designee) for fraud, misrepresentation, or other violation of University standards in obtaining admission or the degree.

3. **Consequences of Failure to Comply with a Duly Assigned Sanction:** Failure to comply with sanctions which have been assigned through a formal judicial process may lead to one or more of the following consequences:

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

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

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

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

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

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

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

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



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

4. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I. D. of this Code and, after considering both the possible violation and the prior conduct record of the Student, that a sanction of less than suspension or expulsion is appropriate, the Dean shall schedule an administrative conference with the Student. The Student shall be given reasonable notice of the time and place of the conference. At the administrative conference, the Student shall have the opportunity to present information for the Dean's consideration. At the conclusion of the administrative conference, the Dean shall determine whether it is more likely than not that the Student has violated the Policy and, if so, impose a sanction less than suspension or expulsion. The Dean shall provide the Student with a written explanation for the determination. The decision of the Dean shall be final.
5. If upon the conclusion of the Dean's investigation, the Dean determines that there is reason to believe the Student has committed a violation of any part of Section I.D. of this Code and, after considering both the violation and the prior conduct record of the Student, that a sanction of suspension or expulsion is appropriate, the Dean shall provide the Student with reasonable written notice of a meeting and shall inform the Student that his/her failure to attend the meeting or to respond to the notice may result in the imposition of the maximum permissible sanction. At the meeting, the Dean shall provide the Student with a written statement that shall include the following:
  - a. a concise statement of the alleged facts;
  - b. the provision(s) of Section I.D. that appear to have been violated;
  - c. the maximum permissible sanction; and
  - d. a statement that the student may resolve the matter by mutual agreement with the Dean, or may request a hearing by notifying the Dean in writing, which must be received by 5:00pm on the following business day.
6. If the Student requests a hearing, he/she is entitled to the following:
  - a. to be heard within five (5) days or as soon as reasonably possible, by an impartial party or panel whose members shall be appointed by the Dean;
  - b. if the Dean appoints an impartial panel, to have a Student on the panel if requested by the Student;
  - c. to appear in person and to have an advisor who not shall attend as a representative of the Student. However, if there is pending at the time of the hearing a criminal matter pertaining to the same incident that is the subject of the hearing, a lawyer may be present for the sole purpose of observing the proceedings and advising the Student concerning the effect of the proceedings on the pending criminal matter;
  - d. to hear and to question the information presented;
  - e. to present information, to present witnesses, and to make a statement on his or her behalf; and
  - f. to receive a written decision following the hearing.

7. As used herein, the term “impartial” shall mean that the individual was not a party to the incident under consideration and has no personal interest in the outcome of the proceedings. Prior to the commencement of the hearing, the Student who is subject to the hearing may challenge the appointment of an impartial party or panel member on the ground that the person(s) is (are) not impartial. The challenge shall be made in writing to the Dean and shall contain the reasons for the assertion that the person(s) is (are) not impartial. The decision of the Dean shall be final.
8. The written decision of the impartial party or panel shall specify whether, based on the information presented, it is more likely than not that the Student committed the violation(s) reported and shall state the sanction to be imposed, if any. The written decision shall be provided to the Student.
9. Sanctions imposed by an impartial party or panel are effective immediately. The President may, for good cause, suspend imposition of the sanctions imposed by the impartial party or panel to allow the Student time to prepare a written request for review. If a written request is received, the President may continue to suspend imposition of the sanctions until he has reviewed and acted on the Student’s request.
10. A written request for review of the decision of the impartial party or panel must be received by the President within three (3) calendar days after the Student is notified of the decision and must clearly identify the grounds for review. The review by the President is limited to the record of the hearing, the written request, and any supporting documentation submitted with the request by the Student. The decision of the impartial party or the panel shall be upheld unless the President finds that:
  - a. a violation of the procedures set forth herein significantly prejudiced the Student; and/or
  - b. the information presented to the impartial party or panel was not substantial enough to justify the decision; and/or,
  - c. the sanction(s) imposed was (were) disproportionate to the seriousness of the violation.
11. Decisions under this procedure shall be made only by the college officials indicated.

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

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

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

1. “Expulsion” is a permanent separation from the College that involves denial of all Student privileges, including entrance to College premises;

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

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

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

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

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

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

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

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

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

**PART B: DISCIPLINARY PROCEDURES**

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

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

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

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

***On-site:***

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

***Via the Phone:***

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

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

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

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

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

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

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

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

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

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

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

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

1/1/2015

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# Reporting on Sexual Violence:

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**A Guide for Connecticut  
State Colleges and  
Universities**

**2018**

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

**CHECKLIST FOR CONN. GEN. STAT. § 10a-55m(f)  
SEXUAL VIOLENCE REPORT  
2018 SUBMISSION**

**INSTITUTION INFORMATION**

**Name:** \_\_\_\_\_ **Contact:** Maria Krug  
**Reporting Office/Department:** Title IX Coordinator **Report Year:** 2017

**NARRATIVE**

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

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

**Note:**

**POLICIES**

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

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

**Note:** \* It is permissible to reference links to the above-listed policies in institution reports. BOR policies are listed on the following web page: <http://www.ct.edu/regents/policies>.

**WRITTEN NOTIFICATION**

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

**SEXUAL VIOLENCE STATISTICS AND DATA**

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

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

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

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

### **OTHER SUPPLEMENTAL INFORMATION**

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



## INTRODUCTION

### An Overview of the Annual Sexual Violence Report

Conn. Gen. Stat. § 10a-55m(f) requires all higher education institutions, annually beginning October 1, 2015, to submit a report to the Connecticut General Assembly's Higher Education Committee that includes, for the immediately preceding calendar year, the following information concerning sexual assault, stalking, and intimate partner violence:

- I. A copy of its most recent policies<sup>1</sup> regarding sexual assault, stalking and intimate partner violence;
- II. A copy of its most recent concise written notification of the rights and options of a student or employee who reports or discloses an alleged violation of its sexual assault, stalking and intimate partner violence policy or policies;
- III. The number and type of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at the institution;
- IV. The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by the institution;
- V. The number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed to such institution;
- VI. The number of confidential or anonymous reports or disclosures to the institution of sexual assault, stalking and intimate partner violence;
- VII. The number of disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence; and
- VIII. The final outcome of all disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence, including, but not limited to, the outcome of any appeals of such final outcome, to the extent reporting on such outcomes does not conflict with federal law.

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<sup>1</sup> Current Board of Regents for Higher Education policies are located at <http://www.ct.edu/regents/policies>.

## Who Must Prepare the Sexual Violence Report

The Title IX Coordinator at each institution shall have the primary responsibility for completing these reports since a good deal of this information is presumably being collected by the Coordinator throughout the year to comply with and carry out their responsibilities under Federal law.<sup>2</sup> It should be noted that each institution has the option to designate another person to do so for reasons unique to the institution.

## Submitting the Sexual Violence Report

Pursuant to Conn. Gen. Stat. § 10a-55m(f), the designated date that the Connecticut State Colleges and Universities (CSCU) must submit this sexual violence information to the Connecticut General Assembly's Higher Education Committee is October 1, 2018.

As such, CSCU Institutions should submit all of the required data explained herein to Peggy Leggett, Executive Secretary, at [leggettp@ct.edu](mailto:leggettp@ct.edu). Ms. Leggett can be reached via telephone at 860-723-0131. **Materials must be submitted by August 31, 2018**, to ensure that necessary time is allotted for minor revision or edits, and to further ensure CSCU Staff are in compliance with the statutory deadline. Institutions should retain both an electronic and a hard copy of the report for their records.

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<sup>2</sup> Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, an institution's Title IX Coordinator has primary responsibility for coordinating the institution's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of the institution, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. Among other duties, the Coordinator may be responsible for organizing and maintaining files related to grievances, reports, complaints, and other records of potential sex discrimination, including sexual misconduct, in a secure manner.

## REPORTING SEXUAL VIOLENCE STATISTICS AND DATA

### Understanding Reportable Sexual Violence Categories

Definitions for relevant terms from Conn. Gen. Stat. § 10a-55m(f) (except for “disclosure”, “report”, and “risk reduction” which are not statutorily defined, but are defined by general agreement) are included in Appendix A to guide precision in categorizing the statistics required to be submitted. For purposes of reporting, “Sexual Violence” was used aggregately to encompass sexual assault, stalking, and intimate partner violence, as defined by Connecticut General Statutes. (See Appendix B, appended hereto).

