



# UNIVERSITY OF SAINT JOSEPH

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## C O N N E C T I C U T

Annual Report to the CT General Assembly, Higher Education Committee  
Pursuant to Public Act 14-11, An Act Concerning Sexual Assault, Stalking and Intimate Partner  
Violence on Campus

October 1, 2018

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## **Introduction**

The University of Saint Joseph has prepared and submitted the following annual report to the Connecticut General Assembly Higher Education Committee in accordance with Public Act 14-11 An Act Concerning Sexual Assault, Stalking and Intimate Partner Violence on Campus.

## **Mission Statement**

The University of Saint Joseph, founded by the Sisters of Mercy in the Roman Catholic tradition, provides a rigorous liberal arts and professional education for a diverse student population while maintaining a strong commitment to developing the potential of women. The University is a community which promotes the growth of the whole person in a caring environment that encourages strong ethical values, personal integrity, and a sense of responsibility to the needs of society.

## **Resource Team**

Since Public Act 14 -11 was effective on July 1, 2014, University of Saint Joseph has taken proactive steps to ensure compliance. The USJ Resource Team provides leadership and direction in the University's efforts to develop and implement strategies for complying with federal and state requirements regarding sexual violence, dating violence, stalking and intimate partner violence. During the past 12 – month period, meetings were held on the following dates, February 15, 2017 and October 18, 2017. A Title IX subcommittee met monthly throughout the year. Member participation is included in this report Appendix A:

- Resource Team Membership for 2017 February and October Meetings.

## **Memorandums of Understanding**

The University of Saint Joseph has Memorandums of Understanding with New Britain YWCA Sexual Assault Center and Interval House, Hartford. The Memorandums of Understanding with both organizations provide educational services, advocacy, guidance and support for students and employees who have experienced sexual and/or intimate partner violence. Additionally, both the New Britain YWCA and Interval House have assigned staff to attend our Resource meetings and staff informational tables targeted to students periodically throughout the year. Original MOU's were signed in 2014 and documented in the 2015 report.

## **Anonymous Reporting Options**

The University of Saint Joseph has two anonymous reporting options. One Anonymous Reporting Tip Line (860-231-5742) that is monitored by the Director of Public Safety. The second in through EthicsPoint, Inc. (855-297-5106 toll free) that is monitored by the Director of Human Resources/Title IX Coordinator.

## **Reportable Policies and Data**

In accordance with PA 14-11, Section 2, 10a-55m (f) 1-8 is organized into 3 sections:

### **A. Policies**

#### **1. Sexual Misconduct Policy & Victim's Rights**

The University of Saint Joseph maintains an on record sexual misconduct policy, a commitment to investigation, support, and protection of involved parties. This policy is included in this document Appendix B relating to Section 10a-55m (f) (1 & 2):

- Excerpt from University of Saint Joseph Student 2017- 2018 Handbook and the MyUSJ/Sexual Misconduct Webpage including both Sexual Misconduct Policy and Victim's Rights/Options.

The University of Saint Joseph distributes information regarding the University's Title IX policy as well as Victim's Rights through:

- Yearly email.
- University of Saint Joseph Student Handbook.
- Information and links to policy listed on USJ websites, including on Public Safety, Health Services, Counseling and Wellness Center and Title IX.
- Full policy located on MyUSJ website.
- Posters, brochures, and one-page handouts.

The current 2018-2019 University of Saint Joseph Against Gender-Based Discrimination and Sexual Misconduct is available at [https://my.usj.edu/ics/Sexual\\_Misconduct/](https://my.usj.edu/ics/Sexual_Misconduct/).

#### **2. Employee Policies on Sexual Misconduct & Title IX, Harassment & Discrimination, and Dating**

Human Resources distributed, in a yearly email, their Annual Notification of Employee Policies including the Policy on Harassment and Discrimination, Policy on Sexual Misconduct and Title IX, and Policy on Dating. These policies are included in this document Appendices C-E relating to Section 10a-55m (f) (1 & 2):

- Excerpt from University Employee Handbook of policies Sexual Misconduct and Title IX, Harassment and Discrimination, and Dating.

### **B. Sexual Assault, Stalking and Intimate Partner Violence Prevention, Awareness, and Risk Reduction Programs and Campaigns**

Throughout the year, University of Saint Joseph provides programs and campaigns on the topics of sexual assault, stalking and intimate partner violence prevention, awareness, and risk reduction targeted to the University community, students, and employees. Attached is the following Appendix F relating to Section 10a-55m (f) (3 & 4):

- A chart describing the list of programs and campaigns facilitated at University of Saint Joseph during the calendar year 2017.

### **C. Incidents Reported to the University and Outcomes**

The annual Uniform Campus Crime Report was prepared in accordance with Connecticut General Statutes Public Act No. 14-11. The report records those crimes committed in the immediately preceding calendar year (2017) within the geographical limits of the property owned or under the control of the University of Saint Joseph located at 1678 Asylum Avenue in West Hartford. The Uniform Campus Crime Report is located at <https://www.usj.edu/student-life/public-safety/>.

Attached is the following Appendix E relating to Section 10a-55m (f) (5, 6, 7, & 8) with statistics from the University of Saint Joseph 2017 annual Uniform Campus Crime Report and the Title IX coordinator:

- A chart listing number of incidences of sexual assault, intimate partner violence, and stalking on campus. This charts also includes the number of confidential reports/anonymous disclosures, disciplinary cases, and their final outcomes.

### **Department of Public Safety Training**

Public Safety Officers have completed Sexual Assault, Title IX Training sessions, and Lethality Assessment Program (LAP). LAP is a partnership involving the CCADV and law enforcement to implement nationally recognized risk assessment strategies to better serve domestic violence victims in the greatest danger. Two members of the University of Saint Joseph Department of Public Safety received training as instructors in this program in April of 2016. The entire department was trained in the LAP program in January of 2017. A subsequent MOU was signed with the CCADV on February 23, 2017.

## **Appendix A**

### **University of Saint Joseph Resource Team Members 2016-2017**

February 15, 2017

#### **Title IX Coordinators**

Title IX Coordinator

Deborah Spencer

Director of Human Resources

860.231.5390 - dspencer@usj.edu

Deputy Coordinator

Zanira Shabazz

Academic Advisor, Academic Advisement

860.231.5793 - zshabazz@usj.edu

Deputy Coordinator

Paul Lombardo

Director of Public Safety

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#### **USJ Members**

Sandra Affenito, Ph.D.

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Dean, Graduate Studies and Research

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Diversity and Employment Coordinator,

Human Resources

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Wayne Mora

Public Safety Officer/Investigator

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Nancy Cabelus, DNP, APRN, AFN-BC, FAAFS  
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860.231.5613 – ncabelus@usj.edu

**Community Members**

Amanda Carrington, Campus Advocate, YWCA/SACS  
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David Rivera, Community Relations Coordinator, Interval  
House  
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Vicki Melchiorre, Senior Assistant State’s Attorney Office,  
Hartford  
860.566.3190 - vicki.melchiorre@ct.gov

**Additional Attendees**

Tracy Funke, LPC, Counselor,  
Counseling and Wellness Center  
Megan Sniffin, Interim  
Coordinator of Residential Life  
Katrina Camerato, Resident  
Coordinator, Residential Life

