

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

**INSTITUTION INFORMATION**

**Name:** Capital Community College **Contact:** Josephine Agnello-Veley  
**Reporting Office/Department:** HR/Public Safety **Report Year:** 2018

**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/evgenis/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)

<input type="checkbox"/> The number and type of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at the institution	<input type="checkbox"/> The number of confidential or anonymous reports or disclosures to the institution of sexual assault, stalking and intimate partner violence
<input type="checkbox"/> The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by the institution	<input type="checkbox"/> The number of disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence
<input type="checkbox"/> The number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed to such institution	<input type="checkbox"/> 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 [leggett@ct.edu](mailto:leggett@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:** Capital Community College  
**REPORTING OFFICE/DEPARTMENT:** HR/Public Safety  
**INSTITUTION CONTACT:** Josephine Agnello-Veley  
**YEAR:** 2018

I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS:			
Program Category	Number of Programs:		
	<i>Prevention:</i>	<i>Awareness:</i>	<i>Risk Reduction:</i>
<i>Sexual Assault</i>	1	1	1
<i>Stalking</i>	0	0	0
<i>Intimate Partner Violence</i>	0	0	0
<b>Program Types:</b> <b>(List and Describe Each Program Type)</b>			
Not Anymore Training rolled out to Students Fall and Spring 2018			

II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS:		
Campaign Category	Number of Campaigns:	
	<i>Prevention:</i>	<i>Awareness:</i>
<i>Sexual Assault</i>	0	0
<i>Stalking</i>	0	0
<i>Intimate Partner Violence</i>	0	0
<b>Campaign Types:</b> <b>(List and Describe Each Campaign Type)</b>		

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### III. TOTAL REPORTED INCIDENTS OF SEXUAL VIOLENCE:

Incident Category	Number of Incidents Reported:	Number of Incidents Disclosed:
<i>Sexual Assault</i>	0	0
<i>Stalking</i>	1	1
<i>Intimate Partner Violence</i>	1	1

### 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	0	0	0	0	0	0	
<i>Stalking</i>	0	0	0	0	0	0	0	
<i>Intimate Partner Violence</i>	0	0	0	0	0	0	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>Overturned:</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>Overturned:</i>
<i>Sexual Assault</i>	0	0
<i>Stalking</i>	0	0
<i>Intimate Partner Violence</i>	0	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	0	0
<i>Stalking</i>	0	1	0	1
<i>Intimate Partner Violence</i>	0	1	0	1



## 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 programming.

### **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).

# Capital Community College 2018 Sexual Violence Report to the Ct General Assembly

## Overview

The Mission of Capital Community College (CCC) is to provide access to higher education to the diverse residents of the greater Hartford region. Capital Community College has a unique vertical campus. It is located in the historic eleven-story G. Fox's building in the center of downtown Hartford. In 2017, Capital Community College will mark its 50th anniversary. Since the late 1960s more than 300,000 students have enrolled and more than 15,000 degrees and certificates have been granted, according to our Institutional Research office.

The profile of Capital Community College students, differs from the profile and experiences of students at state four year universities and colleges. For example, the College is a commuter school and does not offer residential services. Also as a community college, CCC serves a much larger percentage of students who are non- traditional such as older adults, students working full-time and students supporting families, than what would be found at a traditional four-year university. The majority of our students attend part-time. During the Fall 2018 semester, the College had approximately 3,315 students and 1,731 full time students.

As a community college CCC's approach to developing services, programs and campaigns to promote Sexual Violence Awareness, Prevention and Risk Reduction would differ in critical areas from the approach of a four-year university with residential services.

## CCC Sexual Response Assault Team

Since Public Act 14-11, An Act Concerning Sexual Assault, Stalking and Intimate Partner Violence on Campus was effective July 1, 2014, CCC has taken proactive steps and measures to ensure compliance. Capital Community College has a Sexual Assault Response Team (SART) that provides leadership and direction in the College'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: 6/6/2018 and 11/6/2018.

The SART is composed of the following members

Marsha Ball Davis, Interim Dean of Student Affairs

Josephine Agnello-Veley, Title IX Coordinator/HR Director

Sabrina Roberts Adams, Counselor

Arthur Kureczka, Professor

Derrick Curry, Director Student Activities

James Griffin, Sargent, Director of Public Safety

Amanda Carrington, New Britain YWCA Sexual Assault Center

### **Memorandums of Understanding with New Britain YWCA Sexual Assault Center and Interval House, Hartford**

To assist the SART team in fulfilling its responsibilities, it has developed partnerships with the New Britain YWCA Sexual Assault Center and Interval House, Hartford. CCC has signed Memorandum of Understandings with both organizations to provide educational services for the College's staff and provide advocacy, guidance and support for students who have experienced sexual violence, and/or intimate partner abuse. Additionally, both the New Britain YWCA and Interval House have assigned staff to attend our SART meetings and staff informational tables targeted to students periodically throughout the year.

### **SART Team Training**

It is essential that members of the SART receive extensive training in the area of sexual violence awareness and prevention. Members of the SART team have availed themselves of many training opportunities. The following events were sponsored by the Connecticut Alliance to End Sexual Violence and attended by SART team members during this reporting period. At least one member of the SART team attended the following training sessions during 2018:

**2/21/2018 – Understanding Legal Response to Intimate Partner Violence on Campus – 3 hrs**

**3/2/2018 – Preventing and Responding to Intimate Partner Violence on Campus – 4 hours**

**3/26/2018 – Stalking on Campus – 4 hours**

**3/28/2018 – Campus Wide Panel Discussion – Out of the Shadows: Addressing Violence and Sexual Harassment through Education, Awareness and Advocacy – 3 hours**

**4/26/2018 - Clery Report Training – 7 hours**

**6/6/2018 – SAFE Grant Advisory Team Meeting – 2 hours**

**6/26/2018 – People with Disabilities and Sexual Assault – 2 hours**

**7/7/2018 – Update on Campus Sexual Misconduct Policies – 2 hours**

**7/19/2018 – Impact of Trauma on Survivors; Balancing Victim Rights & Institution Responsibility – 4 hours**

**8/8/2018 – Bringing In the Bystander Training – 3 hours**

**9/30/2018 – Clery Report – 5 hours**

**10/17/2018 – Not Anymore Training – Discussion with Help Desk – 1 hour**

**10/24/2018 – Student Conduct Training - 4 hours**

**11/8/2018 – SART Committee – 1 hour**

**12/11/2018 – TABI Team Meeting – 1 hour (Threat and Behavioral Intervention Team)**

### **CCC Memberships**

The College is a member of the following organizations which provide up-to-date information effective strategies and educational opportunities pertaining to sexual violence awareness and prevention on campuses.

**Connecticut Alliance to End Sexual Violence (CAESV)** Membership in the consortium includes statewide community colleges and universities engaged in addressing and preventing sexual violence. The focus of the consortium is to provide in-depth trainings to members, presented by regional experts.

**The Connecticut Title IX Coordinators Coalition.** This is a networking and collaborating professional association of Title IX Coordinators from both public and private institutions of higher learning from across the state. This is a place where information such as programmatic updates; training opportunities and best practices can be shared.