### Statistics, Data & Explaining the Context

Accurately categorizing sexual violence statistics and data reported to the General Assembly is required, but is also invaluable in making institution campuses safer. However, while statistics can reveal valuable information, negative or misleading correlations may be drawn from technically accurate statistics.

For example, a disproportionate number of reported incidents of sexual violence at one institution may suggest an alarming trend of sexual violence in comparison to the number of incidents reported at another institution. However, correlation doesn’t mean causation. The cause for the greater number of reported incidents of sexual violence at one institution may be the result of a larger student body. Alternatively, an institution’s increased efforts of strategically conducting prevention, awareness, and risk reduction programs and campaigns during the preceding year may yield results of an increase in reported sexual violence incidents. Therefore, it is recommended that institutions include a narrative explaining the reported numbers.

### Reporting Sexual Violence Involving Non-Students

Conn. Gen. Stat. § 10a-55m(f) specifies that the institutions’ policies apply to incidences of sexual assault, stalking, and intimate partner violence wherever they occur (i.e., on or off campus). It also specifies that the policies apply to people who report or disclose being a victim.<sup>3</sup> As such, institutions are required to report incidences of sexual assault, stalking, and intimate partner violence involving persons who are not students as defined under Board of Regents for Higher Education policy and institution Student Code of Conduct (“non-students”).

Please note that, for reporting purposes, disclosures or reports of incidences of sexual violence involving non-students may not necessarily result in reportable disciplinary cases, appeals and final outcomes. However, with the assistance of law enforcement officials and private counsel, victims may choose to pursue legal action or other redress in other fora.

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<sup>3</sup> The legislative history of Conn. Gen. Stat. § 10a-55m(f) supports the General Assembly’s intent to focus on assisting all victims of sexual and intimate partner violence. As such, the statute does not distinguish between students and non-students for purposes of reporting incidences of sexual assault, stalking, and intimate partner violence. See e.g., Higher Education and Employment Advancement Committee Hearings, (February 11, 2014).



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

**CSCU INSTITUTION:** [CHOOSE AN INSTITUTION]

**REPORTING OFFICE/DEPARTMENT:** Title IX

**INSTITUTION CONTACT:** Maria Krug

**YEAR:** 2018 reporting calendar year 2017

<b>I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS:</b>			
Program Category	Number of Programs:		
	Prevention:	Awareness:	Risk Reduction:
<b>Sexual Assault</b>	18	18	18
<b>Stalking</b>	18	18	18
<b>Intimate Partner Violence</b>	18	18	18
<b>Program Types:</b> (List and Describe Each Program Type)			
see narrative			

<b>II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS:</b>		
Campaign Category	Number of Campaigns:	
	Prevention:	Awareness:
<b>Sexual Assault</b>	2	2
<b>Stalking</b>	2	2
<b>Intimate Partner Violence</b>	2	2
<b>Campaign Types:</b> (List and Describe Each Campaign Type)		
See narrative		



III. TOTAL REPORTED INCIDENTS OF SEXUAL VIOLENCE:		
Incident Category	Number of Incidents Reported:	Number of Incidents Disclosed:
<i>Sexual Assault</i>	0	2
<i>Stalking</i>	1	1
<i>Intimate Partner Violence</i>	0	0

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

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

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

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

VI. TOTAL ANONYMOUS OR CONFIDENTIAL SEXUAL VIOLENCE REPORTS OR DISCLOSURES TO THE INSTITUTION:				
Category	Number of Reports:		Number of Disclosures:	
	<i>Anonymous:</i>	<i>Confidential:</i>	<i>Anonymous:</i>	<i>Confidential:</i>
<i>Sexual Assault</i>	0	0	1	0
<i>Stalking</i>	0	0	0	0
<i>Intimate Partner Violence</i>	0	0	0	0



## APPENDIX B: STATUTORY REFERENCES AND DEFINITIONS

### SEXUAL ASSAULT

**Sec. 53a-70. Sexual assault in the first degree: Class B or A felony.** (a) A person is guilty of sexual assault in the first degree when such person (1) compels another person to engage in sexual intercourse by the use of force against such other person or a third person, or by the threat of use of force against such other person or against a third person which reasonably causes such person to fear physical injury to such person or a third person, or (2) engages in sexual intercourse with another person and such other person is under thirteen years of age and the actor is more than two years older than such person, or (3) commits sexual assault in the second degree as provided in section 53a-71 and in the commission of such offense is aided by two or more other persons actually present, or (4) engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such sexual intercourse.

(b) (1) Except as provided in subdivision (2) of this subsection, sexual assault in the first degree is a class B felony for which two years of the sentence imposed may not be suspended or reduced by the court or, if the victim of the offense is under ten years of age, for which ten years of the sentence imposed may not be suspended or reduced by the court.

(2) Sexual assault in the first degree is a class A felony if the offense is a violation of subdivision (1) of subsection (a) of this section and the victim of the offense is under sixteen years of age or the offense is a violation of subdivision (2) of subsection (a) of this section. Any person found guilty under said subdivision (1) or (2) shall be sentenced to a term of imprisonment of which ten years of the sentence imposed may not be suspended or reduced by the court if the victim is under ten years of age or of which five years of the sentence imposed may not be suspended or reduced by the court if the victim is under sixteen years of age.

(3) Any person found guilty under this section shall be sentenced to a term of imprisonment of at least ten years, a portion of which may be suspended, except as provided in subdivisions (1) and (2) of this subsection, or a term of imprisonment and a period of special parole pursuant to subsection (b) of section 53a-28 which together constitute a sentence of at least ten years. Notwithstanding the provisions of subsection (a) of section 53a-29 and except as otherwise provided in this subsection, a court may suspend a portion of a sentence imposed under this subsection and impose a period of supervised probation pursuant to subsection (f) of section 53a-29.

**Sec. 53a-71. Sexual assault in the second degree: Class C or B felony.** (a) A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of

mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

(b) Sexual assault in the second degree is a class C felony or, if the victim of the offense is under sixteen years of age, a class B felony, and any person found guilty under this section shall be sentenced to a term of imprisonment of which nine months of the sentence imposed may not be suspended or reduced by the court.

**Sec. 53a-72a. Sexual assault in the third degree: Class D or C felony.** (a) A person is guilty of sexual assault in the third degree when such person (1) compels another person to submit to sexual contact (A) by the use of force against such other person or a third person, or (B) by the threat of use of force against such other person or against a third person, which reasonably causes such other person to fear physical injury to himself or herself or a third person, or (2) engages in sexual intercourse with another person whom the actor knows to be related to him or her within any of the degrees of kindred specified in section 46b-21.

(b) Sexual assault in the third degree is a class D felony or, if the victim of the offense is under sixteen years of age, a class C felony.

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

person's consent; or (3) such person engages in sexual contact with an animal or dead body; or (4) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception; or (5) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (6) such person is a school employee and subjects another person to sexual contact who is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (7) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects another person to sexual contact who is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (8) such person subjects another person to sexual contact and (A) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and (B) such other person is under eighteen years of age; or (9) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

(b) Sexual assault in the fourth degree is a class A misdemeanor or, if the victim of the offense is under sixteen years of age, a class D felony.

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

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

**Sec. 10a-55m. (a) (5)** "*Intimate partner violence*" means any physical or sexual harm against an individual by a current or former spouse of or person in a dating relationship with such individual that results from any action by such spouse or such person that may be classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a, stalking under section 53a-181c, 53a-181d or 53a-181e, or family violence as designated under section 46b-38h.

**Sec. 53a-70b. Sexual assault in spousal or cohabiting relationship: Class B felony.** (a) For the purposes of this section:

(1) "Sexual intercourse" means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body; and

(2) "Use of force" means: (A) Use of a dangerous instrument; or (B) use of actual physical force or violence or superior physical strength against the victim.

(b) No spouse or cohabitor shall compel the other spouse or cohabitor to engage in sexual intercourse by the use of force against such other spouse or cohabitor, or by the threat of the use of force against such other spouse or cohabitor which reasonably causes such other spouse or cohabitor to fear physical injury.

(c) Any person who violates any provision of this section shall be guilty of a class B felony for which two years of the sentence imposed may not be suspended or reduced by the court.

### **STALKING**

**Sec. 53a-181c. *Stalking in the first degree: Class D felony.*** (a) A person is guilty of stalking in the first degree when such person commits stalking in the second degree as provided in section 53a-181d and (1) such person has previously been convicted of a violation of section 53a-181d, or (2) such conduct violates a court order in effect at the time of the offense, or (3) the other person is under sixteen years of age.

(b) Stalking in the first degree is a class D felony.