## **University of Saint Joseph Resource Team Members 2017-2018**

October 18, 2017

### **Title IX Coordinators**

Title IX Coordinator

Deborah Spencer

Director of Human Resources

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### **Community Members**

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## Appendix B

### Sexual Misconduct Policy

#### **Title IX: Sexual Misconduct, Domestic Violence, Relationship/Dating Violence and Stalking Policy**

The University of Saint Joseph believes in the intrinsic value of all human beings. Moreover, it is committed to the full, peaceable participation of all of its members in the educational endeavor it fosters. The University is committed to maintaining a learning and living environment which is fair, respectful and non-tolerate of any threats or acts of sexual harassment, sexual assault or sexual violence which are all a forms of sex discrimination that creates a hostile environment. A hostile environment occurs when the conduct interferes or limits a student's ability to participate in a school's program. The University has an obligation to consider the effects of off-campus conduct when evaluating whether there is a hostile environment in a University program or activity. The University will process all Title IX complaints regardless of where the conduct occurred. Any reports of such behavior or action should be made to the Title IX Coordinator or Deputy:

- Deborah Spencer, Title IX Coordinator 860.231.5390, Mercy Hall Human Resources office, [dspencer@usj.edu](mailto:dspencer@usj.edu)
- Paul Lombardo, Title IX Deputy 860.231.5396, McGovern Hall Public Safety office, [plombardo@usj.edu](mailto:plombardo@usj.edu)
- Zanira Shabazz, Title IX Deputy 860.231.5793, Academic Advisement, Library 2<sup>nd</sup> floor, [zshabazz@usj.edu](mailto:zshabazz@usj.edu)

Complaints regarding the university's handling of a Title IX matter can also be sent to [TitleIX@usj.edu](mailto:TitleIX@usj.edu) or be made via the University's ethics line reporting at:

<https://secure.ethicspoint.com/domain/media/en/gui/33024/index.html>.

Complaints can also made to the Office for Civil Rights, Boston Office, U.S. Department of Education, 8<sup>th</sup> floor, 5 Post Office Square, Boston, MA 02109-3921, 617.289.0111, [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov).

A report of sexual harassment, assault, violence, or stalking will be taken seriously, promptly investigated, and addressed. While respecting the rights of all parties involved, the safety and well-being of the complainant, and the campus community are the University's primary concern. Appropriate action will be taken to discipline an offending party. The University of Saint Joseph maintains a sexual misconduct policy, on record

reporting, a commitment to investigation, support and protection of any involved parties, annually published security reports, as well as prevention initiatives.

### **Definition of Terms**

**Sexual Misconduct** is a broad term covering a range of behaviors including sexual assault, sexual harassment, intimate partner violence, stalking, voyeurism, sexual exploitation, and any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person. Sexual misconduct may involve nonconsensual sexual contact, but this is not a necessary component. All individuals are protected from sexual misconduct and sexual misconduct is prohibited regardless of the harasser.

**Sexual Assault/Sexual Violence** is a sexual act committed or attempted against one's will. It includes a range of acts from unwelcome sexual touching to forced sexual intercourse. Sexual assault refers to any sexual act without the explicit consent of the recipient.

**Sexual exploitation** is when an individual takes non-consensual or abusive sexual advantage of another for their own advantage or benefit or benefit or advantage of someone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offences. Examples include invasion of sexual privacy, non-consensual video or audio taping of sexual activity, engaging in voyeurism, exposing one's genitals and knowingly transmitting an STI or HIV to another individual.

**Intimidation** is implied threats or acts that cause an unreasonable fear of harm in another.

**Economic abuse** is withholding economic resources to intimidate, threaten, or cause the victim to remain in a relationship because of lack of access to finances. Examples include but not limited to sabotaging employment opportunities and withholding money.

**Emotional/Psychological Abuse** is any behavior verbal or non-verbal that the respondent does to control the complainant and or damage the complainant's emotional well-being. Examples include but not limited to name-calling, mocking, yelling, making humiliating remarks, monitoring phone calls and texts, or computer use.

**Technological Abuse** is the use of technology to control, harass, intimidate, or stalk another person. Examples include hacking or logging into a victim's email or other electronic accounts without permission, installing tracking devices on cellphone, manipulation

through social media, violation of information privacy and sending insulting or threatening emails or messages.

**Hazing** is acts that are likely to cause physical or psychological harm or social ostracism to any person with in the university community, when related to the admission, initiation, pledging, joining or any other group-affiliation activity.

**Sexual harassment** is unwanted sexual attention of a persistent or offensive nature. Sexual harassment includes sexually oriented conduct that is sufficiently pervasive or severe to unreasonably interfere with a student's educational performance or create an intimidating, hostile or offensive environment.

**Stalking** involves any behaviors or activities occurring on more than one occasion that collectively instill fear in the complainant and/or threaten her/his safety, mental health, and/or physical health. Such behaviors or activities may include, but are not limited to, non-consensual communications (face to face, telephone, e-mail), threatening or obscene gestures, surveillance, or showing up outside the targeted individual's classroom or workplace.

**Intimate Partner Violence** is any physical or sexual harm against an individual by a current or former spouse 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, stalking, or domestic/family violence. Intimate Partner Violence includes a pattern of verbal, emotional and/or physical behavior in an intimate relationship that is used to establish power and control over another person through fear and intimidation. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person.

**Domestic Violence** is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control of another, whether an intimate partner or non-intimate co-habitant. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. The state of Connecticut (P.A. 16-106) defines domestic/family violence as an event between family or household members that either cause physical injury or creates fear that physical injury is about to happen. Family or household members include people who are related, people who are, or were, married,

people who live together, people who have a child together, and people who are, or were recently, in a dating relationship.

**Coercion** is unreasonable pressure for sexual activity. Coercion is the use of emotional manipulation to persuade someone to do something they may not want to do such as being sexual or performing certain sexual acts. Being coerced into having sex or performing sexual acts is not consenting to having sex and is considered sexual misconduct.

**Affirmative consent** is an active, clear and voluntary agreement by a person to engage in sexual activity with another person. Silence, on its own, cannot be interpreted as consent. Neither relationship nor prior permission implies future consent. Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated if they lack the ability to make or act on considered decisions to engage in sexual activities. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in such activity. It is the responsibility of each person to ensure that they have the affirmative consent of all persons engaged in sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.

**Force** may include, but is not limited to, the use or display of a weapon, physical immobilization, threats, intimidation or coercion. Another example of force is psychological pressuring or any attempt to take advantage sexually of an individual under duress or incapable of making a decision on their own. This includes situations in which an individual is under the influence of alcohol, drugs, or otherwise physically incapacitated.

**Bystander Intervention** is defined by the state of Connecticut as the act of challenging the social norms that support, condone or permit sexual assault, stalking and intimate partner violence (P.A. 16-106). Students are encouraged to undertake bystander intervention actions when they are able to do so in a manner that is safe for all concerned. Examples of bystander intervention include: asking if someone is alright; distracting one or both people involved; encouraging someone to seek help from appropriate resources, such as the Student Counseling Center.

### **Know Your Rights**

An individual reporting an incident of sexual misconduct is considered the “complainant” and the individual who the incident is reported against is the “respondent”. The University encourages complainant of sexual harassment, assault, violence or stalking to talk to somebody about what happened – so the complainant can get the support they need, and

so the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- All other employees are required to report all the details of an incident (including the identities of both the complainant and respondent) to the Title IX coordinator. A report of these employees (called "responsible employees") constitutes a report to the University – and generally obligates the College to investigate the incident and appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting a confidential disclosure options available to them – so they can make informed choices about where to turn should they become a complainant of sexual violence. The University encourages the complainant to talk to someone identified in one or more of these groups regardless if the respondent is an employee, student or a non-campus third party individual.

### **The Options**

#### **A. Privileged and Confidential Communications**

##### **Professional and Pastoral Counselors**

Professional, licensed counselors and pastoral counselors (not including Campus Ministry employees) who provide mental-health counseling to members of the university community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a complainant's permission.