**Community College Title IX Coordinators.** The purpose of this group is to share information and resources. Also this group focuses on the unique needs of community colleges.

### **Connecticut State Colleges and Universities Safe and Friendly Environment Project (CSCU SAFE).**

The U.S. Department of Justice Office on Violence Against Women awarded a \$749,096, three-year consortium grant to Asnuntuck Community College. Initiatives developed by this grant will benefit all 17 CSCU institutions including Capital Community College. The CCC Title IX Coordinator serves on the Safe Grant Project Advisory Group. The Advisory Group is comprised of a member from each institutions CRT team, representatives from the System Office, as well as our statewide project partners such as CEASV. This combination of statewide and local leadership creates a powerful platform to increase visibility and awareness of sexual violence, dating violence, domestic violence and stalking. The Project Advisory Group will also be a way for CSCU institutions to share ideas and resources as well as receive updates on grant activities.

In meetings with the project coordinator for this grant the CCC Title IX Coordinator has provided input regarding the CCC's specific needs in its efforts to ensure a safe college community.

### **Campus Wide Event: Annual Community Forum to Raise Awareness about Sexual Violence**

The SART sponsored a community forum to raise awareness about sexual violence. This was done in collaboration with the college's Annual Women's Conference. The event was held on Wednesday, March 28, 2018 and was entitled, "Out of the Shadows: Addressing Violence and Sexual Harassment through Education, Awareness and Advocacy. This event provided staff, faculty and students with an opportunity to gain awareness of violence and sexual harassment. The panelists included Mary-Jane Foster, President and CEO, Interval House; Kathleen Holgerson, Director of Women's Center, UCONN; Angie Alban, student at Capital Prep and Lakisha Malave, student at University of New Haven.

### **Policies**

The following are the College'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)

### **Sexual Violence Statistics and Data**

1. Number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed.....one incident (intimate partner violence)
2. Number of confidential or anonymous reports or disclosures to the institution of sexual assault, stalking and intimate partner violence.....none
3. The number of disciplinary cases related to sexual assault stalking and intimate partner violence...none
4. Final outcome of all disciplinary cases related to sexual assault, stalking and intimate partner violence...one resulting in arrest

### **Public Awareness, Prevention and Risk Reduction Programs/Campaigns**

**Situational Awareness and Self Defense Class** Each semester the College through its Public Safety Unit offers Situational Awareness and Self-defense classes to students and staff. Classes led by Sergeant James Griffin are free. Class topics include what to do if you are the victim of sexual assault, how to avoid dangerous situations and basic self-defense techniques.

**Public Safety Escort Services** The Public Safety Unit provides escort service for students and staff to College parking areas upon request.

**Where Do You Stand Campaign** In distributing materials to students included is information on how our students can be active bystanders in our community through the “Where Do You Stand Campaign” promoted by the Connecticut Alliance to End Sexual Violence.

**Presentations at new Student Orientations** Both the Public Safety Division and the Title IX Coordinator conduct presentations to students during orientation. Information is provided on the following topics:

- What is Title IX and what does it mean to you?
- Student rights under Title IX
- Available resources for students

Additionally, the New Britain YWCA Sexual Assault Center and Interval House attend orientation sessions to connect with students and provide information.

**Syllabus Insert** The following insert is included at the top of all syllabi at the College. The statement is also directly emailed to all students. The statement includes contact information for the Dean of Students, Title IX Coordinator, Public Safety, and Lead Counselor.

*Capital Community College is committed to ensuring that our campus community, both virtual and on grounds, is safe and supportive of people of all genders and sexual identities. CCC has zero tolerance for sexual misconduct. Sexual misconduct includes sexual harassment, sexual assault and intimate partner violence. A variety of support resources are available on campus and in the community to assist in dealing with sexual violence. These resources are available whether or not the incident occurred on campus or off campus.*

#### **Placement of Sexual Violence Materials in Areas Highly Frequentated by Students**

- Information concerning sexual violence is placed on the College’s 7<sup>th</sup> floor. The cafeteria, bookstore and student services office are located on that floor. Informational brochures are placed on a wall display. Examples of brochures include. **If It Doesn’t Feel Right it May Not Be Right, Key Facts about Sexual Violence on Campus** and **We Talk About Sexual Assault**. All brochures noted were provided by the Connecticut Alliance to End Sexual Violence Also provided to student are materials from Interval House and a CCC Fact Sheet which

includes contact information for the Dean of Students, Title IX Coordinator, CCC Public Safety, Counseling and the CONNSAC 24-hour hotline number.

- Sexual assault and awareness materials are available on an ongoing basis at the Welcome Center, Student Services and the Counseling Center.
- The College on hall monitors and its Facebook page posted White House public service announcements on the topic of sexual violence along with information about available CCC resources
- All students were emailed information regarding the campus's sexual assault advocate. This advocate is provided as part of our agreement with the New Britain YWCA Sexual Assault Center
- At the College's annual women's conference held September 2015 the New Britain YWCA as well at Interval House set up information resource tables.
- Information on sexual assault and violence is placed in the Student Handbook and the College Catalogue.

### **CCC Public Safety Webpage**

On the College website, the public safety page provides information regarding safety, sexual assault, safety reports and complaint.

### **Title IX Web Page**

The College's Title IX webpage contains the following information

- What is Consent Statement Regarding Sexual Violence?
- Public Service Videos
- Rights of Students Reporting Sexual Misconduct
- Contact and Resources
- How You Can Make a difference
- Notice of Non-discrimination
- Definitions

### **Other Supplementary information**

See attached

- Fact Sheet for Students
- Fact Sheet for Staff and Faculty

- Notice to Students regarding availability of New Britain YWCA Sexual Assault Center advocate
- Sexual Violence Statement



Capital CC Policies  
2018



# SEXUAL A POLICY

**PURPOSE:** This policy is a standard procedure to effectively deal with the threat of sex offenders on the campus of this college.

**POLICY:** In compliance with State of Connecticut Community-Technical Colleges Board of Trustees, this policy is included in the Capital Community College Student Handbook is BOT policy 5.13, in accordance with the State of Connecticut Section 1601 of Public Policy Law 106-386, the Campus Sex Crimes Prevention Act. This act requires sex offenders who are already required to register under the terms of the State's "Megan's Law" to provide notice to each institution of higher education where they are enrolled as a student or employed. This institution is proactive in efforts to identify sex offenders and to assure compliance with this law.

**PROCEDURE:** Each semester, the Master Sergeant will compare a list of persons enrolled in the college, to the State of Connecticut Sex Offenders Registry. If an individual from the registry is found to be a student at the college, his/her name will be submitted to the Dean of Students. A meeting of



the college Sex Offender Threat Assessment Team will be called as soon as possible. The Threat Assessment Team will investigate the particular circumstances of each of the identified offenders, and determine if that person constitutes a continued threat to the college community. Based on the results of this determination, the Threat Assessment Team shall prepare a report with a recommendation. The State System legal staff will then be consulted prior to implementing further action. If the offender is deemed not to be a threat, then no further action will be taken.