**Sec. 53a-181d. *Stalking in the second degree: Class A misdemeanor.*** (a) For the purposes of this section, "course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly or through a third party, by any action, method, device or means, including, but not limited to, electronic or social media, (1) follows, lies in wait for, monitors, observes, surveils, threatens, harasses, communicates with or sends unwanted gifts to, a person, or (2) interferes with a person's property, and "emotional distress" means significant mental or psychological suffering or distress that may or may not require medical or other professional treatment or counseling.

(b) A person is guilty of stalking in the second degree when:

(1) Such person knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for such person's physical safety or the physical safety of a third person, or (B) suffer emotional distress; or

(2) Such person intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person that would cause a reasonable person to fear that such person's employment, business or career is threatened, where (A) such conduct consists of the actor telephoning to, appearing at or initiating communication or contact at such other person's place of employment or business, provided the actor was previously and clearly informed to cease such conduct, and (B) such conduct does not consist of constitutionally protected activity.

(c) Stalking in the second degree is a class A misdemeanor.

**Sec. 53a-181e. *Stalking in the third degree: Class B misdemeanor.*** (a) A person is guilty of stalking in the third degree when such person recklessly causes another person to reasonably (1) fear for his or her physical safety, or (2) suffer emotional distress, as defined in section 53a-181d, as amended by this act, by wilfully and repeatedly following or lying in wait for such other person.

(b) Stalking in the third degree is a class B misdemeanor.

### **PROGRAMMING:**

**Sec. 10a-55m. (a) (2) "*Awareness programming*"** means institutional action designed to inform the campus community of the affirmative consent standard used pursuant to subdivision (1) of subsection (b) of this section, and communicate the prevalence of sexual assaults, stalking and intimate partner violence, including the nature and number of cases of sexual assault, stalking and intimate partner violence reported at or disclosed to each institution of higher education in the preceding three calendar years, including, but not limited to, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions;

**Sec. 10a-55m. (a) (6)** “*Primary prevention programming*” means institutional action and strategies intended to prevent sexual assault, stalking and intimate partner violence before it occurs by means of changing social norms and other approaches, including, but not limited to, poster and flyer campaigns, electronic communications, films, guest speakers, symposia, conferences, seminars or panel discussions;

**“Risk Reduction”**

“*Risk Reduction*” is not statutorily defined. However, the Federal regulations for the Violence Against Women Act amendments to the Clery Act (VAWA), provides the following definition:

- Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

While VAWA’s definition is criticized as implying that victims can prevent sexual violence by participating in risk reduction programs, it is still helpful in categorizing institution’s sexual violence programs and initiatives for reporting purposes. Examples of risk reduction programs related to sexual violence include, but are not limited to, the following: blue safety lights on campus, self-defense classes, safety tips, bystander intervention techniques, the buddy system, rape whistles, and related educational programing.

**CONCERNING “REPORTS” vs. “DISCLOSURES” IN PART IV OF THE AFOREMENTIONED:**

A ***disclosure*** is a communication of an incident of sexual violence not accompanied with a request for an investigation or adjudication, although there may be a request for accommodations and referral to services.

A ***report*** is a disclosure accompanied by an immediate request for an investigation and adjudication.

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

**Sexual Violence Report 1 January 2017 to 31 December 2017**  
**Three Rivers Community College**  
**PA-14-11**

**Institutional History**

Three Rivers Community College is a commuter college that serves Southeastern Connecticut and eastern regions of the state with a variety of credit and non-credit degree and certificate programs designed to meet the dynamic needs of our learning community. The college's core hours of operation are Monday through Friday, 8:30 - 5:00 PM.

Three Rivers was formed in 1992 by a mandate from the Connecticut General Assembly which merged community and technical colleges in five geographic areas around Connecticut. Named in recognition of the region's three primary rivers– the Shetucket, the Yantic and the Thames, Three Rivers Community College, now at a single location, was formed from the merger of Mohegan Community College and Thames Valley State Technical College.

In 2003, the Connecticut State Legislature formally announced and approved \$75 million for the renovation and consolidation of Three Rivers Community College at the Thames Valley campus. The college has undergone major changes over the past few years which allow it to better fulfill its mission of providing affordable and accessible educational opportunities that meet the diverse educational needs of our community.

In addition to the main campus at 574 New London Turnpike, the college also has an off-campus instructional center located at the Naval Submarine Base in Groton.

Our student population consists of more than 3,000 enrolled students each semester and 2,500 Continuing Education students each year. Through the integration of technical, career, and liberal arts programs within the college, Three Rivers' students are able to move with greater ease from one program to another.



**Sexual Violence Report 1 January 2017 to 31 December 2017**  
**Three Rivers Community College**  
**PA-14-11**

**Sexual Violence**  
**Risk Reduction, Awareness, and Prevention**  
**Training and Programming**

In calendar year 2017, Three Rivers Community College provided the following campus campaigns, events and programs to raise awareness, prevent sexual violence, and reduce the risk that our students, faculty, and staff would become victims or perpetrators of sexual violence. These efforts, along with the work of our Student Services staff and our external partners, Safe Futures and the Sexual Assault Crisis Center of Southeastern Connecticut, work to ensure a safe and comfortable environment for our learning community. The complete list of all such campaigns, events, and programs can be found with the template table for reporting these activities.

**Training Provided:**

Title IX Training for Student Services staff: total attendance: 34

**Training Received:**

Bystander Training at Tunxis CC: attendance 2

Title IX Resource Team Training at SCSU: attendance 1

Bystander Intervention Training at CCSU: attendance 4

Behavior Intervention Training at CCSU: attendance 1

Hearing Board Training at Tunxis CC: attendance 2

Webinar Title IX Investigations: attendance 2

Student Code of Conduct Training at BOR: attendance 2

**Sexual Violence Report 1 January 2017 to 31 December 2017**  
**Three Rivers Community College**  
**PA-14-11**

**Events/Programs/Campaigns:** Many activities were held on campus and they were organized by faculty, staff and students. Some explicitly focused on sexual misconduct, and others were more general and the Title IX Officer and/or other Sexual Violence Resource Representatives were present to answer questions, provide handouts, and engage students in various activities. These activities include the following--the complete list of all these activities can be found with the template for reporting them.

- New Student Orientation (handouts & activities)
- Power of Purple Walk
- 4<sup>th</sup> Annual Men Against Domestic Violence Event Art Gallery
- Men Against Domestic Violence Performance
- Power of Purple Lunch
- Healthy Relationships Forum
- Domestic Violence Forum
- Title IX Awareness, Prevention, and Risk Reduction with Bystander Intervention in FYE Curriculum
- Silent Witness Project from Safe Futures
- Toiletry Drive to Benefit Safe Futures
- Campus Climate Survey and Report
- NotAnymore Training for Faculty, Students, and Staff
- Sexual Misconduct and Resources website
- Blue light safety stations in 12 on-campus locations

**Incidents of Sexual Violence Reported and Disclosed**

In calendar year 2017, Three Rivers Community College received a total of four (4) reports and disclosures of sexual misconduct. Table III records this portion of the narrative and provides additional information relevant to incidents counted.

Specifically, the incidents recorded at Three Rivers Community College in CY 2017 included 1 **report** of Stalking.

The 3 **disclosures** of Sexual Misconduct include 2 incidents that were sexual assault and 1 was stalking.