A complainant who speaks to a professional counselor must understand that, if the complainant wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the respondent. Even so, these counselors will still assist the complainant in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A complainant who at first requests confidentiality may later decide to file a complaint with the University or report the incident to local law enforcement, and thus have the incident fully investigated. The counselors will provide the complainant with assistance if the victim wishes to do so.

#### **B. Reporting to "Responsible Employees"**

A “responsible employee” is a University employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. When a complainant tells a responsible employee about an incident of sexual violence, the complainant has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the complainant in order for the University will need to determine what happened – including the name(s) of the complainant and respondent(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report. A responsible employee should not share information with law enforcement without the complainant’s consent or unless the complainant has also reported the incident to law enforcement.

Before the complainant reveals any information to a responsible employee, the employee should ensure that the complainant understands the employee’s reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

If the complainant wants to tell the responsible employee what happened but also maintains confidentiality, the employee should tell the complainant that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Title IX Coordinator of the complainant’s request for confidentiality. Responsible employees will not pressure a complainant to request confidentiality, but will honor and support the complainant’s wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a complainant to make a full report if the complainant is not ready to.

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to the Director of Public Safety regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses given) for publication in the annual Campus Security Report.

This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the complainant and may be done anonymously.

Complainants of sexual misconduct should also be aware that University of Saint Joseph administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

### **Reporting Procedures**

Any member of the University of Saint Joseph Community who has experienced, witnessed as a bystander or learned about any sexual harassment, assault, domestic violence or stalking is encouraged on or off campus is encouraged to contact the Title IX Coordinator/Deputy and/or Campus Safety. Reporting an act of sexual misconduct allows the institution to pursue safety and support for the complainant and the community. The complainant may request confidentiality, but should recognize this may limit the institution's ability to respond. Where the complainant provides consent, University personnel will strive to protect the privacy of any involved students during the reporting and investigation process. Where strict confidentiality is not possible, discernment and sensitivity will be used in sharing information on a need-to-know basis only.

If the appropriate personnel determines that it cannot maintain a complainant's confidentiality, the University will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The safety and well-being of the complainant and the campus community are the institution's primary concern. It is the complainant's choice (if they are of legal age) whether to file a formal complaint with local law enforcement and/or the University at any point in the informal process. If the complainant files a criminal complaint with a local law enforcement agency, the University will comply with law enforcement agency requests for cooperation. That such cooperation may require the University to temporarily suspend the fact-finding aspect of a Title IX investigation while the law enforcement agency gathers

evidence. The University will then promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. In addition, the complainant may stop proceedings at any time.

In cases where University personnel have reason to believe an incident of sexual misconduct has occurred, the institution is legally obligated to investigate and respond. This may occur without the receipt of a formal complaint.

Department	Information and Support	Informal Remedies	Formal Resolution	Counseling Services	Confidentiality Level
<i>Counseling And Wellness Center</i>	*			*	Strictly Confidential
<i>Health Services</i>	*				Strictly Confidential
<i>Public Safety</i>	*	*	*		Confidential in accordance with state law
<i>Vice President of Student Affairs</i>	*	*	*		Mostly Confidential
<i>Title IX Coordinator / Human Resources</i>	*	*	*		Mostly Confidential

### **Anonymous Reporting**

The University of Saint Joseph Public Safety Department recognizes the importance of allowing individuals reporting an incident to Public Safety to remain anonymous. The Public Safety Department utilizes an anonymous reporting tip line. The phone number for the ***Anonymous Tip Line*** is 860.231.5742 or x5742 from any campus phone. The ***Anonymous Tip Line*** voicemail will be reviewed by the Director of Public Safety. All calls will remain anonymous unless the caller states that they wish to be contacted. Reports may also be made via the University's ethics line reporting at:

<https://secure.ethicspoint.com/domain/media/en/gui/33024/index.html>

### **Investigation Procedures**

Upon receipt of a formal complaint, a timely investigation will be conducted. An investigation will begin within 10 working days of the received complaint and may include, but is not limited to the following steps:

- Both complainant and respondent have equitable rights during the investigation (i.e. have the same opportunities to produce evidence or witness, afford similar and timely access to any documents and information used at a hearing, including the University's Title IX investigative report).
- The complainant is not required to be present at the hearing as a prerequisite to proceed.
- Presumption of inadmissibility of evidence of the complainant's past relationships with anyone other than the respondent.
- Both are entitled to be accompanied to any meeting 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 meetings as scheduled.
- Both complainant and respondent may not personally question or cross-examine each other during the hearing.
- Fact finding interview with the complainant (procedures will be based on the "preponderance of the evidence standard").
- Interviews or written statements from witnesses.
- Interview with the respondent with opportunity to respond to all allegations.
- Written record of all interviews and pertinent information (confidentially maintained).
- Mediation is not an appropriate final decision in these cases.
- Notice of a student's right to file a criminal complaint and a Title IX complaint simultaneously

The University of Saint Joseph may take interim steps to ensure the safety and wellbeing of the complainant before the final outcome of the investigation. The complainant has the right to request that immediate interim steps be taken to include but not limited to a change in living arrangements or other modifications to avoid forced contact with the respondent. A respondent may be asked to change their work schedule, alter their academic schedule, withdraw from a class, be suspended, or removed from campus housing and/or declared an unapproved guest on campus, pending the outcome of the investigation. Also, when deemed appropriate the University can issue a no-contact letter between the parties involved.

Unapproved guests are subject to additional University disciplinary action or arrest if found on campus. The conclusion of the investigation can be expected within a timely manner not to exceed the legal standard and will be communicated in writing to the complainant and the respondent.

Incidents involving respondents who are nonmembers of the University community will be processed according to local and state laws.

### **Disciplinary Response**

Where there is sufficient evidence to conclude that sexual misconduct has occurred, the resolution for a student respondent will include disciplinary action. This may include, but is not limited to:

- Written Apology
- Personal Accountability
- Issuance of a “No Contact Letter”
- Ban from Campus
- Suspension
- Counseling – A University Counselor staff member will administer counseling for a set amount of time. University Counselors may recommend additional counseling or testing if needed.
- Removal from campus housing, but not classes
- Voluntary Withdrawal from campus housing and classes
- Dismissal from campus housing and classes

### **Results of Disciplinary Procedures**

Both the complainant and respondent will receive simultaneous written notification of the outcome of disciplinary hearing, sanctions (if imposed) and the institution’s appeal process. The University maintains records for seven years according to Clery requirements or a specific length of time based upon Connecticut law. The following records will be kept: informal and formal complaint, including individuals involved, investigative steps taken, documentation received, individuals interviewed, decisions reached and reason(s) for the decision(s) reached.

### **Appeal Process**

Both the complainant and respondent may request an appeal based upon the outcome of the disciplinary hearing. The appeal process can be concluded within a timely manner and not to exceed the legal standard. For additional information regarding the appeal process,

please review the “**Student Appeals Board**” located within the “**Student Rights and Freedoms**” section of the student handbook.

### **Retaliation**

The University of Saint Joseph strictly prohibits any form of retaliation against individuals who report sexual misconduct or assist in the investigation. Retaliation is any action that could be perceived as intimidation, hostility, harassment, retribution, threats or violence in connection with the report or investigation of an incident of sexual misconduct. The University will respond to retaliation as a separate incident.