The Threat Assessment Team shall consist of the following;

- The Dean of Administration
- The Dean of Students
- The Director of Public Safety

Sexual assault is any actual or attempted non-consensual sexual activity including but not limited to intercourse, sexual touching, exhibitionism or sexual language of a threatening nature. Force, coercion or threat (actual or implied) often accompanies sexual assault. The perpetrator may be known or unknown to the victim and may involve “date rape”.

Capital Community College **will protect the confidentiality** of the victim.

Capital Community College **will vigorously investigate all complaints** of sexual assault

Capital Community College **will provide continued support** to the victim in the form of informed access to choice of medical care, the court system, your legal rights, and counseling options.





# TITLE IX

In compliance with Title IX of the Education Amendments of 1972, Connecticut Board of Regent's policy prohibits discrimination and harassment based on gender, including sexual violence, rape, intimate partner violence, domestic violence, dating violence, stalking, and related retaliation. The Capital Community College strives to maintain a community built on mutual respect, and concern for others and will not tolerate harassment or discrimination in any form. Capital Community College is taking a stand against sexual misconduct by providing students with information and educational programs on this topic. It is important that all members of our campus community are informed and know their rights and options. Victims can be male, female, and/or any sexual orientation, gender identity and/or expression.

**If you or someone you know, has been or could be a victim of sexual assault, this information can help you.**

The College's Title IX Coordinator is Josephine Agnello-Veley. You can contact her by e-mail at [jagnello-veley@Capitalcc.edu](mailto:jagnello-veley@Capitalcc.edu) (<mailto:jagnello-veley@Capitalcc.edu>) or by phone at (860) 906-5002. As the Title IX Coordinator she is responsible for

ensuring a prompt thorough and equitable process for addressing all allegations of sexual misconduct and discrimination or differential treatment based on sex.





# RIGHTS OF STUDENTS REPORTING SEXUAL MISCONDUCT

- Right to a hearing held in a fair, prompt and impartial manner and to be notified of the outcome of the hearing.
- Be treated with respect and dignity.
- Take both legal action (criminal/civil action and disciplinary action).
- Not be judged based on your race, age, class, gender, or sexual orientation.
- Have a sexual assault counselor/advocate accompany you to medical, law enforcement, and legal proceedings.
- Provided with information regarding counseling services.
- Be free from retaliation for filing a complaint.



# HOW YOU CAN MAKE A DIFFERENCE

- Recognize that sexual assault, intimate partner violence, and stalking are real problems experienced by many college students.
- Recognize the warning signs of violence or the precursors to someone being taken advantage of. If you notice something or someone tells you about their experience, it's critical to take it seriously.
- Recognize the importance of consent and how we respect others with our actions;
- Don't minimize it; stalking is not just a case of "unrequited love" or "excessive affection", encourage a friend who is worried they are being harassed to seek help.
- Don't brush it off; if something or someone makes you uncomfortable, say or do something.
- Watch out for each other; if you see someone who looks like they're in trouble, ask if they're ok.
- Speak up if you see something offensive or abusive. If you hear jokes about sexual assault or that degrade other people, don't laugh. Say you don't think it's funny to hurt others. Encourage respect.







# NOTICE OF NONDISCRIMINATION

**English** – Capital Community College does not discriminate on the basis of race, color, religious creed, age, gender, gender identity or expression, national origin, marital status, ancestry, present or past history of mental disorder, learning disability or physical disability, veteran status, sexual orientation, genetic information or criminal record. The following person has been designated to handle inquiries regarding the non-discrimination policies:

**Spanish** – Capital Community College no discrimina por motivos de raza, color, credo religioso, edad, sexo, origen nacional, estado civil, origen, historia pasada o presente de trastorno mental, problemas de aprendizaje o discapacidad física, orientación sexual, identidad de género y expresión o información genética en sus programas y actividades. Además, el colegio no discrimina en el empleo por motivos de ser veterano de guerra o tener antecedentes penales. El colegio tomara las medidas necesarias para asegurar que la falta de conocimientos del idioma ingles no sea una barrera para la admisión y participación en programas educativos.

**Josephine Agnello-Veley**

*Director, HR & Labor Relations*

*Equal Employment Opportunity Officer/Title IX Coordinator*

[jagnello-veley@Capitalcc.edu](mailto:jagnello-veley@Capitalcc.edu)



[\(mailto:jagnello-veley@Capitalcc.edu\)\(860\) 906-5002](mailto:jagnello-veley@Capitalcc.edu)

# **CAPITAL COMMUNITY COLLEGE**

## **DEPARTMENT OF PUBLIC SAFETY**

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**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY**

**AND**

**CAMPUS CRIME STATISTICS**

*ISSUED SEPTEMBER 2018 FOR THE YEAR 2017*



Submitted by: Master Sergeant James Griffin

**CAPITAL COMMUNITY COLLEGE  
REPORT ON CAMPUS SAFETY**

**ISSUED SEPTEMBER 2018  
FOR THE PERIOD OF  
January 1 to December 31, 2017**

Capital Community College provides this report on campus safety in compliance with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act". This report is available to any applicant, student, or employee who requests a copy. The report is published each September.

Capital Community College is a twelve story structure located at 950 Main Street in downtown Hartford. The College Department of Police/Public Safety is located on the first floor of the main lobby in rooms 101 and 102. State Officers patrol the building and grounds in addition to electronic monitoring on a regular basis.

The Director of Police/Public Safety at C.C.C. is James Griffin. Mr. Griffin is Police Officer Standards and Training Counsel Certified, and has full police powers granted by the state Commissioner of Public Safety under provisions of SB-25 of the Connecticut General Statutes. M. Sgt. Griffin supervises the security force which consists of Police and State Building & Grounds Officers. The Police/Public Safety Department report to Dean of Administration Lester Primus.

College students, employees, and visitors, park at the Morgan Street Garage located at 155 Morgan Street. Parking validation for employees and students is provided by the college. The security and administration of the Morgan Street Garage is provided by Hartford Parking Authority.

Any criminal or suspicious activity that takes place in the building, grounds or garage should be reported promptly to the campus police office at extension 65075, or by dialing \*\* from any college phone. All telephones in the building have the college's security number affixed. City emergency services (Fire-Ambulance) are reached by dialing 9-911.

The Department of Public Safety is in charge of the college's lost and found. Please turn-in all items found on campus to this office. If you think that you may have lost something on campus, check with this office. Please continue to check with this office as your items may be turned in at a later date. All items turned in are logged and secured in locked evidence lockers/cabinets until returned or disposed of after a six month holding period. Cash is returned to the person who turned it in following a 90 day waiting period.

An emergency guide explaining protocol and contact numbers is posted in all classrooms, conference rooms, Library, auditorium, and the café.

In accordance with state law, Capital Community College has a smoke-free status. Smoking is not permitted anywhere in the college building.