# **STOP!**

**STALKING, SEXUAL ASSAULT,  
DOMESTIC VIOLENCE**

**EMERGENCY: 911**

**CAMPUS SECURITY: 55555**

**OFF-CAMPUS Support**

**FREE & CONFIDENTIAL  
HOTLINES**

**DOMESTIC VIOLENCE**

**Safe Futures**

**888 774 2900**

**SEXUAL ASSAULT**

**Crisis Ctr. of Eastern CT**

**888 999 5545**

**ON-CAMPUS Support**

**Room A119**

**860 215 9017**

**Student Advocate**

**Christine Languth - A128**

**860 215 9260**

**Title IX Coordinator**

**Edward A. Derr A116**

**860 215 9255**

 **Three Rivers**  
COMMUNITY COLLEGE

[www.threerivers.edu/smre](http://www.threerivers.edu/smre)

This flyer produced by GRA230 Student Allison Kelly

## Sexual Misconduct

occurs when any person has not given his or her explicit consent to sexual activity. **Consent** is a voluntary, sober, enthusiastic, mutual and **ONGOING** agreement to sexual activity. New legislation adopted in 2015 defines consent as:

### YES Means YES

- NO means STOP RIGHT NOW
- SILENCE means STOP RIGHT NOW
- DRUNK/DRUGGED means STOP RIGHT NOW
- PHYSICAL/VERBAL RESISTANCE means STOP RIGHT NOW

## Immediate Help

If you fear for your safety, call 911  
For additional resources, call 211

## 24/7 Free & Confidential Counseling Hotlines

**Sexual Assault Crisis Center**  
Hotline: (888) 999-5545

**Safe Futures Hotlines**  
Local: (860) 701-6000  
Español: (844) 831-9200  
Statewide: (888) 774-2900

## Law Enforcement

**Norwich Police**  
Office: (860) 886-5561  
**State Police Troop E**  
Office: (860) 848-6500

## Local Medical Services

**Backus Hospital**  
Emergency Services  
326 Washington St.  
Norwich, CT 06360  
(860) 889-8331



Responding  
to  
Disclosures  
Of

## Sexual Misconduct



A Step-by-Step  
Guide for Faculty  
and Staff

[www.threerivers.edu/smre](http://www.threerivers.edu/smre)

**Sexual Misconduct** may include:

- **Stalking:** Repeated and unwelcome following and/or contacting someone, causing that person to fear for his or her safety or substantially impairing his or ability to perform the activities of daily life
- **Sexual Harassment:** Unwelcome sexual advances, requests, or jokes
- **Sexual Assault:** Any sexual contact with a person who has not given or cannot give consent

- **Domestic / Intimate Partner Violence:** Physical or emotional abuse of a current or former partner

- **Sexual Exploitation:** Taking non-consensual advantage of a person for the benefit of others (prostituting a person, distributing images of a person)

## 3 Steps to Effective Responses

### Step 1 – Care

#### **Care for the student's immediate needs**

- Ensure student's safety
- Provide non-judgmental support

### Step 2 – Connect

#### **Connect the student with resources**

- Explain the limits of reporters' privacy
- Offer referrals to off-campus confidential reporting options
- Provide contact info for on-campus resources

### Step 3 – Contact

#### **As soon as you can reasonably do so, alert one of these College authorities to the reported incident**

- **Title IX Coordinator**  
Vicki Baker (860) 215-9208  
VBaker@trcc.commnet.edu
- **Student Advocate**  
Christine Languth (860) 215-9260  
CLanguth@trcc.commnet.edu
- **Dean of Students**  
Steve Finton (860) 215-9003  
SFinton@trcc.commnet.edu

## Student Confidentiality & Mandated Reporting

As a College employee, you are required to inform the College Administration of the details of any report or disclosure of Sexual Misconduct.

The details you are required to share include:

- Name(s) of alleged perpetrator(s)
- Name of victim/reporter
- Name of any other witnesses
- Date, time, location of incident
- Nature of incident

The student may request that his or her identity stay private, or that no action be taken against the alleged offender, but the College may not be able honor such requests in order to ensure the health and safety of the college population and/or comply with legislated mandates.

## Suggested Language

"Excuse me for interrupting, but before you continue, I have to let you know that I am required to report any information you give me about this matter with the appropriate College authorities. I appreciate your trust, I want to help you. I can connect you to free and confidential resources immediately, or we can continue this conversation. What is more comfortable for you?"



## Your Options On-Campus

### Report an Offender

Christine Languth  
Student Advocate  
(860) 215-9260 / A128  
CLanguth@trcc.commnet.edu

### Vicki Baker

Title IX Coordinator  
(860) 215-9208 / E110  
VBaker@trcc.commnet.edu

### Advising and Counseling

(860) 215-9016, Room A-119

TRCC Counselors can:

- ⇒ Provide support
- ⇒ Connect you to FREE & CONFIDENTIAL off-campus resources.

### Support for Reporters

The college offers supportive options to ensure the safety of reporters, which may include:

- ⇒ Banning the alleged offender from campus during investigation
- ⇒ Providing escorts for reporters' safety between classes
- ⇒ Providing alternate class / work arrangements
- ⇒ Offering extra time for coursework or exams

## Immediate Help

### 24/7 Free & Confidential Counseling Hotlines

Sexual Assault Crisis Center of  
Eastern Connecticut

Hotline: (888) 999-5545

Safe Futures Hotlines

Local: (860) 701-6000  
Español: (844) 831-9200  
Statewide: (888) 774-2900

### Law Enforcement

Norwich Police  
Office: (860) 886-5561

State Police Troop E  
Office: (860) 848-6500

### Local Medical Services

*Backus Hospital*  
Emergency Services  
326 Washington St.  
Norwich, CT 06360  
(860) 889-8331

For additional resources, call 211  
**If you fear for your safety, call 911**

This brochure was produced by GRA230  
Digital Imaging student Brianna Weaver



## Sexual Misconduct Resources & Education



The college is here to help you  
If a situation **FEELS** wrong, it may  
**BE** wrong, and you're encouraged  
to come forward to get help.

To learn more...  
[www.threerivers.edu/SMRE](http://www.threerivers.edu/SMRE)

## What is Sexual Misconduct?

Sexual Misconduct includes any sexual activity when any person present has not given his or her explicit consent to that activity. **Consent** is a voluntary, sober, enthusiastic, mutual and **ONGOING** agreement to sexual activity. New legislation adopted in 2015 defines consent as:

### YES Means YES

- ⇒ NO means STOP RIGHT NOW
- ⇒ SILENCE means STOP RIGHT NOW
- ⇒ DRUNK/DRUGGED means STOP RIGHT NOW
- ⇒ PHYSICAL RESISTANCE means STOP RIGHT NOW

**Sexual Misconduct** may include:

- ⇒ **Stalking:** Repeated and unwelcome following and/or contacting someone, causing that person to fear for his or her safety or substantially impairing his or ability to perform the activities of daily life

- ⇒ **Sexual Harassment:** Unwelcome sexual advances, requests, or jokes

- ⇒ **Sexual Assault:** Any sexual contact with a person who has not given or cannot give consent

- ⇒ **Domestic / Intimate Partner Violence:** Physical or emotional abuse of a current or former partner

- ⇒ **Sexual Exploitation:** Taking non-consensual advantage of a person for the benefit of others (prostituting a person, distributing images of a person)

## Your Options Off-Campus

### Contact a Crisis Center

- ⇒ Free and confidential services
- ⇒ 24/7 hotlines and counseling
- ⇒ Help in receiving medical care
- ⇒ Emergency shelter services
- ⇒ Guidance for Protective/Restraining Orders

*For sexual assault:*

**Sexual Assault Crisis Center of Eastern CT**  
78 Howard St.

New London, CT 06320  
Office: (860) 442-0604  
Hotline: (888) 999-5545  
<http://www.saccec.org/>

*For domestic / intimate partner violence:*

**Safe Futures**

241 Main St.

Norwich, CT 06360

Office: (860) 447-0366 x265

Hotline: (888) 774-2900

<http://www.safefuturesct.org/>

### Contact Law Enforcement

**State Police Troop E**

(800) 953-7747  
PO Box 306  
Uncasville, CT 06382

**Norwich Police**

(860) 886-5561  
70 Thames St.  
Norwich, CT 06360

If you wish to pursue criminal charges, please contact law enforcement as soon as you are ready to do so.

Be careful to preserve any physical evidence of the incident for the police investigation. Survivors of sexual assault are recommended to seek a Sexual Assault Examination as soon as possible to collect forensic evidence. These exams are free and available at your local hospital.