### **Care after a Sexual Assault**

Individuals who have been sexually assaulted will be treated with dignity, respect and should immediately consider the following important steps:

1. Get away from the attacker to a safe place as fast as you can.
  - On-campus students should call their Resident Coordinators/Resident Assistant immediately or go directly to the nearest emergency room.
  - Off-campus students are encouraged to call a trusted friend or a member of Counseling and Wellness Center and/or Student Health Services.
  - If immediate medical attention is needed, call Campus Safety at 860.231.5222 and they will call 911.
2. Seek medical care due to possible exposure to health risks. See “**Resources for Medical Attention**” for additional information.
3. File a report with a Title IX coordinator, Campus Safety 860.231.5222 or West Hartford Police 860.523.5203.
4. Speak with a counselor either on campus at the Counseling and Wellness Center located in the Little Red House and also by calling (Monday – Friday 8:30am-4:30pm at 860.231.5530). You can also contact Connecticut Sexual Assault Crisis Services or Interval House for similar services off-campus.

### **Resources for Medical Attention**

Complainants of sexual assault should seek treatment from hospitals that participate in the SAFE program. The SAFE program is a complainant services program that provides participating hospitals with 24/7 access to Sexual Assault Nurse Examiner (SANE) who are sexual assault forensic examiners and use “rape kits” to collect forensic evidence. Participating hospitals in Connecticut include: Saint Francis Hospital, Hartford Hospital, The Hospital of Central Connecticut (New Britain campus), Manchester Hospital, Middlesex Hospital, and Windham Hospital.

You can take a support person with you to the hospital. Also, a sexual assault complainant advocate from Connecticut Sexual Assault Crises Services (ConnSACS) can accompany you or meet you at the hospital. Call 24 hours a day 888.999.5545 to request an advocate. Hospitals can also call and request an advocate for you.

Students may also seek treatment from the USJ's Health Services located in the Little Red House on campus however this office does not complete the sexual assault evidence collection kit. To contact USJ Health Services call 860.231.5530.

### **Importance of Preserving Evidence/Before You Arrive at the Hospital**

Hospital staff will ask to collect evidence. Whether or not you decide to have evidence collected, it is important that you DO NOT do the following prior to arriving at the hospital: change clothes, shower or bathe, douche, drink, eat, smoke, brush your teeth, use the bathroom unless absolutely necessary. Taking these precautions before the medical exam allows you to keep your legal options open as long as possible. These activities can destroy vital evidence. If you have not changed your clothes, bring a change of clothes with you. If you've changed your clothes since the assault, place the clothes you wore at the time of the attack in a paper bag (not plastic). Bring them with you to the emergency room. Let your nurse or doctor know you have them and tell them if you have done anything else (washed, etc.) before you arrived.

### **Resources for preventable sexually transmitted diseases**

Burgdorf Health Center, Hartford STD Clinic,  
Disease Prevention and Health Promotion  
131 Coventry Street, 1st Floor  
860.757.4830 or 860.757.4772  
No appointment necessary. Fee for service.

### **Connecticut Sexual Assault Crisis Services, Inc.**

96 Pitkin Street  
East Hartford, CT 06108

[info@connsacs.org](mailto:info@connsacs.org)

**24-Hour Hot Line 888.999.5545**

All services are FREE and CONFIDENTIAL and services provided include:

- Hotline Services 24 hours/day 7 days/week

- 24 hour crisis counseling
- Information & referral
- Advocacy for children and non-abusing parent
- Short-term counseling for complainants and their family and/or friends
- Support groups and more
- Community education programs dealing with sexual assault issues
- Community prevention programs dealing with safety concerns, etc.

### **Interval House**

Our Services that are provided include:

- 24-hour Hotline
- Safety planning and domestic violence counseling
- Emergency shelter
- Support groups
- Court and legal advocacy
- Programs for children
- Community education and awareness

For more information call the 24-Hour Domestic Violence Hotline 860.527.0550 **or** 888.774.2900 **or** go to [intervalhousect.org](http://intervalhousect.org).

### **Other Resources**

#### **Connecticut Coalition Against Domestic Violence**

24-hour Statewide, Toll Free Domestic Violence Hotline 888.774.2900

For counseling services, support groups, emergency shelter and general support services, please call our 24-hour statewide, toll free domestic violence hotline at 888.774.2900 to be connected to the nearest domestic violence agency. An advocate can talk with you about your needs and help you identify shelters, programs and other resources. All services are free and confidential. Located at 912 Silas Deane Highway, Lower Level, Wethersfield, CT 06109 Phone: 860.282.7899 | Toll free (CT only): 800.281.1481 or <http://www.ctcadv.org/>.

#### **Office of Victim Services**

The Office of Victim Services (OVS), Connecticut Judicial Branch, is the state's lead agency established to provide services to victims of violent crime. OVS contracts with non-profit and public organizations to provide services to crime victims. These services include, but are not limited to, information and referral, criminal justice support/advocacy, therapy, safety planning, group treatment/support, personal advocacy and assistance in filing

applications for victim compensation. For more information, call 711 or 1.800.833.8134; go to 225 Spring Street, Fourth Floor, Wethersfield, Connecticut; or <http://www.jud.ct.gov/crimevictim/>.

### **Office of Victim Advocate**

The Office of the Victim Advocate (OVA) is an independent state agency charged with the responsibility of protecting and enforcing the rights of crime victims throughout the state of Connecticut. The OVA monitor's services provided to crime victims by state agencies and private entities; receives and investigates victims' complaints regarding their treatment in the criminal justice process. They can intervene in court cases to advocate for a crime victim when their rights have been violated. They make recommendations to the legislature, criminal justice professionals, and victim service providers for changes in state policies and laws to benefit crime victims. They also provide public education and outreach regarding services available to victims of crime and their families. For more information call 860.550.6632 or Toll Free (CT) 888.771.3126, go to 505 Hudson Street, 5th floor, Hartford, Connecticut 06106, or email at [ova.info@ct.gov](mailto:ova.info@ct.gov) or <http://www.ct.gov/ova/site/default.asp>

### **Awareness and Education**

The University of Saint Joseph recognizes that awareness and educational efforts are important steps in sexual assault prevention. The University commits to the following prevention initiatives:

- This and related policies are included in faculty, staff and student handbooks.
- New students receive information and training prior to the 15<sup>th</sup> of October through a mandatory online program and during New Student Orientation.
- Current students are reminded during residence hall meetings each fall of the dangers and prevalence of sexual assault, domestic violence and stalking.
- Brochures and information on sexual assault are made available in key locations including the Student Health Services, Counseling and Wellness Center, Public Safety Office, Offices of all Title IX Coordinators and the Office of the Student Affairs.
- Residence Life staff receives yearly training on responding to sexual assault.
- All first-year students, student leaders, athletes, CAE academic tutors receive bystander training.
- All University employees including student employees receive regular training on being a responsible employee.
- Information is also located on the Title IX Sexual Misconduct tab on the MyUSJ webpage.
- The student peer health and wellness educators offer regular programming including passive and active information campaigns, tabling, activities and presentation on a

variety of topics including sexual assault, sexual harassment, stalking, intimate partner violence, bystander training, safe dating, self-defense and affirmative consent for the entire USJ community.

### **Additional Services**

- Campus Safety provides escorts for any student crossing campus in the evening hours. Call 860.231.5222 to request this service.
- Emergency phones can be found throughout campus.

Victim's Rights Located on MyUSJ Sexual Misconduct Tab

### **Your Rights**

#### **1. You have the right to request confidentiality.**

If you file a report and would like to request confidentiality, the University will give serious consideration to that request. Only in rare situations will the University move forward with a Title IX investigation against the wishes of the Complainant. The Title IX Coordinator will consider several factors in deciding whether confidentiality will be honored, including the age of the Complainant, the pattern and severity of the misconduct, and whether there is a risk of safety to the Complainant and/or the USJ community. If the Title IX Coordinator determines it must proceed with a formal investigation based on these factors, the University will explain its reasoning to the Complainant.