Periodically the Department of Police/Public Safety publishes tips to encourage safety awareness. These tips are placed on bulletin boards throughout the college, and on television monitors. Public Safety issues **timely warnings** when an issue poses a potential risk of loss or harm, to allow the community to take steps to protect themselves and aid in prevention of similar crimes. This timely warning is issued as soon as pertinent information becomes available, in a manner that reaches the entire campus community. Security participates in the college student orientations, held before fall and spring semesters, providing information about the college's security systems, policies, and emergency procedures. Formal and informal security sessions have been implemented for college employees and students.

The college Department of Public Safety offers escorts to students, staff and guests to and from their vehicle parked in the Morgan Street and Talcott Street garages. To request an escort contact the Public Safety office at (860) 906-5075.

The college is open from 7:00 A.M. to 10:00 p.m. Monday through Friday, and Saturday from 8:00 a.m. to 1:00 p.m. when classes are in session. College security is present at all times when the building is open for business.

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 under section 10a-142 of the Connecticut general statutes concerning crimes committed within the geographical limits of property owned or under the control of such institution.

The State of Connecticut has a sexual offender registry which contains the names of all the persons convicted of sex offenses. The registry can be viewed by anyone wishing to at <http://www.state.ct.us/dor/sor.htm>. Capital Community College Public Safety routinely reviews the registry, and the college is notified if any sex offender registers for classes.

Sex Offenders required to register under the terms of "Megan's Law" are also required to provide notice, as mandated under state law, of each institution of higher education in that state in which the offender is employed or a student. (Refer to page 115 of the Student Handbook for further information)

Fifty emergency intercoms are located in the college positioned under blue lights. Each intercom connects directly to Public Safety, and interfaces with the college closed circuit camera system. A Public Safety Officer will answer and respond at once to any emergency.

It is the policy of the college to call the Hartford Police Department for any incident that requires police intervention. Hartford Police Department H.Q. is located at 253 High Street. There are several smaller precincts located throughout the city. College Public Safety/Police has an excellent working relationship with the Hartford Police Department.

Capital Community College maintains a "Daily Crime Log". This log contains entries of all incidents reported to Public Safety. The log is updated daily and is open for inspection by any member of the public and upon request during normal business hours.

The college maintains an extensive array of fire prevention and alarm devices, including sprinklers, extinguishers, alarms, and warning systems. A loud horn, lights flash, and a verbal fire warning sound on each floor when an alarm is active. The college performs a minimum of one "Fire Drill" each semester. A separate emergency plan is in place for the Children's Lab School located in the building.

Public Safety maintains compliance with all FERPA regulations. No student or employee's personal or identifying information is released to outside agency, entity, or unauthorized person or Department within the college. Complainant and victim identity are considered confidential information and not released for publication.

The college Department of Police/Public Safety has specific policies concerning sexual assault and domestic violence. These policies are contained in the department policy manual under "Patrol Procedures" section 2-7. In addition to policy published on the college website, and handbook. These policies specifically state that all complaints of sexual violence and domestic violence will be investigated in a respectful, confidential manner. The policy states that in addition to the CCC Public Safety investigation, the Hartford Police and/or Connecticut State Police may be notified. Policy presents the victim with options for various referrals to additional sexual assault counseling, domestic violence counseling, mental health services, shelters and victims' rights. Transportation to area hospitals is provided if required. Public Safety will assist the victim in contacting these services. The college advises the victim of criminal protective orders, out of state family violence protective orders, and will assist to obtain an order if appropriate. The College offers assistance to victims of sexual and/or domestic violence support from initial investigation through the entire process. Capital Community College will investigate and make arrests where probable cause exists that a crime or violation of a court order has taken place. All Public Safety officers receive domestic/sexual assault investigation and follow-up training annually. Master Sergeant Griffin is the campus contact person in matters of sexual assault/domestic violence. A CRIME-STOPPER TIP LINE has been established to facilitate anonymous reporting of crimes and suspicious circumstance, in addition to a COMPLAINT & COMMENDATION field on the Department's college web-site.

Public Safety conducts a series of sexual assault prevention, situational awareness, self-defense classes each semester to assist staff and students avoid becoming a target of violence. Education on applicable Connecticut general statutes and current case law is included.

Public Safety uses various measures to protect and follow up on all complaints of sexual violence. This will include college sanctions, monitoring, and criminal justice system referrals.

Capital Community College promptly investigates all reports of suspicious circumstances or missing persons. This policy is contained in the department policy manual patrol

procedures under section 2-19. An investigating officer will be dispatched immediately. He shall enter the missing person as a **FILE 6 MISSING PERSON IN NCIC**. It is department policy to contact the Hartford Police and/or the Connecticut State Police in all cases that require further investigation.

Capital Community College has no dorms or on campus housing.

A copy of this report can be viewed at the Capital Community College Public Safety Website. Please go to: <http://capitalcc.edu/publicsafety/reports.htm>

Capital Community College maintains an extensive array of policies, procedures, and notification processes in the event of an emergency. These procedures are intended to be far reaching to the college and surrounding communities contacting as many people as possible in a short time. Included are procedures for immediate notification of Police---Fire---Emergency Services. All college emergency procedures are compiled and published on the college Website in a comprehensive manual entitled "Emergency Operations Manual". This manual includes internal and external notification policy. Included is specific information on evacuation procedures, bomb threat procedures, and college lock down policy. College Public Safety Officers perform annual training in each of these procedures. Training may include formal training at the Connecticut Police Academy, internal training conducted by qualified Dept. members, and various drills, including unannounced fire drills and shelter-in-place drills. Hartford Police/Fire Departments, and Connecticut State Police participate and assist in conducting Fire and Shelter-In -Place Drills. All officers are required to maintain annual certification in First Aid and CPR. All officers receive training in delivery of emergency text alert notifications several times per calendar year.

College policy is **emergency notifications** to the college and surrounding community will be made without delay. Policy dictates information concerning any situation presenting an immediate threat of physical harm or property damage will be passed on to the community at once. The method of notification will vary according to the specific situation. Notification processes may include any or all of the following: personal notification, loudspeaker, television, radio, horn/sirens, telephone, public address system, e-mail, or college Emergency Alert System that sends an individual text message to any person who registers a cell phone onto the system. Students are automatically entered into the text alert system upon registration. Parents and family members are encouraged to contact Public Safety and register their mobile phone into the system. There is no cost for this service.

Capital Community College Department of Public Safety/Security has close ties and or letters of understanding with various state and local agencies. This includes the Hartford Fire and Police Departments, Connecticut State Police, and 960 Management (a private mall that houses several business and state agencies).

Master Sgt. Griffin is an active member of CTACLEA -- Connecticut Association of College Law Enforcement Administrators and The Hartford SCAN Group -- comprised of over 70 Hartford business and public safety organizations dedicated to reducing crime in the downtown Hartford area through training and exchange of intelligence.

Dean of Administration Lester Primus and Master Sergeant James Griffin are the administrators for college notification systems. All Campus Police and Public Safety Officers receive periodic training on the college Alert System in the event that an alert must be issued when the Public Safety Director and Administrative Dean are not available. The system is tested monthly to insure proper operation.

Capital Community College Department of Public Safety Officers filed 78 incident reports for calendar year 2017. Community College vigorously and impartially investigates all crimes reported to the college. The Department received no reports of part one crimes that were unfounded.