## Your Rights

If you come forward and report sexual misconduct to an employee of the College:

- ⇒ All reports of sexual misconduct will be treated seriously and with dignity
- ⇒ You will be offered referrals to FREE & CONFIDENTIAL off-campus counseling and medical services
- ⇒ You have the right to request that the College take action against the offender if the offender is a student
- ⇒ You also have the right to take legal action (criminal or civil) against the alleged offender



## Your Privacy

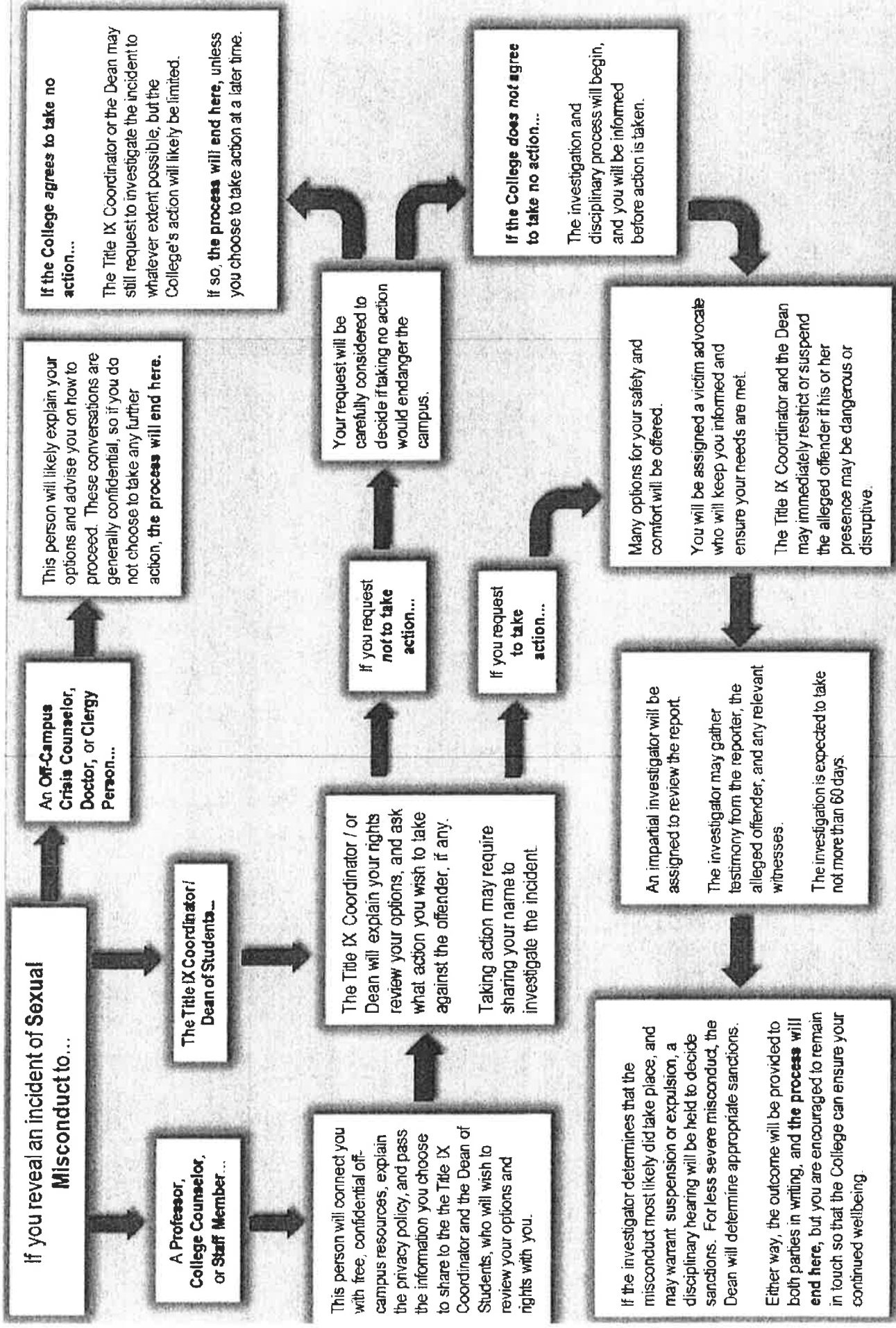
The College will always take all the reasonable steps to protect your privacy, but please understand that no college employee can promise confidentiality. All employees are required to report disclosed details of sexual misconduct to the Title IX Coordinator or Student Advocate. Information may also be shared with other authorized college employees who require it to perform their duties.

*If a person under 18 years of age has been victimized, the college must report to the Department of Children and Families (DCF).*

If you report, you can request that your identity not be revealed to the accused or others interviewed during the disciplinary process, but understand this may limit the action the college can take.



Three Rivers





# **Sexual Misconduct Awareness, Prevention and Risk Reduction for College Students**



**Edward A. Derr  
Title IX Coordinator and  
Diversity Officer  
February 07, 2017**



VERBAL ABUSE CAN BE JUST AS HORRIFIC. BUT YOU DON'T HAVE TO SUFFER IN SILENCE. CALL THE AWARE HELPLINE FOR ADVICE AND SUPPORT. MONDAY TO FRIDAY FROM 3PM TO 9.30PM ON 1800 774 5935.

# First Things First

- Who do you think I am?

- Who I am really

- African\_White\_Native American Male
- Sociology Degree at CCSU / History Degree at Northwestern U., Illinois / Education Degree at Sacred Heart University
- Title IX coordinator and Diversity Officer
- Academic Advisor
- Sociology and History Instructor

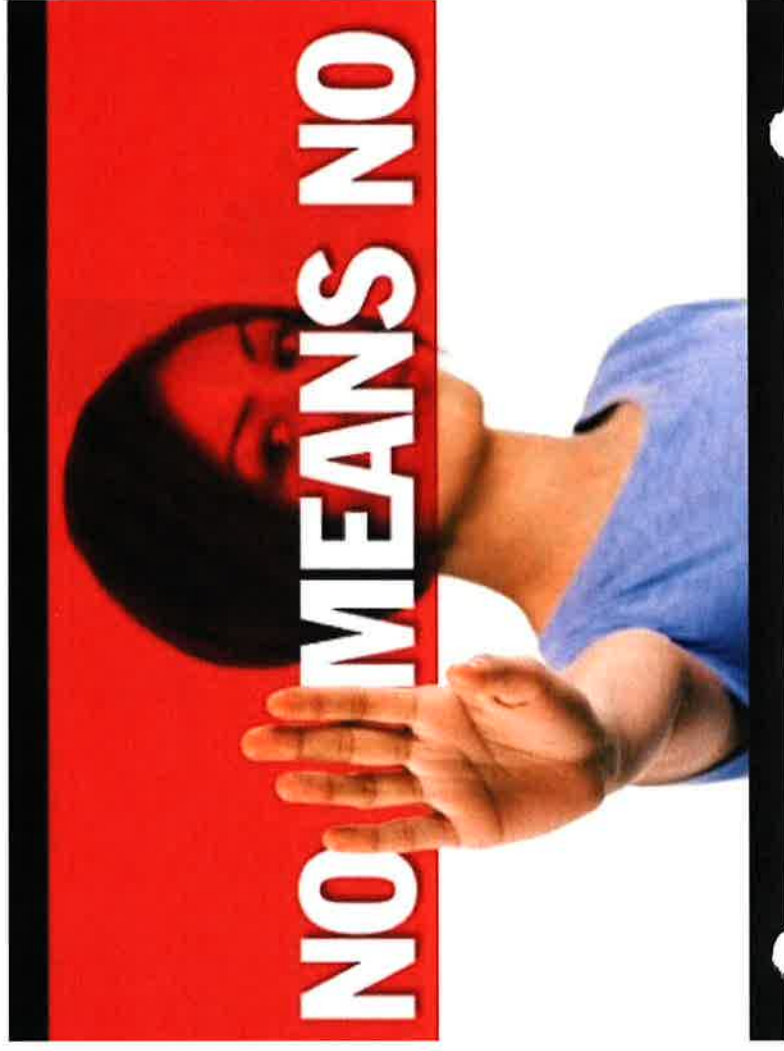
- Why I'm here

- **Safe Space**



# What We'll Cover Today

- What is **Title IX**? ...and why it matters to you
- What is Sexual Misconduct?
  - Statistics
  - Definitions
- ...**AND HOW TO AVOID IT**
  - “No” means NO
  - “Yes” means YES
- What to do if it occurs
  - Bystander interventions
  - Victim support
  - Self care

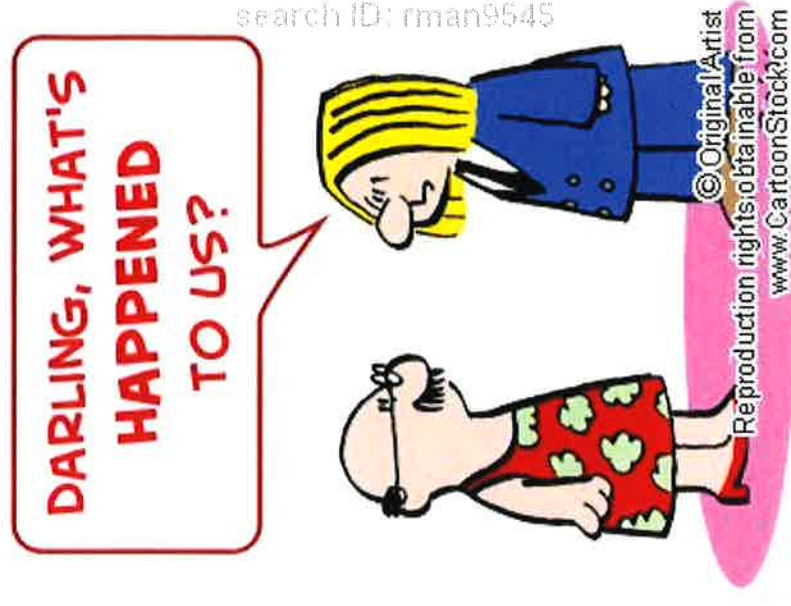




# What is Title IX?

## ...and Why It Matters to You

- Title IX is Federal Law
  - Passed in 1979
  - Goal of ensuring equal opportunities to education regardless of GENDER
    - Financial Aid
    - Admissions
    - Athletics
    - Programming
    - SAFE LEARNING ENVIRONMENT
  - Applies to **EVERYONE**, regardless of age, sex, gender, sexual orientation, sexual identity, ethnicity, national origin, religion, or race



There is no law designating what males or females can be.  
There is a law that insures that we have equal opportunity  
to be who we want to be!