#### **2. You have the right to be notified of existing campus and community based medical, counseling, mental health services, advocates, information and referrals whether or not the crime is formally reported to campus or civil authorities.**

#### **3. You have the right to choose to report an incident of sexual misconduct to USJ Public Safety or local police.**

You also have the right to decline to inform USJ Public Safety or the Hartford Police of the sexual misconduct. The University will not contact law enforcement unless requested or unless there is a threat of immediate danger.

You have the right to informally or formally report your incident to Title IX Coordinator (or deputy) and or Public Safety. You may decide to move from an informal report to a formal investigation at any time. You have the right to proceed simultaneously with a criminal investigation and Title IX investigation.

#### **4. You have the right to accommodations regardless of whether you report the incident to the police or USJ public safety.**

All parties have the right to request that interim steps be taken to include but not limited to a change in living arrangements or other modifications. A no contact letter is offered to students

by USJ Public Safety whether or not they request the University to fully investigate the incident. Information is also given to the student about obtaining a restraining order from the court.

**5. You have the right to a prompt and equitable internal disciplinary process.**

All parties have the right to a fair and unbiased investigation and disciplinary process. If you file a report, the investigation proceedings will be conducted in a timely manner. You may also stop the investigation at any time. You have the right to be informed of the status of the proceedings and to be notified in writing of the outcome of the investigation. If you believe the resolution of the investigation to be unfair, you may appeal the decision of the resolution by contacting the Title IX Coordinator. For the full appeals policy, go to the Title IX: Sexual Misconduct, Domestic Violence, Relationships/Dating Violence, and Stalking Policy section of the Student Handbook.

## Appendix C



# UNIVERSITY OF SAINT JOSEPH

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## CONNECTICUT

### EMPLOYMENT POLICY 6:

#### HARASSMENT & DISCRIMINATION

<b>Approved by:</b>	Executive Council
<b>Approval Date:</b>	April 6, 2010; revised January 1, 2017
<b>Responsible Official:</b>	Senior Human Resources Administrator (860) 231-5390
<b>Related Policies:</b>	Nondiscrimination, Equal Employment Opportunity & Diversity Policy; Sexual Misconduct & Title IX Policy; Dating Policy

The University of Saint Joseph community embraces employees of all backgrounds and welcomes, affirms, and encourages their rights to full participation. The University condemns any behavior that makes an employee feel inferior, intimidated, or uncomfortable because of race, color, religious creed, age, sex, gender identity or expression, sexual orientation, transgender status, marital status, national origin, ancestry, disability (including, but not limited to, intellectual disability, present or past history of mental disorder, learning disability, or physical disability), homelessness, or any other characteristic protected by law.

The University of Saint Joseph does not tolerate threats of violence or acts of hatred of any kind and any employee who harasses or discriminates against another person, regardless of protected class status, may be subject to disciplinary action. Behavior or activities that may endanger the physical or mental well-being of others, including idle or real threats, the possession and/or use of firearms, fireworks, hazardous chemicals, and other real or potential weapons are strictly prohibited.

Bullying behaviors are viewed by the University as a form of harassment and will be handled as such. Workplace bullying is on-going behavior that deliberately harms, intimidates, offends, degrades, or humiliates an individual and creates an environment of fear. Examples of harassment and bullying include, but are not limited to, the following:

- being sworn at, shouted at, called names or subjected to other humiliating behaviors;
- unwarranted or invalid criticism, or blame without factual justification;
- being treated differently than the rest of one's work group in a manner that is belittling;

- exclusion or social isolation;
- physical violence such as pushing, shoving or throwing objects.

Personal abuse in any form violates standards of appropriate discourse and civil conduct; substantiated instances of such behavior will result in disciplinary action up to and including termination.

An employee who feels s/he has been the victim of harassment, bullying, violence or discrimination should report the incident to her/his direct supervisor. If s/he does not feel comfortable discussing the incident with the supervisor, s/he should contact the senior Human Resources administrator. All such concerns should be taken to the senior Human Resources administrator, who will initiate an investigation and work with appropriate management to determine appropriate resolution. If the senior Human Resource administrator is not deemed appropriate to handle the presenting issue, the Senior Vice President of Finance & Strategy & Strategy will be the primary contact; if the SVP of Finance & Strategy is not deemed appropriate to handle the presenting issue, the President will be the primary contact.



# UNIVERSITY OF SAINT JOSEPH

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## CONNECTICUT

### EMPLOYMENT POLICY 7: SEXUAL MISCONDUCT & TITLE IX

**Approved by:** Executive Council  
**Approval Date:** April 6, 2010; revised January 1, 2017  
**Responsible Official:** Senior Human Resources Administrator (860) 231-5390  
**Related Policies:** Nondiscrimination, Equal Employment Opportunity & Diversity Policy; Harassment & Discrimination Policy; Dating Policy

#### **POLICY:**

##### **I. Introduction**

The University of Saint Joseph has established a policy and procedure to protect the rights of students and employees to be free from unwelcome sexual behaviors and to ensure an environment that is free from sexual and other harassment. The University of Saint Joseph condemns any type of sexual misconduct, including sexual harassment, or other unlawful harassment and encourages those who have been a subject of or are aware of it to report it. Offensive or inappropriate actions, words, jokes, printed material, or comments based on an individual's gender, race, ethnicity, age, religion, sexual orientation, gender identity or expression, disability, or any other legally protected characteristic will not be tolerated.

Employees are prohibited from harassing students and other employees whether or not the incidents of harassment occur on University premises and whether or not the incidents occur during working hours. Employees are also prohibited from harassing non-University employees with whom they come in contact while performing their job as a University employee (e.g., employees of collaborative organizations). Further, any employee who is aware of a University student subject to possible sexual misconduct is required to report their concerns to a designated Title IX Coordinator/Deputy. The names and contact information for current Title IX Coordinator(s)/Deputies are available in a publically accessible area of the University's intranet. Upon receiving a report, the University will respond promptly, equitably and thoroughly, including taking temporary corrective measures pending investigation and resolution. If it is determined that misconduct has occurred, the University will take corrective action and steps to prevent the recurrence of the misconduct.

## **II. Sexual Harassment**

### **A. Definitions**

The University prohibits sexual and other harassment of employees and students in any form. Such conduct may result in disciplinary action up to and including termination. Sexual harassment is unwanted sexual attention of a persistent or offensive nature. Sexual harassment includes sexually oriented conduct that is sufficiently pervasive or severe to unreasonably interfere with an employee's job performance or create an intimidating, hostile, or offensive working environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, an employee or student a reward if the employee or student complies with a sexually oriented request;
- Threatening, directly or indirectly, to retaliate against an employee or student if the employee or student refuses to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee or student an employment-related opportunity, if the employee or student refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive or explicit conversation, body movements, gestures, and so forth that is unwelcome or offensive to any employee or student hearing or witnessing such conduct;
- Engaging in sexually suggestive physical contact or touching another employee or student in a way that is unwelcome;
- Displaying, storing, or transmitting pornographic or sexually oriented materials using University equipment or within University facilities; and
- Making sexual or romantic advances toward an employee or student and persisting despite the employee's/student's rejection of the advances.

These issues constitute sexual harassment when:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or education;
- An individual's submission to or rejection of such conduct is used as the basis of (or is threatened to be used as the basis of) employment or academic decisions affecting that person; and/or
- Such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive employment, educational, or living environment.