The 78 reported incidents in 2017 represent a 35% drop from the number of incidents in 2016. This drop is due in large part to strictly enforced identification card procedures for staff and students, that requires all persons to produce a state issued college identification card or other picture identification to enter the building. These requirements are in compliance with accepted state standards in state buildings in Connecticut.

Victims of crimes receive written notification of the status of sensitive investigations and any complaint made against a college employee. Victims and persons accused of crimes and/or violations of college policy have a right present evidence and to a fair and impartial hearing. They have the right to have an advocate of their choosing present during any hearing. Investigations will be conducted in a timely manner.

The Department of Public Safety will assist in proper referrals for victims of Domestic Violence or Sexual Assault. This includes assisting in contacting a Victim Advocate, Women's Shelters, and Restraining/Protective Orders.

Public Safety Officers constantly monitor electronic surveillance of activity with 78 Cameras and recording of all activity is maintained for a period of 60 days.

A copy of this report is made available to all new employees and prospective students. Public Safety addresses new student orientation and the Clery Report is a main course of discussion. New employees are advised of the report in student orientation, faculty orientation, all college meetings held at least twice per calendar year, College Bulletin, Human resources, or Public Safety. This report is sent out electronically to all students. The report is advertised by Capital Community College in the form of posters, flyers, e-mails, and electronic message boards on each floor of the college.



### **ALCOHOL and DRUG POLICY**

Capital Community College's standards of conduct are in compliance with Public Law 101-226, The Drug Free Schools and Communities Act. The standards of conduct prohibit unlawful possession, use, and distribution of illicit drugs or alcohol by students, employees, or visitors on the college campus or at college activities. Any person knowingly and unlawfully possessing, using, transmitting, selling, or being under the influence of any dependency producing drug or alcohol on campus or at any college sponsored activity or event may be subject to disciplinary action.

### **SEXUAL ASSAULT POLICY**

Capital Community College encourages victims of sexual assault to report the crime to the Police Supervisor on duty. Security will assist in filing a college incident report and contacting the Hartford Police Department or other appropriate agency. The college will provide counseling through the Counseling Center and/or Health Services and can provide information regarding other sources for help.

### **SEXUAL HARRASSMENT POLICY**

Sexual harassment can take many forms, such as physical (touching, kissing, pinching), verbal (jokes or sexual innuendoes), visual (display of offensive pictures whether printed or computer displayed), or threatening harassment (implied or explicit abuse which threatens a person who does not comply with such requests).

Capital Community College does not condone or tolerate any behavior by a college student, employee or visitor that constitutes sexual harassment. Should you find yourself in a situation you suspect may be a type of sexual harassment, you are urged to speak to the Academic Dean or the Director of Human Resources. The college strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault, and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedy or both.

Dean of Students-----Doris Arrington-----Room 212-----ext. 5085  
Director of Human Resources----Josephine Agnello-Veley-----Room 214-----ext.5002  
Director of Public Safety-----James Griffin-----Room 102----- ext.5076  
Title IX Co-coordinator-----Rita Kelly-----Room 800----- ext. 5133

Sexual Harassment as well as any reprisal or retaliation by an offender is illegal and punishable by law.

Use of the internet for viewing pornographic material or carrying on “chat” sessions is considered sexual harassment and is forbidden.

Mandated reporting requirements of the Child Protection Law requires a report be made to the Connecticut Department of Social Services when the college receives a report that a person under the age of eighteen years of age may have been sexually assaulted. College employees who are designated as Campus Security Authorities under the Jeanne Clery Act have a duty to report information of a possible sexual assault regardless of the age of the reported victim. The College also employs individuals who are members of professions that are mandated reporters under Connecticut law, such as early childhood professionals, nurses and police. In order to comply with the ethical requirements of their professions and the law, any such professional who receives a report of sexual violence may not be able to maintain the confidentiality of the reported violence.

All reports of sexual violence will be thoroughly investigated by campus Police, Dean of Students, Title IX coordinator, and college Sexual Assault Response Team. Persons are urged to report incidents as soon as possible. Capital Community College puts no time limit on acceptance and investigation of incidents. However, timely reporting tends to have a very strong, positive impact on the fairness and success of the investigation. Recollections may fade, witness become inaccessible, and physical evidence becomes unavailable with the passage of time.

Capital Community College has a variety of resources available on campus and in the community to assist in dealing with sexual violence. These resources are available whether or not the incident occurred on campus or off campus. These resources include, but are not limited to: Administrative remedy, Law Enforcement, Counseling, various Domestic/Sexual Violence prevention and assistance partners. Capital Community College also provides several on-going educational and awareness programs to the college to include Situational Awareness and Self-Defense for women and “See Something. Say Something”, active bystander training. Members of the college Sexual Assault Response Team (SART) receive additional annual training and updates.

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#### VAWA CRIME STATISTICS

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VIOLATIONS	2015	2016	2017
Dating Violence	1	0	1
Stalking	0	0	1
Fondling	0	0	0
REFERRALS	0	0	2

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**Dating Violence** is defined as violence committed by a person who is, or has been in a social relationship of a romantic or intimate nature with the victim.

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others: or suffer substantial emotional distress.

**Fondling** is the touching of the private body parts another person for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of temporary or permanent mental incapacity.

## HATE CRIMES

Under the Clery Act, Capital Community College is required to report the listed crimes and other crimes involving bodily injury to a victim because that person was intentionally selected because of their actual or perceived race, national origin, gender, religion, sexual orientation, gender identity, ethnicity, or disability.

HATE CRIME STATISTICS	2015	2016	2017
	0	0	0
	0	0	0
	0	0	0

### DEFINITIONS:

MURDER ---The willful (Non-negligent) killing of one human being by another.

NEGLIGENT MANSLAUGHTER---The killing of another person through gross negligence.

ROBBERY---The taking or attempting to take anything of value from care, custody, or control of a person or persons by force or threat of violence and/or by putting the victim in fear.

AGGREGATED ASSAULT---An unlawful attack of one person by another for the purpose of inflicting severe bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely

BURGLARY--- The unlawful entry of a structure to commit a Felony or theft.

LARCENY---The unlawful taking, leading, carrying, or riding away of property from the possession of another.

ARSON--- Willful or malicious burning or attempt to burn, a dwelling, building, motor vehicle, aircraft, or personal property of another with or without intent to defraud.

SEX OFFENSE/FORCIBLE--- Any sexual act directed against another person, forcibly and/or against another's will.

SEX OFFENSE/NON-FORCIBLE---Unlawful, non-forcible sexual intercourse, or sexual act directed against another against their will or without their consent.

In compliance with the Federal Jeanne Clery Campus Security Act, Capital Community College is required to prepare a Uniform Crime Report annually. This crime report reflects the crime statistics for the preceding calendar year.

Each annual report includes the number of full time equivalent (FTE) students, the number of FTE employees, the number of incidents reported, and the crime rate. The crime rate is equal to the number of incidents reported divided by the number of FTE students and employees. The FTE for students during 2016 at Capital Community College was 3743. The FTE for employees for 2016 was 165. The total combined college FTE was 3908.