Boys are Presidents.



Girls are First Ladies.



Boys fix things.



Girls need things fixed.

# Gender Roles in Society




# What is Sexual Misconduct?

- Sexual Misconduct creates an UNSAFE LEARNING ENVIRONMENT
  - Stalking—repeated and unwelcome contact that frightens the victim (1 in 6 women and 1 in 19 men have been victims)
  - Sexual Assault—Any sexual contact with a person who has not given or cannot give consent (1 in 5 women and 1 in 16 men are victims during their college years)
  - Intimate Partner / Domestic Violence—physical or emotional abuse of a current or former partner or domestic relation (1 in 4 women and 1 in 7 men are victims)
  - Sexual Harassment—Unwelcome sexual advances, requests, or jokes (30% of women and 17% of men are victims)
  - Exploitation—taking non-consensual sexual advantage of a person (pimping, distributing images)



# Abuse is not solely a female issue!



Just because I'm male doesn't  
mean she can't hurt me.  
I'm human too.  
But no one believes me.

[www.familyofmen.com](http://www.familyofmen.com)

**Stop Domestic Violence.**



# HOW TO AVOID SEXUAL MISCONDUCT (part 1)



## •RESPECT

- Respect everyone
  - If you cannot treat them with respect, avoid them
- Respect yourself
  - If someone disrespects you, avoid that person

## •TRUST

- Trust only people you know well
  - If you do not know them well, be cautious
- Trust yourself
  - If someone makes you uneasy, trust your instincts and be cautious

# HOW TO AVOID SEXUAL MISCONDUCT (part 2)

## •SAY “NO”

- If someone oversteps your boundaries, tell that person you’re uncomfortable and to back off
- If the person refuses to back off and persists, seek help

## •SAY “YES”

- Explicitly set your limits
- If you are comfortable with a person and want to go further, make that explicit
- If something changes and makes you uneasy, trust your instincts and say “NO”.

**If she or he does not say yes,  
then STOP!**



# What to do if sexual misconduct occurs (part 1)

- If you are a witness
  - Intervention (protect and depart)
  - Confrontation (Hey, stop that)
  - Express concern (Hey, I don't think that's a good idea)
  - Call for help (911, other bystanders)
  - Leave and report
- If you are a confidant
  - Be receptive and avoid blaming the victim
  - Ask what the victim wants/needs
  - Know where to find resources



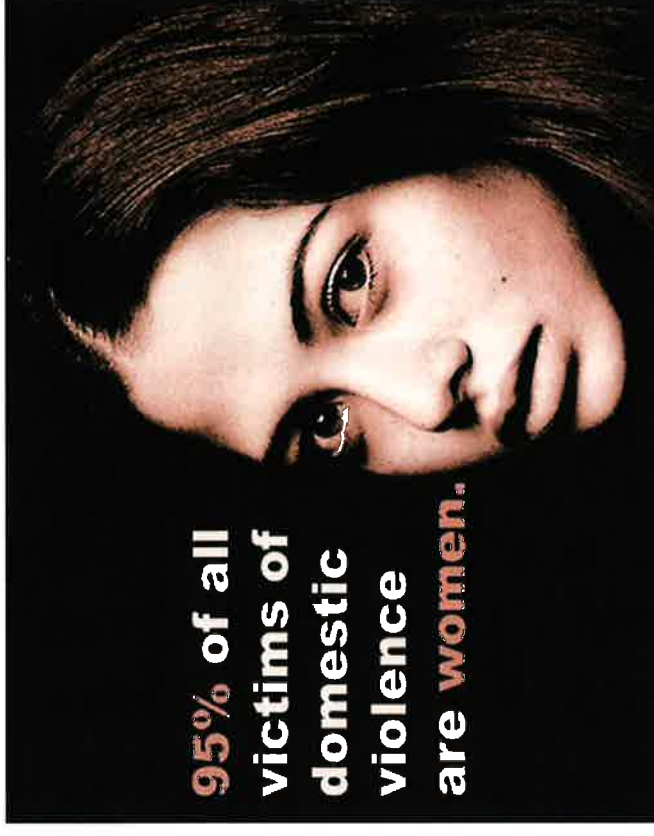
**You are no longer alone!**



# What to do if sexual misconduct occurs (part 2)

- **If you are a victim**

- Use the resources here at TRCC and outside the college for help
- **At TRCC (free BUT not confidential)**
  - Student Advocate, Christine Languth, A128, 215-9260
  - **Title IX Coordinator, Edward A. Derr, A116, 215-9255**
  - Any TRCC Faculty or Staff member
- **Off-Campus (free AND confidential)**
  - Safe Futures (Domestic Violence) (860)701-6000
  - Sexual Assault Crisis Center (860)456-2789



**95% of all victims of domestic violence are women.**

**Don't become 1 of the 95%.**

**Call us. We can help.**

**National Domestic Violence Hotline 1.800.799.SAFE (7233)**



**NotAnymore! We have an obligation to maintain a safe environment for all students. The NotAnymore**

**Training is a necessary foundation for our understanding of that obligation. As our future leaders, we are counting on you!**



**And, it is the law, and our  
moral obligation!**





# Further Training: NotAnymore

NotAnymore will be available within the next week and is **required by CT State Statute PA 14-11**. You will be receiving an email from me with instructions for the opening date and the closing date.

**10 participants will be chosen at random to receive a \$20 TRCC Bookstore Gift Card**

**You are required to earn at least a 70%**

Your instructors may require completion of this training for a grade—if they do so, they will receive your grade for completing the training.

# Further Training: NotAnymore

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

**Step 2:** Enter your access code: **TRCC16**

**Step 3:** Follow the instructions.

**You will need to enter your COLLEGE-ASSIGNED EMAIL ADDRESS.**

(That is the email address that contains your first initial, first 3 or 4 letters of your last name, and a 4-digit number, followed by @mail.ct.edu. If you do not know your email address, you can find it by logging into MyCommnet)

Remember the email and password you enter, as they will allow you to leave and re-enter the program to complete the program in several sittings if you choose without having to start over. If you run into problems taking or reentering the program, do not start over. Contact NotAnymore through the HELP button and they will assist you.

**Upon completion of the NotAnymore Training, you will be entered into a drawing for a \$20.00 gift card at the TRCC Book Store!**

# Video Presentations

<https://www.youtube.com/watch?v=HxfN5iN6lj8>

<https://youtu.be/HxfN5iN6lj8>

**Three Rivers Community College**  
**Report on Campus Safety and Security**  
**Reporting Period January 1 – December 31, 2016**  
**Report Issued October 2017**

**COMPLIANCE WITH STATE AND FEDERAL LAW**

In compliance with the State of Connecticut Campus Safety Act (Public Act 90-259) and the Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Three Rivers Community College hereby publishes the required summary of institutional security policies and uniform crime statistics for the preceding year. This information is provided to all students and employees and is intended to raise the awareness of all members of the college community to campus safety and security issues

**THREE RIVERS COMMUNITY COLLEGE**

Three Rivers is a comprehensive, single-campus community college, located in Norwich, Connecticut on New London Turnpike. As part of the state-supported system of Community-Technical Colleges, Three Rivers is an open enrollment, two-year college serving students from throughout southeastern Connecticut. The College enrolls an average of 4198 full and part-time students each semester who attend both day and evening classes. All of the students commute due to there being no student housing affiliated with the College. Located on approximately 58 acres, the College consists of a large, modern multi-winged building of approximately 280,000 square feet, and a central utility plant of almost 16,000 square feet with parking for approximately 1200 vehicles. The surrounding college grounds, walkways and parking lots are generally well lighted at night and a roving security vehicle actively patrols all parking areas whenever classes are in session. There are 12 blue light phones that connect to the security desk for emergency response events.