### **B. Procedure for Reporting Sexual or Other Harassment & Investigations**

Employees who believe they have been subjected to acts of sexual harassment or other unlawful harassment, or who have reason to believe that someone else has been subject to this harassment, should inform their supervisor, their area's senior manager, or the senior Human Resources administrator. Employees and students can raise concerns and make reports without fear of reprisal. Any supervisor or member of management who becomes

aware of possible sexual or other unlawful harassment is required to promptly advise the senior Human Resources administrator and/or a Title IX Coordinator/Deputy Coordinator. If the senior Human Resource administrator is not deemed appropriate to handle the presenting issue, the Senior Vice President of Finance & Strategy will be the primary contact; if the SVP of Finance & Strategy is not deemed appropriate to handle the presenting issue, the President will be the primary contact.

Complaints will be investigated in a timely and impartial manner and, when merited, appropriate disciplinary action will be taken. Confidentiality will be maintained to the extent possible throughout the investigation, with information being shared on a need-to-know basis. All employees and students, whether complainant, alleged perpetrator, or witness, are required to be truthful, accurate, and cooperative during University investigations into allegations of sexual or other harassment. It is a violation of University policy to knowingly make false allegations of sexual or other harassment or provide evidence with the knowledge that it is false.

It is the policy of the University of Saint Joseph that no one will be retaliated against for making a complaint of harassment based upon an honest perception of the events or for cooperating in the investigation of a complaint.

### **III. Sexual Misconduct, Domestic Violence, Relationship/Dating Violence and Stalking (Title IX)**

The University of Saint Joseph believes in the intrinsic value of all human beings. Moreover, it is committed to the full, peaceable participation of all of its members in the educational endeavor it fosters. The University is committed to maintaining a learning and living environment which is fair and respectful and will not tolerate any threats or acts of sexual harassment, sexual assault or sexual violence which are all a form of sex discrimination. Any reports of such behavior or action should be made to the university's Title IX Coordinator/Deputy Coordinators; currently these include the Director of Human Resources, the Director of Public Safety (deputy), and the Assistant Dean of Student Leadership Development (deputy). The names and contact information for current Title IX Coordinator/Deputies are available in a publically accessible area of the University's intranet.

#### **A. Definition of Terms**

**Sexual misconduct** is a broad term covering a range of behaviors including sexual assault, sexual harassment, intimate partner violence, stalking, voyeurism, sexual exploitation, and any other conduct of a sexual nature that is nonconsensual, or has the purpose or effect of threatening, intimidating, or coercing a person. Sexual misconduct may involve nonconsensual sexual contact, but this is not a necessary component. Both men and

women are protected from sexual misconduct, and sexual misconduct is prohibited regardless of the sex of the harasser.

**Sexual assault / sexual violence** is a sexual act committed or attempted against one's will. It includes a range of acts from unwelcome sexual touching to forced sexual intercourse. Sexual assault refers to any sexual act without the explicit consent of the recipient.

**Stalking** involves any behaviors or activities occurring on more than one occasion that collectively instill fear in the victim and/or threaten her/his safety, mental health, and/or physical health. Such behaviors or activities may include, but are not limited to non-consensual communications (face to face, telephone, e-mail), threatening or obscene gestures, surveillance, or showing up outside the targeted individual's classroom or workplace.

**Intimate Partner Violence** is any physical or sexual harm against an individual by a current or former spouse 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, stalking, or domestic/family violence. Intimate Partner Violence includes a pattern of verbal, emotional and/or physical behavior in an intimate relationship that is used to establish power and control over another person through fear and intimidation. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person.

**Domestic Violence** is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control of another, whether an intimate partner or non-intimate co-habitant. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. The state of Connecticut (P.A. 16-106) defines domestic/family violence as an event between family or household members that either causes physical injury, or creates fear that physical injury is about to happen. Family or household members include people who are related, people who are, or were, married, people who live together, people who have a child together, and people who are, or were recently, in a dating relationship.

**Coercion** is unreasonable pressure for sexual activity. Coercion is the use of emotional manipulation to persuade someone to do something they may not want to do such as being sexual or performing certain sexual acts. Being coerced into

having sex or performing sexual acts is not consenting to having sex and is considered sexual misconduct.

**Affirmative Consent** is defined as active, clear, and voluntary agreement by an individual of legal age to engage in sexual activity with another person (CT P.A. 16-106). Silence, on its own, cannot be interpreted as consent. Neither relationship nor prior permission implies future consent. Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated due to alcohol, drugs, or some other condition. A person is mentally or physically incapacitated if s/he lacks the ability to make or act on considered decisions to engage in sexual activities. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in such activity. It is the responsibility of each person to ensure s/he has the affirmative consent of all persons engaged in sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity.

**Force** may include, but is not limited to, the use or display of a weapon, physical immobilization, threats, intimidation or coercion. Another example of force is psychological pressuring or any attempt to take advantage sexually of an individual under duress or incapable of making a decision on his or her own. This includes situations in which an individual is under the influence of alcohol, drugs, or otherwise physically incapacitated.

**Bystander Intervention** is defined by the state of Connecticut as the act of challenging the social norms that support, condone or permit sexual assault, stalking and intimate partner violence (P.A. 16-106). University employees are encouraged to undertake bystander intervention actions when they are able to do so in a manner that is safe for all concerned. Examples of Bystander Intervention include:

- Asking if someone is alright;
- Distracting one or both people involved;
- Encouraging someone to seek help from appropriate resources, such as the Student Counseling Center.

#### **B. Reporting Requirements**

Any member of the University of Saint Joseph community who has experienced or is aware of sexual misconduct, harassment, assault, domestic violence, and/or stalking, on or off campus, is encouraged to contact one of a Title IX Coordinator/Deputy and/or Public Safety.

**Responsible Employees:** The University of Saint Joseph defines “Responsible Employee” as *“any University employee who is not a Confidential Employee.”* Responsible Employees

are required to report to the University's Title IX Coordinator/Deputy all relevant details of which they have knowledge about an incident of alleged sexual misconduct involving any USJ student.

Responsible Employees are responsible for:

- Communicating to students who are considering disclosing or have disclosed information about alleged sexual misconduct that, as Responsible Employees, they are required to report such information to the University's Title IX Coordinator/Deputy;
- Reporting information they receive about alleged sexual misconduct promptly to the University's Title IX Coordinator/Deputy;
- Completing all applicable University training on reporting requirements and staying current on training requirements; and
- Contacting the University's Title IX Coordinator/Deputy with questions or concerns.

A Responsible Employee may not honor a reporting student's request for confidentiality. The Responsible Employee *must* report all information disclosed to her or him regarding the alleged misconduct; however, s/he should inform the student that s/he will make the student's request for confidentiality known to the University.

**Confidential Employees:** "Confidential Employees" are those who are legally granted privileged communication and are not required to report sexual misconduct involving students to a Title IX Coordinator. Currently, these include employees in the Counseling and Wellness Center, Student Health Services, and the campus Chaplain. Additionally, community members can seek out assistance from an off-campus crisis center, which can maintain confidentiality. Faculty members and other University staff are *not* confidential resources and are required to contact a University Title IX Coordinator/Deputy.

### **C. Complaint Response and Investigation**

The University will investigate all incidents about which the University knows to protect the health and safety of the University community, including issues raised anonymously or by third parties. Similarly, the University will undertake an investigation where appropriate even in cases where the alleged victim and/or complainant choose not to cooperate or participate. Reported issues will be investigated in a timely manner and consistent with the appropriate procedures detailed in relevant documents, including the Employee Handbook and/or the Student Handbook.