For the 2014, 2015, 2016 calendar years the crime statistics for Capital Community College are:

CATEGORY	2015	2016	2017
CRIMINAL HOMICIDE	0	0	0
MURDER & NON-NEGLIGENT MANSLAUGHTER	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0
ROBBERY	0	0	0
AGGREGATED ASSAULT	0	2	1
LARCENY	7	6	3
M.V. THEFT	0	0	0
ARSON	0	0	0
SEXUAL ASSAULT	0	0	0
SEXUAL ASSAULT/NON FORCIBLE	0	1	0
BURGLARY	0	4	1

**WEAPONS POLICY**

Persons carrying firearms, fireworks, dangerous weapons, or unauthorized chemicals into the building or onto the grounds are subject to disciplinary action and/or criminal arrest.

**WEAPON, DRUG, ALCOHOL VIOLATIONS**

The Clery Awareness and Campus Safety Act requires Capital Community College to disclose the number of persons who were referred for campus disciplinary action for weapon, drug and alcohol violations.

CATEGORY	2015	2016	2017
WEAPON LAW VIOLATIONS	0	0	0
DRUG ABUSE VIOLATIONS	1	0	0
LIQUOR LAW VIOLATIONS	0	0	0

**WEAPON, DRUG, ALCOHOL ARRESTS**

In compliance with the Jeanne Clery Crime Awareness and Campus Safety Act, Capital Community College publishes statistics concerning the number of arrests for the following crimes occurring on campus:

CATEGORY	2015	2016	2017
WEAPON LAW ARRESTS	0	0	0
DRUG ABUSE ARRESTS	1	0	0
LIQUOR LAW ARRESTS	0	0	0

DISCIPLINARY REFERRALS	2015	2016	2017
WEAPON	0	0	0
DRUG	0	0	0
LIQUOR	0	0	0

April 2, 2018

Hartford Police Department  
253 High Street  
Hartford, Ct. 06120

Dear Sir/Madam,

I request the crime statistics for the locations listed below for the 2016 calendar year. Pursuant to the federal Jeanne Clery Disclosure of Campus Security policy and Campus Crime Statistics (Clery Act), Capital Community College is required to compile and publish crime statistics. This report must contain statistics of specified crimes reported to local police agencies that occurred on or near campus and on college controlled property. The criminal offenses that the college is required to report are the following as defined by the FBI Uniform Crime Report: Murder: Non-Negligent Manslaughter: Negligent Manslaughter: Forcible Sex Offenses: Non-Forcible Sex Offenses: Robbery: Aggravated Assault: Burglary: Motor Vehicle Theft: and Arson. In addition, I need statistics concerning any of the above that manifest evidence of a Hate Crime.

Capital Community College is also required to request statistics for arrests in these categories: Liquor Law and Drug Violations, and Illegal Weapons Violations.

Therefore I request the required statistics for the following locations;

- The sidewalks directly in front of the college to the curb line to include Main Street, Market Street and Talcott Street
- Morgan and Talcott Street Parking Garages
- 950 Main Street
- 960 Main Street
- 10 Columbus Street Boulevard Parking Lot

I appreciate your cooperation in assisting us in complying with this federal law. If you have any questions, please contact me at (860) 906-5076.

Sincerely,

A handwritten signature in dark ink, appearing to read "James T. Griffin", with a stylized flourish at the end.

Master Sergeant James T. Griffin

24-AUG-2017 15:10  
SWRXF03

Capital Community College PROD  
Registration – FTE  
Enrollment Report Capital  
CC – Spring 2016 (1)

Status Head	Head-count	Cred-Hours	FTE
<hr/>			
1 – Full Term - GF			
Full-time*	508.00	6,559.00	437.267
Part-time*	2,551.00	16,706.00	1,101.133
Total*	3,059.00	23,265.00	1,538.400
All Part-time			
Full-time*	508.00	6,559.00	437.267
Part-time*	2,585.00	16,706.00	1,113.733
Total*	3,093.00	23,265.00	1,551.000

Note: \*These numbers are run against live files and are accurate as of the run-time of this report. This report may not agree with the frozen extract data.

Parameters:  
TERM = 116107  
POT = 1,  
SEATS = N,  
TP-INCL=N

24-AUG-2017 15:12  
SWRXF03

Capital Community College PROD  
Registration – FTE Enrollment Report  
Capital CC – FALL 2016 (1)

Status Head	Head-count	Cred-Hours	FTE
1 – Full Term - GF			
Full-time*	554	7,133	475.533
Part-time*	2,604	16,739	1,115.933
Total*	3,158	23,872	1,591.467
All Part-time			
Full-time*	559	7,201	480.067
Part-time*	2,631	16,794	1,119.600
Total*	3,190	23,995	1,599.667

Note: \*These numbers are run against live files and are accurate as of the run-time of this report. This report may not agree with the frozen extract data.

Parameters:  
TERM = 116307  
POT = 1,  
SEATS = N,  
TP-INCL=N



Clary crime statistics are comprised of Log Book entries, Public Safety Reports, reports from Campus Security Authorities, confidential complaints from the Crime Stopper Tip Line, the Complaint & Commendation Form (anonymous) on the Public Safety web site, citizen reports, and information secured by other Law Enforcement agencies.

A Campus Security Authority is any person in a position of authority, control, or advisement role with direct student contact, and some level of responsibility for security at the institution. CSA's are mandated crime reporters.

Campus Security Authority (CSA) is a term that encompasses four groups of individuals and organizations associated with an institution:

- A campus police or security department.
- Any person or group who have responsibility for campus security functions but do not constitute a campus police or security department.
- Any individual or group to which students and employees should report criminal offenses.
- Any official who has significant responsibility for student and campus activities.

Master Sergeant J. Griffin provides CSA training a minimum of two times per calendar year and is the coordinator of Capital Community College CSA'S. Police/Security crime reports are forwarded to all Deans and the College President.

### **CSA LIST**

Members of the college Police/Public Safety Department.  
Members of the college Sexual Assault Response Team  
Members of the college Threat Assessment Team  
College President Wilfredo Nieves  
Administrative Dean Lester  
Dean of Students Doris Arrington  
Human Resource Director Josephine Agnello-Veley  
Public Safety Director James Griffin  
Title IX Director Rita Kelly  
Assistant to The Dean of Students Marsha Ball-Davis  
Director of Student Activities Derrick Curry  
Assistant Registrar Waynette Arnum-Student Senate Advisor  
Evening Administrator Kelvin Dear  
Student Advisor Marcus Lawson  
Student Advisor Pedro Valentin