**ADMINISTRATION OF CAMPUS SAFETY AND SECURITY**

Overall, responsibility for campus security and safety is assigned to the Dean of Administration who may be reached at (860) 215-9002. Oversight is also provided by the College's Environmental Health and Safety Committee which serves as the forum for the review of all campus safety and security challenges and any policies issued regarding these matters. The President, Deans, HR Director, HR Manager, and Security Site Supervisor make up the Threat Assessment Team to analyze and discuss situations or individuals (students, staff, and faculty) who may pose a threat to the safety and security of the College. The Threat Assessment Team will meet at the discretion of the President to determine the level of risk the situation or individuals pose and to determine a course of action in reducing or eliminating that threat. During the normal school year when classes are in session, college management personnel are assigned on a rotating basis to be on call as the Evening College Administrator in charge of evening and

weekend operations. On campus, they are assisted by the Evening Student Services Assistant located in the Student Welcome Center, a 4 to 6 person college maintenance staff, and a 3-4 person Security team. All on site personnel are connected by a portable, hand-held radio communication system. Additionally, Norwich City Police routinely patrol surrounding campus parking lots, and both Norwich City Police and CT State Police respond promptly to any emergency calls. Currently, an informal agreement exists which designates the Norwich City Police as the first responders to campus crime and other emergencies with notification to the CT State Police for enforcement action where the State has reserved primary jurisdiction (i.e. major violent crimes, theft or vandalism to State property).

#### SECURITY AND ACCESS TO COLLEGE FACILITIES

Three Rivers is committed to open access to college facilities by students and staff consistent with normal practices of personal safety, administrative privacy, and protection of personal and public property. Some facilities such as administrative and faculty offices may have distinct hours which vary at different times of the year and will be secured according to schedules developed by the department responsible for the facility. Access to college facilities during non-business hours is controlled by the issuance of keys, swipe cards, and alarm security codes to authorized college personnel only or through admittance by the maintenance staff on duty during these hours.

#### AUTHORITY OF CAMPUS SECURITY

Security Officers at Three Rivers are hired on a contract basis to cover all hours the college is open. Normally four security officers are on duty including a site supervisor, and one officer at each of three stations – main entrance security desk, a roving interior building patrol, and a mobile exterior vehicle patrol. Additional security officers may be hired as necessary to cover special events, parking, or any other special program at the College. Contract Security Officers for the College are not sworn officers and do not have any law enforcement authority, but do have the authority to ask persons for identification and to determine whether individuals have lawful business at Three Rivers. Security Officers also have the authority to issue parking notices and to recommend to the Dean of Administration the towing of any vehicles parked in designated handicap parking, fire lanes, or main college or parking lot entrances in such a way as to prevent safe traffic flow. Campus Security Officers are trained to immediately report any illegal or suspicious activity to college officials or to call directly for Norwich City or CT State Police assistance should the situation warrant. The security contractor currently employed by the College is AlliedBarton Security Services, LLC at 1000 Bridgeport Avenue, Shelton, Connecticut.

#### CRIMINAL ACTIVITY OFF CAMPUS

Three Rivers also offers classes off campus at the U.S. Naval Submarine Base and Ella Grasso Technical High School both in Groton, Connecticut, and periodically at various business locations in the area. At each of these sites, security is provided by the host facility. Criminal activity off campus is monitored and recorded by the Norwich City Police and the CT State Police and through a close working relationship with these organizations, the college is apprised of any activity which may be of significance to the well-being of the College, its students, and its employees.

## REPORTING CRIMES OR EMERGENCIES

All students, faculty, staff and guests of the College should immediately report any crimes or emergencies observed. For this purpose, phones are located at all classrooms and in hallways, with instructions posted for contacting any of the following response stations:

<u>Response Station</u>	<u>Phone</u>
Emergency Hotline (Campus Security)	Ext. 5-5555
Non-Emergency Assistance (Campus Security)	Ext. 2-2222
Director of Facilities	Ext. 5-9236
Evening Services Assistants	Ext. 5-9016
Dean of Administration	Ext. 5-9002

If college personnel are not available at these numbers or if urgent police, fire, or medical assistance is needed, the reporter should call the 911 emergency number directly. If using college phones, dial 8-911 or 911.

Additionally, the following individuals (designated as Campus Security Authorities) have significant responsibility for student and campus activities and can also be contacted to report crimes or other emergencies.

Dean of Student Services	215-9003
Academic Dean	215-9004
Director of Student Activities	215-9293
Title IX Coordinator	215-9255
Student Advocate / Director, Student Success	215-9260

## COLLEGE POLICY ON COUNSELORS AND CONFIDENTIAL REPORTING

The College does not employ pastoral or professional counselors to provide therapeutic services but will make every effort to recommend such services if requested. The College also does not have any procedures for confidential reporting of criminal activity. All reports of criminal activity will be investigated and referred to the appropriate law enforcement agency and/or college or state official for possible disciplinary action. Records and logs of all criminal activity reported at any Three Rivers facility will be held with the Dean of Administration and may be viewed upon request.

In addition to any local reports made, any college staff member or student who is a victim of any type of crime is also encouraged to file a report with the local police. The College will assist the individual in making this report in any way possible. Equally important, the College will strictly enforce all individual's rights to make such reports when warranted.

## DISTRIBUTION OF THIS REPORT

This report will be posted on the Three Rivers extranet website and copies will be available in the College library. Complete copies will also be forwarded to all college employees by email. For registered students, a copy of this report will be posted to their myCommnet messaging system and sent to their college provided email account.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

If the College becomes aware of any potential security or safety problem which may impact the welfare of any employee or student, the College will use every means available to notify the College Community of the situation and recommended course of action. Such means may include posted notices both at the College and on its website, email alerts, classroom announcements, phone-calls, public address system announcements, or other means to provide timely warnings. Of particular importance is the use of the Connecticut Community College System's myCommNet Alert notification system which provides instant messaging via cell phone voice and text messaging, and email to all system registrants. Registration for the myCommNet Alert system is free of charge and can be accessed from the myCommNet homepage. The College will issue an emergency notice via myCommNet Alert system if warranted and if determined that such a notice will not compromise efforts to assist victims or control the emergency. The decision to issue such a notice will be made by either the President, Dean of Administration, or the Dean of Student Services.

The College's Emergency Action Plan (EAP) provides information regarding emergency response and evacuation procedures to the college community. The College tests its fire and evacuation plan monthly during the academic year with specific procedures outlined in Section 14 of the EAP.

## SAFETY RESPONSIBILITIES AND TRAINING

In order to assist the college in its efforts to maintain a safe environment, the college relies on the awareness and involvement of the faculty, staff, and student body. Staff and students alike are encouraged to assume responsibility for their own personal safety and the security of personal property. These are some of the basic safety rules which are routinely stressed to the Three Rivers College Community:

- Lock vehicles when leaving them unattended.
- Do not leave valuable items in vehicles in plain view. Lock them in the trunk.
- When walking to a vehicle, walk with others.
- Have keys ready when returning to your vehicle. Always look around the area to ensure that no stranger is hiding near or behind the car.
- Do not leave belongings unattended.
- Do not give personal information to strangers.
- If a crime is committed, report it to Campus Security immediately.

- Students, staff, and faculty may call campus security for an escort to their vehicle for any reason. The security main desk can be reached Mon-Fri (during the semester) from 7AM-10PM at ext. 2-2222 or 860-215-9053.

#### COLLEGE POLICY ON SEX RELATED ISSUES

The Board of Regents has established a Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy which can be found online in the Three Rivers Student Handbook. The Student Services Division also provides written information and hosts periodic seminars available on a range of topics including sexual harassment, date rape, and healthy and abusive relationships. The Student Services Division maintains a listing of support agencies within the community to which students with potential problems may be referred. Additional professional assistance and regional resources are also available by dialing 211 or online.

If a rape or other sex offense occurs on campus, the victim should immediately contact local police authorities, preserve evidence of the criminal offense, seek immediate medical assistance, and report the crime to one of the College Officials previously listed. College personnel will assist the victim in making this report if the victim requests.