Consistent with Connecticut state law (P.A. 16-106):

- The investigation and any disciplinary proceedings shall be conducted by an official trained annually in issues relating to sexual assault, stalking and intimate partner violence and shall use the preponderance of the evidence standard in making a determination concerning the alleged assault, stalking or violence.
- Both the student or employee who reports or discloses the alleged assault, stalking or violence and the student responding to such report or disclosure (i) are entitled to

be accompanied to any meeting or proceeding relating to the allegation of such assault, stalking or violence 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 (ii) shall have the opportunity to present evidence and witnesses on their behalf during any disciplinary proceeding.

- Both the student or employee reporting or disclosing the alleged assault stalking or violence and such responding student are entitled to be informed in writing of the results of any disciplinary proceeding not later than one business day after the conclusion of such proceeding.
- The University shall not disclose the identity of any party to an investigation or disciplinary proceeding, except as necessary to carry out the investigation or disciplinary proceeding or as permitted under state or federal law.
- A standard of affirmative consent will be used in determining whether consent to engage in sexual activity was given by all persons who engaged in the sexual activity.

Investigations will be conducted with due regard for the privacy of those involved. Only people who have a need to know about the issue will be informed, and materials and information prepared or acquired under Title IX procedures will be shared only as necessary with investigators, witnesses and other relevant parties. Disclosure of such information also may be made if the University Title IX Coordinator determines that such disclosure is necessary to protect the health, safety or well-being of community members. While the University Title IX Coordinator will take into account any requests made by a grievant for confidentiality or that a Title IX matter not be investigated, the University Title IX Coordinator will take appropriate steps to respond to the matter consistent with requirements of Title IX and the University's obligation to the greater University of Saint Joseph community.

Retaliation against any person in the University community for alleging a violation of Title IX or for cooperating in any investigation, proceeding or hearing relating to an alleged violation of Title IX is strictly prohibited and may result in disciplinary action, including additional interim or permanent measures. Any concerns regarding retaliation should be addressed immediately with a University Title IX Coordinator/Deputy Coordinator.

Where there is sufficient evidence to conclude that sexual misconduct has occurred, the resolution for a student respondent is described in the current Student Handbook. The resolution for an employee respondent will be consistent with section VI.C of the Employee Handbook.

The complaint and grievance procedures contained herein have been developed to enable the University to receive, investigate and resolve complaints of discrimination on the basis of gender, including sexual harassment and other sexual misconduct. These procedures are designed to provide a supportive process for individuals who report discrimination and to ensure a fair process for individuals who are accused of discriminatory conduct. Any University of Saint Joseph student, faculty or staff member who believes that s/he has been subjected to discrimination based upon gender in any University program or activity or that

s/he has been subjected to sexual misconduct may bring such concerns to the attention of a University's Title IX Coordinator/Deputy Coordinator to obtain a prompt and equitable resolution.

The U.S. Department of Education, Office for Civil Rights (OCR) is the federal agency charged with enforcing compliance with Title IX. Information regarding OCR can be found at:

Office for Civil Rights, 400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Customer Service Hotline: 800-421-3481 •  
Facsimile: 202-453-6012 • TDD: 877-521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov) • Website: [www.ed.gov/ocr](http://www.ed.gov/ocr)

## Appendix E



# UNIVERSITY OF SAINT JOSEPH

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## CONNECTICUT

### EMPLOYMENT POLICY 8: DATING POLICY

<b>Approved by:</b>	Executive Council
<b>Approval Date:</b>	April 6, 2010; updated January 1, 2015
<b>Responsible Official:</b>	Senior Human Resources Administrator (860) 231-5390
<b>Related Policies:</b>	Sexual Misconduct & Title IX Policy; Harassment & Discrimination Policy

#### I. Co-Worker Dating

Romantic or sexual relationships between co-workers have the potential to be disruptive to the work environment and are strongly discouraged. Co-workers who do not have a supervisory relationship to each other and who do choose to enter into a romantic or sexual relationship are required to maintain that relationship separate and apart from their employment responsibilities. If the personal relationship interferes with the performance of either employee or otherwise interferes with an effective work environment, management may take all steps that it, in its discretion, deems appropriate, including but not limited to disciplinary action and mandatory reassignment.

#### II. Supervisor-Employee Dating

A romantic or sexual relationship, even if welcome, between a supervisor who may be in a position to exercise power or authority over the employee or may be perceived as having such power or influence constitutes unprofessional and unethical conduct on the part of the supervisor. Accordingly, the University prohibits such relationships between employees and any member of management in a direct line of responsibility between the employee and the President (the employee's supervisor, the supervisor's supervisor, etc.). Furthermore, a romantic or sexual relationship, even if welcome, between any employee in a supervisory role and any other employee is inappropriate and is strongly discouraged because such a relationship may be harmful to the interests of the employee(s) involved, unfair to other employees and detrimental to an effective, professional working environment.

If a romantic or sexual relationship develops between any employee and any member of management, it is the responsibility and mandatory obligation of the employee with a supervisory/management role to promptly disclose the existence of the relationship to the employee's department senior manager and to the senior Human Resources administrator. The employee may make the disclosure as well, but the burden of doing so is upon the supervisory/management employee.

The department senior manager will inform the relevant Vice President(s), senior Human Resources administrator and others with a need-to-know, generally including the employee's direct supervisor. Management may take all steps that it, in its discretion, deems appropriate, up to and including termination of the supervisory/management employee. At a minimum, the employee and supervisor/manager will not thereafter be permitted to work together on the same matters, and the supervisor/manager must withdraw from participation in activities or decisions (including, but not limited to, hiring, evaluations, promotions, compensation, work assignments, and discipline) that may reward or disadvantage any employee with whom the supervisor/manager has or has had such a relationship.

Any person who believes that s/he has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make her/his views about the matter known to the Human Resources department or a department senior manager.

### **III. Employee-Student Dating**

#### **Undergraduate Students:**

Romantic or sexual relationships between employees and students in the undergraduate Women's College are prohibited. An employee who is in a romantic or sexual relationship with a woman applying for admission to the undergraduate Women's College must disclose this relationship to the senior administrator of Human Resources and/or the Dean of Students, who will determine the appropriate course of action.

#### **Adult Learners and Graduate Students:**

A romantic or sexual relationship, even if welcome, between an employee (faculty or staff) who may be in a position to exercise power or authority over a student in the Adult Learner or graduate programs or may be perceived as having such power or influence constitutes unprofessional and unethical conduct on the part of the employee and is strictly prohibited.

Furthermore, a romantic or sexual relationship, even if welcome, between any employee and any student in the Adult Learner or graduate programs is strongly discouraged because

such a relationship may be harmful to the interests of the student involved, unfair to other students and detrimental to the academic process.

If a romantic or sexual relationship develops between any employee and a student in the Adult Learner or graduate program, it is the responsibility and mandatory obligation of the employee to promptly disclose the existence of the relationship to the employee's department senior manager. The student may make the disclosure as well, but the burden of doing so is upon the employee. The department senior manager is required to inform the appropriate Vice President(s), relevant department senior manager(s), senior Human Resources administrator and others with a need-to-know, generally including the employee's direct supervisor. Management may take all steps that it, in its discretion, deems appropriate, up to and including termination of the employee.

Any person who believes that s/he has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make her/his views about the matter known to the Human Resources department or Title IX Coordinator/Deputy.