## Hartford Police Department

ARREST REPORT

### Capitol Community College. Drugs, Weapons and Liquor Arrests 2017



<u>App. #</u>	<u>Date</u> <u>Arrested</u>	<u>Name</u>	<u>UCR Codes</u>	<u>Sex</u> <u>Race</u> <u>D.O.B.</u>	<u>Hgt.</u> <u>Wgt.</u>	<u>Location</u>	<u>Officer</u>	<u>Case #</u>
<b>153 MARKET ST - 1 Arrests</b>								
7161524	2017/06/19 19:46	PERSAUD, TEEKARAM	1601 - POSSESS-HEROIN 1618 - P-W-I-T-S MARJNA N.A. N.A.	M O 1993/03/08	5'00" 160.00	153 MARKET ST	G82	17014001
<b>210 MARKET ST - 1 Arrests</b>								
7162849	2017/07/28 16:20	JAKOBCZYK, CHRISTOPHER	1600 - NARCOTIC LAWS 1920 - PANHANDLING N.A. N.A.	M W 1979/01/08	6'00" 180.00	210 MARKET ST	LG5	17021196
<b>50 CHURCH ST - 1 Arrests</b>								
7165268	2017/11/26 11:20	JONES, TAIWAN	0802 - THREATENING 1201 - CARRY WEAPON 1901 - BREACH-PEACE N.A.	M B 1975/12/19	5'00" 230.00	50 CHURCH ST	G09	17034247
<b>866-MAIN ST - 1 Arrests</b>								
7165082	2017/11/14 17:09	DIAS, JEMISON	0802 - THREATENING 1602 - POSSESS-MARIJ 1902 - DIS-CONDUCT 3504 - CR TRESPASS 1	M B 1993/01/08	6'00" 171.00	866 MAIN ST	L20	17033186
<b>900 MAIN ST - 1 Arrests</b>								
7164936	2017/11/07 09:27	CORREDOR, ALEJANDRO	0805 - INTFERING W PO 1600 - NARCOTIC LAWS 1901 - BREACH-PEACE N.A.	M H 1981/02/13	5'00" 150.00	900 MAIN ST	J98	17032508

<u>Arr. #</u>	<u>Date</u> <u>Arrested</u>	<u>Name</u>	<u>UCR Codes</u>	<u>Sex</u> <u>Race</u> <u>D.O.B.</u>	<u>Hgt.</u> <u>Wgt.</u>	<u>Location</u>	<u>Officer</u>	<u>Case #</u>
<b>950 MAIN ST - 1 Arrests</b>								
7161029	2017/04/27 11:05	CHUKWURA, CHUKWJEMEKA	1601 - POSSESS-HEROIN 2608 - FT APPEAR 2 N.A. N.A.	M B 1996/08/10	6'00" 210.00	950 MAIN ST	J81	17011786
<b>6 Total Arrests</b>								



## Hartford Police Department

INCIDENT REPORT

### Capitol Community College Clery Report 2017



<u>Case #</u>	<u>Occurred</u>	<u>UCR Codes</u>	<u>Location</u>	<u>Unit</u>	<u>Officer</u>	<u>Status</u>
<b>942 MAIN ST - 9 Incidents</b>						
17019212	2017/07/05 07:00	0523 - BURG3-COM-DAY N.A.	942 MAIN ST	12	J38	CLOSED ADULT ARREST -ADULT
17004983	2017/02/16 17:00	0663 - LARC3-BUILDING N.A.	942 MAIN ST	9	I39	OPEN ADULT
17005160	2017/02/18 20:07	0625 - LARC4 SHOPLIFT N.A.	942 MAIN ST	9	H19	OPEN ADULT
17010076	2017/04/09 03:28	0663 - LARC3-BUILDING N.A.	942 MAIN ST	9	G38	OPEN ADULT
17016621	2017/06/15 11:30	0645 - LARC4-M/V PART-STO-PLATE N.A.	942 MAIN ST	50	D54	OPEN ADULT
17025787	2017/09/08 23:10	0625 - LARC4 SHOPLIFT N.A.	942 MAIN ST	9	I39	OPEN ADULT
17014159	2017/05/19 02:00	0701 - M/V-THEFT-AUTO 0721 - M/V THEFT-REC-O	942 MAIN ST	50	E84	OPEN ADULT
17002132	2017/01/22 05:22	1903 - HARRASSMENT 1904 - DOMESTIC	942 MAIN ST	9	L04	OPEN ADULT
17003636	2017/02/05 01:57	1902 - DIS-CONDUCT 1904 - DOMESTIC	942 MAIN ST	5	J55	OPEN ADULT
<b>108 CONSTITUTION PLAZA - 5 Incidents</b>						
17000317	2017/01/03 14:30	0632 - LARC2-FROM M/V N.A.	108 CONSTITUTION PLAZA	9	I44	OPEN ADULT
17018803	2017/01/11 17:02	0701 - M/V-THEFT-AUTO N.A.	108 CONSTITUTION PLAZA	21	J67	OPEN ADULT

<u>Case #</u>	<u>Occurred</u>	<u>UCR Codes</u>	<u>Location</u>	<u>Unit</u>	<u>Officer</u>	<u>Status</u>
<b>108 CONSTITUTION PLAZA - 5 Incidents</b>						
17031271	2017/09/07 10:15	0701 - MV-THEFT-AUTO N.A.	108 CONSTITUTION PLAZA	12	E70	OPEN ADULT
17036134	2017/12/13 15:55	0764 - USE MV WO PERM N.A.	108 CONSTITUTION PLAZA	9	L29	OPEN ADULT
17027244	2017/08/04 17:00	0701 - MV-THEFT-AUTO 0711 - AUTO-THEFT-REC	108 CONSTITUTION PLAZA	9	G45	OPEN ADULT
<b>866 MAIN ST - 5 Incidents</b>						
17001845	2017/01/09 10:15	0663 - LARC3-BUILDING N.A.	866 MAIN ST	151	G23	OPEN ADULT
17021101	2017/07/27 07:00	0654 - LARC3-BICYCLE N.A.	866 MAIN ST	13	I04	OPEN ADULT
17025600	2017/09/07 14:27	0664 - LARC3-BUILDING N.A.	866 MAIN ST	9	999	OPEN ADULT
17028424	2017/10/01 13:35	0662 - LARC2-BUILDING N.A.	866 MAIN ST	9	H19	OPEN ADULT
17006796	2017/03/07 12:13	0662 - LARC2-BUILDING 1924 - COMM COURT	866 MAIN ST	9	I44	CLOSED ADULT ARREST -ADULT
<b>155 MORGAN ST - 4 Incidents</b>						
17003357	2017/02/02 00:00	0645 - LARC4-M/V PART-STO-PLATE N.A.	155 MORGAN ST	50	I57	OPEN ADULT
17009914	2017/04/06 09:30	0645 - LARC4-M/V PART-STO-PLATE 1104 - LARC4-REC-POSS-STO-PL/ARR	155 MORGAN ST	50	L03	OPEN ADULT
17004949	2017/02/16 10:06	0701 - MV-THEFT-AUTO N.A.	155 MORGAN ST	28	J96	OPEN ADULT
17014115	2017/05/20 23:35	1902 - DIS-CONDUCT 1904 - DOMESTIC	155 MORGAN ST	9	J84	CLOSED ADULT ARREST -ADULT
<b>MAIN ST &amp; PRATT ST - 4 Incidents</b>						
17033523	2017/11/17 16:48	0413 - ASSLT-2-WEAPON N.A.	MAIN ST & PRATT ST	12	L16	OPEN ADULT