Victims of sexual assault or domestic / intimate partner violence are encouraged to contact a community crisis agency for free, confidential counseling and legal advocacy services. For cases of sexual assault, the Sexual Assault Crisis Center of Eastern Connecticut is available at (860) 442-0604, or at their 24/7 hotline, (860) 437-7766. For cases of domestic violence, Safe Futures is available at (860) 889-8331, or at their 24/7 hotline, (860) 701-6000.

Sexual harassment can take many forms such as physical contact, verbal comments, the posting or display of inappropriate visual material (including the viewing of pornographic material online), or threatening harassment that is either implied or explicit towards an individual who does not comply with sexual requests.

Three Rivers Community College does not condone or tolerate any behavior by a college employee, student, or visitor that would constitute sexual harassment. Should you feel sexually harassed, please contact either the Academic Dean, Dean of Student Services, Director of Human Resources, or any Student Services Division Director or Counselor. These people can advise you of available resources. Sexual harassment, as well as any reprisal or retaliation by an offender, is illegal and punishable by law and by the College Discipline Policy.

Further information regarding student disciplinary actions that can be taken in the event of an instance of sexual misconduct or sexual harassment can be found in the Student Handbook and online in the Board of Regents Student Code of Conduct Policy at:

<http://www.trcc.commnet.edu/President/Policies/BOR-StudentCodeofConductPolicy.pdf>



## SEXUAL OFFENDER REGISTRATION

The State of Connecticut Sexual Offender Registry contains the names of all the persons convicted of sex offenses. The College reviews this registry and is also routinely advised of any convicted sex offenders who register for classes. Perspective students on the Sexual Offender Registry go through a rigorous risk assessment process before registration is permitted. Persons applying for employment at the College are also required to disclose any convictions for sex offenses.

## ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES – CONDUCT STANDARDS

Three Rivers Community College is in full compliance with Drugs and Alcohol in the Community Colleges Policy and Connecticut's Policy for a Drug Free Workplace . All alcoholic beverages are prohibited on campus with the exception of those events where permission to have alcoholic beverages is granted by the President. During such events, the use of alcohol is controlled precisely as prescribed in Board Policy. The use of alcoholic beverages at student events on campus is never authorized.

The College prohibits the underage and unlawful possession, use or distribution of illicit drugs and alcohol by students or by employees on College property. The College will impose disciplinary sanctions and may involve city and state law enforcement officials for possible prosecution when students or employees violate these standards. Student disciplinary sanctions may include warnings, disciplinary probation, community service hours, suspension and dismissal.

## WEAPONS ON CAMPUS

The use or possession of weapons (as defined in Section 53-206 of the Connecticut General Statutes) is prohibited on campus or at college activities except as authorized by Board or college policies. Colleges are hereby authorized to develop policies, which allow for specific exemptions to the extent permitted by law.

## SECURITY AND UNIFORM CAMPUS CRIME REPORT

In accordance with Connecticut Public Act 90-259, Campus Safety Act, and Public Law 101-542, Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, each institution of higher education within the State is required to annually prepare a Uniform Campus Crime Report (UCCR), which is consistent with the FBI's Uniform Crime Reporting System (UCR). The report is to reflect the crime statistics on the property of the institution for the preceding calendar year.

The following is the statistical report for crime on the campus of Three Rivers Community College for 2016. The crime rate is derived by dividing the number of incidents reported by the total number of student and employee FTE (Full Time Equivalent) for the same calendar period. Total FTE for students and employees for 2016 was 2,699.

Crime Category	Number of Incidents			Crime Rate		
	2014	2015	2016	2014	2015	2016
Murder/non-negligent homicide	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Forcible sex offenses	1	0	0	0.0003	0	0
Non-forcible sex offenses	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	1	0	0	0.0004
Larceny	5	3	4	0.0017	0.0011	0.0015
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Vandalism	3	3	9	0.0010	0.0011	0.0033
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	2	0	0	0.0007	0

#### ALCOHOL, DRUG AND WEAPONS VIOLATIONS

The College is also required to monitor and report any liquor law violations, drug abuse violations, and weapons violations occurring on campus. Three Rivers had one incident of the sale of a controlled substance and two incidents of the personal use of a controlled substance in previous years for which records have been maintained.

#### RESPONSIBILITY/RIGHT TO FILE CRIME REPORT

Any College staff member or student who is a victim of any type of crime is encouraged to file a report with the local police. The College will assist the individual in filing this report in any way possible. Equally important, the College will strictly enforce all individuals' rights to make such reports. No administrator of an institution of higher education shall interfere with the right of a student or employee of such institution to file a complaint with the state police, local police department or special police force established pursuant to section 10a-142 of the general statutes concerning crime committed within the geographical limits of the property owned or under the control of such institution.

### Sexual Violence-TRCC

<https://www.trcc.commnet.edu/student-services/sexual-misconduct-resources-and-education/>

### Clery Report-

<https://www.trcc.commnet.edu/administration/administration-services/safety-security-info/>

### Emergency Action Plan-TRCC

<https://www.trcc.commnet.edu/administration/administration-services/safety-security-info/emergency-action-plan/>



## Disclosure of Sexual Misconduct

To the best of your ability, please provide the following information. You may provide as much or as little information as you feel comfortable, and you may omit details that you feel are not relevant, but please understand that the College's response may be limited if significant details are not disclosed.

Date of Disclosure

Referred By

### Biographical Information

Name

Race / Ethnicity

Date of Birth

Sex / Gender

Banner ID

Sexual Orientation

Status at Three Rivers

A) Student

B) Employee (Please Specify) \_\_\_\_\_

C) Other (Please Specify) \_\_\_\_\_

### Safe Contact Information

Phone Number:

Email:

## Three Rivers Community College - Disclosure of Sexual Misconduct

### Narrative of the Incident or Incidents

1) Please provide a narrative of the incident(s) you wish to report, including:

- **When** the incident occurred
- **Who** the alleged offender is (or description)
- **Who** the victim is (if this is not you)
- **What** the alleged offender has done
- **Where** the incident occurred

\_\_\_\_\_ Please write your initials in the space provided if you have attached your narrative as a separate sheet.

\_\_\_\_\_ Please write your initials in the space provided if you do not wish to submit a narrative to be investigated.

- **Date of Incident:** \_\_\_\_\_
- **Name of Alleged Offender:** \_\_\_\_\_
- **Name of Victim:** \_\_\_\_\_
- **Where the incident occurred:** \_\_\_\_\_
- **What the alleged offender has done:** \_\_\_\_\_

2) Please identify any witnesses to the incident

3) Please identify any other students, faculty, or staff involved

### Three Rivers Community College - Disclosure of Sexual Misconduct

#### Options for Resolution

Please write your initials in the space provided to express your wishes

1) Are you requesting that the College investigate and resolve your complaint?

\_\_\_\_\_ **Yes**, I am requesting that the College investigate and resolve this complaint.

\_\_\_\_\_ **No**, I am *not* requesting that the College investigate and resolve this complaint.

2) If "YES" to the previous question, are you requesting that the College withhold your identity during this process?  
Please understand that this request, if granted, may limit the College's ability to respond to your report.

\_\_\_\_\_ **Yes**, I am requesting that the College withhold my identity.

\_\_\_\_\_ **No**, I am *not* requesting that the College withhold my identity.

3) Are you requesting any accommodations from the College at this time?

\_\_\_\_\_ **Yes**, I am requesting the following accommodations:

\_\_\_\_\_ **No**, I am *not* requesting accommodations.

*You may submit the information disclosed above without completing the FERPA release, but please understand that the College's ability to fully investigate, if desired, may be limited.*

#### **FERPA – Family Educational Rights and Privacy Act Consent for the Disclosure of Education Records**

*This portion of the form must be completed in person by the student and submitted to the Title IX Coordinator or the Dean of Students.*

I, \_\_\_\_\_, hereby authorize Three Rivers Community College and its employees to release the information disclosed above to anyone for whom it is necessary to investigate and resolve my report, and/or anyone for whom it is necessary to review and, if appropriate and feasible, grant the accommodations I have requested.

Name (Printed) \_\_\_\_\_

Name (Signature) \_\_\_\_\_ Date Signed \_\_\_\_\_

Three Rivers Community College - Disclosure of Sexual Misconduct

**This page to be completed by employees *only***

**Report received by...**

Name \_\_\_\_\_

Title \_\_\_\_\_

Date Received \_\_\_\_\_

Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

*If the FERPA release portion was completed,*

**FERPA release signature witnessed by...**

Name \_\_\_\_\_

Title \_\_\_\_\_

Date Release Witnessed \_\_\_\_\_

Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

REV VB 29 Mar 16