## Appendix F

### University of Saint Joseph Sexual Assault, Domestic Violence and Stalking Awareness, Prevention and Risk Reduction Activities 2017 Calendar Year

	Date	Program Title	Audience	Presenter	Type of Programming
1	1/13/17	Policy and Procedure	Resident Assistants	Resident Coordinator (ORL)	Primary Prevention Programming Awareness Programming
2	1/14/17	Conflict Management	Resident Assistants	Resident Coordinator (ORL)	Primary Prevention Programming
3	2/2/17	Sexual Misconduct Posters Updated	USJ Community	Meredith Yuhas (CWC)	Primary Prevention Programming Awareness Programming
4	2/2/17	Sexual Misconduct MyUSJ Page Updated	USJ Community	Meredith Yuhas (CWC)	Primary Prevention Programming Awareness Programming
5	2/15/17	LGBTQ Survivors of Gender Based Violence	USJ Resource Team	YWCA	Primary Prevention Programming Awareness Programming
6	2/15/17	Title IX Case Studies	USJ Resource Team	Meredith Yuhas (CWC) & Paul Lombardo (PS)	Primary Prevention Programming
7	2/15/17	YWCA Tabling	USJ Community	Amanda Carrington (YWCA)	Primary Prevention Programming
8	3/1/17	New Employee Training*	New Faculty & Staff	Deborah Spencer (HR)	Primary Prevention Programming

					Awareness Programming Risk Reduction
9	3/1/17	Responding to Students in Distress	New Employees	Sarah Quish (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
10	3/9/17	Pillow Talk	USJ Community	Anna Corbeil (RA-ORL)	Primary Prevention Programming Awareness Programming Risk Reduction
11	3/15/17	Just Talking (Affirmative Consent)	USJ Community	Women of Wellness	Primary Prevention Programming Awareness Programming Risk Reduction
12	3/27/17	Sexual Misconduct Survey Report Email	USJ Community	Marketing	Primary Prevention Programming Awareness Programming
13	4/5/17	The 72 Hour Effect (Alcohol and Sexual Misconduct)	USJ Community	Women of Wellness	Primary Prevention Programming Awareness Programming Risk Reduction
14	4/19/17	Meet Your Title IX Coordinators/Fresh Check Day	USJ Community	Deborah Spencer (HR), Paul Lombardo(PS), Zanira Shabazz (ADV)	Primary Prevention Programming Risk Reduction
15	4/19/17	Alcohol Awareness	USJ Community	Women of Wellness	Primary Prevention Programming Awareness Programming Risk Reduction

16	4/26/17	YWCA Tabling	USJ Community	Amanda Carrington (YWCA)	Primary Prevention Programming Risk Reduction
17	5/17/17	Interpersonal Violence Prevention	Student Leaders	Meredith Yuhas (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
18	5/24/17	Title IX Case Studies: Confidentiality Requests, Reporting & Disclosures	Title IX Committee	Innovative Educators	Primary Prevention Programming
19	6/1/17	My Student Body Sexual Assault, Domestic Violence, Bystander, Alcohol Awareness)	First Years	Sarah Quish (CWC)	Primary Prevention Programming Bystander Training Awareness Programming Risk Reduction
20	6/7/17	New Employee Training*	New Faculty & Staff	Deborah Spencer (HR)	Primary Prevention Programming Awareness Programming Risk Reduction
21	6/7/17	Responding to Students in Distress	New Employees	Sarah Quish (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
22	6/21/17	Sexual Misconduct Policy Revision	USJ Community	Title IX Committee	Primary Prevention Programming Awareness Programming
23	8/15/17	Policy and Procedures	Resident Assistants	Megan Sniffin (ORL)	Primary Prevention Programming
24	8/15/17	Managing Students	Resident Assistants	Megan Sniffin (ORL)	Primary Prevention

					Programming Awareness Programming
25	8/16/17	Public Safety-Case Study	Resident Assistants	Paul Lombardo (PS)	Primary Prevention Programming
26	8/18/17	Behind Closed Doors	Resident Assistants	Megan Sniffin (ORL)	Primary Prevention Programming
27	8/21/17	Responding to Students in Distress	Student Leaders	Tracy Funke (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
28	8/22/17	Title IX Part 2	Student Leaders	Deborah Spencer (HR)	Primary Prevention Programming Awareness Programming Risk Reduction
29	8/22/17	Bystander	Student Leaders	YWCA	Primary Prevention Programming Risk Reduction
30	8/22/17	You Make the Call	Student Leaders	Student Affairs (SA)	Primary Prevention Programming
31	8/25/17	Interpersonal Violence Prevention	First Year Students/Resid ential Transfers	Sarah Quish (CWC) & Paul Lombardo (PS)	Primary Prevention Programming Awareness Programming Risk Reduction
32	8/25/17	Legal Issues: Title IX Review	Faculty Development Day	Deborah Spencer (HR)	Primary Prevention Programming Risk Reduction
33	8/26/17	Interpersonal Violence Prevention/Bystander	Graduate Assistants	On-line training	Primary Prevention Programming Awareness Programming Risk Reduction

34	8/29/17	How to Comply with NCAA's New Sexual Assault Training Policy	Meredith Yuhas (CWC) & Deborah Spencer (HR)	Compliance Development	Primary Prevention Programming Risk Reduction
35	9/13/17	New Employee Training*	New Faculty & Staff	Deborah Spencer (HR)	Primary Prevention Programming Awareness Programming Risk Reduction
36	9/13/17	Responding to Students in Distress	New Employees	Sarah Quish (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
37	9/18/17	Domestic Violence Tabling	Mercy Week	Women of Wellness	Primary Prevention Programming Risk Reduction
38	9/19/17	Stepping Forward for Women	Mercy Week	Amber Estelle (CWC/WOW)	Primary Prevention Programming Risk Reduction
39	9/22/17	Responding to Students in Distress	New Employees	Tracy Funke (CWC)	Primary Prevention Programming Risk Reduction
40	9/28/17	Harassment, Discrimination & Bullying Awareness and Avoidance	Gengras Employees	Deborah Spencer (HR)	Primary Prevention Programming Risk Reduction
41	9/28/17	Sexual Misconduct and Title IX	Gengras Employees	Deborah Spencer (HR)	Primary Prevention Programming Risk Reduction
42	10/05/17	Depression Screening Day	USJ Community	Meredith Yuhas (CWC/WOW)	Primary Prevention Programming Risk Reduction

43	11/2/17	Responding to Students in Distress	New Employees	Meredith Yuhas (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
44	11/2/17	New Employee Training*	New Employees	Deborah Spencer (HR)	Primary Prevention Programming Awareness Programming Risk Reduction
45	11/5/17	Private Violence	USJ Community	Amber Estelle (CWC/WOW)	Primary Prevention Programming Awareness Programming Risk Reduction
46	12/6/17	Responding to Students in Distress	New Employees	Sarah Quish (CWC)	Primary Prevention Programming Awareness Programming Risk Reduction
47	12/6/17	New Employee Training*	New Employees	Deborah Spencer (HR)	Primary Prevention Programming Awareness Programming Risk Reduction

KEY:

ADV - Advisement

CWC - Counseling and Wellness Center

HR – Human Resources

HS – Health Services

ORL - Office of Residential Life

PS- Public Safety

SA - Student Affairs

\*New Employee Trainings Include:

- Harassment, Discrimination & Bullying Awareness and Avoidance

- Sexual Misconduct & Title IX
- FERPA/Student Confidentiality
- Safety on Campus
- Recognizing & Responding to Students in Distress

## Appendix G

### Incidents Reported to the University and Final Outcomes

	University of Saint Joseph					
	Student			Employee		
Type	Number of Incidences Reported	Number of Confidential/ Anonymous Reports	Number of Disciplinary Cases	Number of Incidences Reported	Number of Confidential/ Anonymous Reports	Number of Disciplinary Cases
Sexual Assault	4	0	0*	0	0	0*
Intimate Partner Violence	6	0	0*	2	0	0*
Stalking	2	0	0*	1	0	0*
Other related	2	0	0*	0	0	0*

\* Given no disciplinary cases, no final outcomes of disciplinary cases or appeals are reported.