<u>Case #</u>	<u>Occurred</u>	<u>UCR Codes</u>	<u>Location</u>	<u>Unit</u>	<u>Officer</u>	<u>Status</u>
<b>MAIN ST &amp; PRATT ST - 4 Incidents</b>						
17011991	2017/04/28 21:35	0632 - LARC2-FROM M/V N.A.	MAIN ST & PRATT ST	12	J78	OPEN ADULT
17025812	2017/09/09 08:24	0632 - LARC2-FROM M/V N.A.	MAIN ST & PRATT ST	12	L02	OPEN ADULT
17029127	2017/10/06 17:30	0634 - LARC3-FROM M/V N.A.	MAIN ST & PRATT ST	12	E70	OPEN ADULT
<b>1 CONSTITUTION PLAZA - 3 Incidents</b>						
17033421	2017/11/16 17:52	0304 - ROBBERY-HANDS *STREET* 0404 - ASSLT-1-HANDS	1 CONSTITUTION PLAZA	12	J88	OPEN ADULT
17030051	2017/10/16 01:20	0522 - BURG3-COM-NITE N.A.	1 CONSTITUTION PLAZA	12	L17	OPEN ADULT
17030461	2017/10/19 02:09	0525 - BURG3-NITE-ATT-COMM N.A.	1 CONSTITUTION PLAZA	8	H67	OPEN ADULT
<b>MARKET ST &amp; TALCOTT ST - 3 Incidents</b>						
17029509	2017/10/11 05:50	0815 - LARC4-PURSE N.A.	MARKET ST & TALCOTT ST	9	I87	OPEN ADULT
17019871	2017/07/17 08:16	0835 - LARC4-FROM M/V 3503 - CR MISCHIEF 3	MARKET ST & TALCOTT ST	50	D54	OPEN ADULT
17024628	2017/08/28 17:00	0633 - LARC3-FROM M/V 3503 - CR MISCHIEF 3	MARKET ST & TALCOTT ST	50	D80	OPEN ADULT
<b>21 TEMPLE ST, #700 - 2 Incidents</b>						
17010984	2017/04/18 19:13	1903 - HARRASSMENT 1904 - DOMESTIC	21 TEMPLE ST, #700	9	H19	OPEN ADULT
17013790	2017/05/17 21:58	1903 - HARRASSMENT 1904 - DOMESTIC	21 TEMPLE ST, #700	9	I39	OPEN ADULT
<b>250 CONSTITUTION PLAZA - 2 Incidents</b>						
17017418	2017/06/22 17:00	0522 - BURG3-COM-NITE N.A.	250 CONSTITUTION PLAZA	9	G45	CLOSED ADULT ARREST -ADULT
17012781	2017/05/06 21:30	0835 - LARC4-FROM M/V N.A.	250 CONSTITUTION PLAZA	9	I43	OPEN ADULT

<u>Case #</u>	<u>Occurred</u>	<u>UCR Codes</u>	<u>Location</u>	<u>Unit</u>	<u>Officer</u>	<u>Status</u>
<b>45 CHURCH ST - 2 Incidents</b>						
17009734	2017/04/05 13:08	0304 - ROBBERY-HANDS *STREET* N.A.	45 CHURCH ST	20	L05	OPEN ADULT
17027006	2017/09/12 12:00	0655 - LARC4-BICYCLE N.A.	45 CHURCH ST	9	E64	OPEN ADULT
<b>915 MAIN ST - 2 Incidents</b>						
17018630	2017/05/17 11:30	0883 - LARC3-BUILDING N.A.	915 MAIN ST	12	E70	OPEN ADULT
17018975	2017/07/07 23:57	0801 - ASSAULT 3 1904 - DOMESTIC	915 MAIN ST	12	J51	CLOSED ADULT ARREST -ADULT
<b>950 MAIN ST - 2 Incidents</b>						
17009084	2017/03/29 13:43	0625 - LARC4 SHOPLIFT 0904 - CR-SIMULATION/CNTRFEIT	950 MAIN ST	9	G45	OPEN ADULT
17029041	2017/10/06 15:49	1901 - BREACH-PEACE 1904 - DOMESTIC	950 MAIN ST	9	H19	CLOSED ADULT ARREST -ADULT
<b>960 MAIN ST - 2 Incidents</b>						
17003224	2017/02/01 16:27	0633 - LARC3-FROM M/V N.A.	960 MAIN ST	50	I14	OPEN ADULT
17006114	2017/02/28 09:37	1902 - DIS-CONDUCT 1904 - DOMESTIC	960 MAIN ST	12	E70	OPEN ADULT
<b>MAIN ST &amp; TALCOTT ST - 2 Incidents</b>						
17011893	2017/04/27 23:15	0633 - LARC3-FROM M/V N.A.	MAIN ST & TALCOTT ST	50	E80	OPEN ADULT
17030474	2017/10/18 20:30	0701 - M/V-THEFT-AUTO 0711 - AUTO-THEFT-REC	MAIN ST & TALCOTT ST	5	H58	OPEN ADULT
<b>1 PRATT ST - 1 Incidents</b>						
17026946	2017/09/18 15:30	0701 - M/V-THEFT-AUTO N.A.	1 PRATT ST	261	J90	OPEN ADULT
<b>1 TALCOTT ST - 1 Incidents</b>						

<u>Case #</u>	<u>Occurred</u>	<u>UCR Codes</u>	<u>Location</u>	<u>Unit</u>	<u>Officer</u>	<u>Status</u>
<b>1 TALCOTT ST - 1 Incidents</b>						
17012948	2017/05/08 18:30	0633 - LARC3-FROM M/V 3503 - CR MISCHIEF 3	1 TALCOTT ST	50	H05	OPEN ADULT
<b>100 MARKET ST - 1 Incidents</b>						
17001978	2017/01/20 15:05	0625 - LARC4 SHOPLIFT N.A.	100 MARKET ST	9	H19	OPEN ADULT
<b>1000 MAIN ST - 1 Incidents</b>						
17008800	2017/03/26 18:16	0634 - LARC3-FROM M/V 3503 - CR MISCHIEF 3	1000 MAIN ST	165	J63	OPEN ADULT
<b>108 TALCOTT ST - 1 Incidents</b>						
17026464	2017/09/14 15:07	0764 - USE MV WO PERM N.A.	108 TALCOTT ST	9	H19	OPEN ADULT
<b>155 MORGAN ST, #LVL-2 - 1 Incidents</b>						
17033128	2017/11/14 01:30	0635 - LARC4-FROM M/V 3503 - CR MISCHIEF 3	155 MORGAN ST, #LVL-2	12	L25	OPEN ADULT
<b>196 MARKET ST - 1 Incidents</b>						
17020106	2017/07/18 19:00	0682 - LARC2-MISCELL N.A.	196 MARKET ST	9	I39	OPEN ADULT
<b>20 CHURCH ST, #FLR D - 1 Incidents</b>						
17005427	2017/02/21 10:00	0634 - LARC3-FROM M/V 3503 - CR MISCHIEF 3	20 CHURCH ST, #FLR D	164	J87	OPEN ADULT
<b>20 CHURCH ST, #LVL-D - 1 Incidents</b>						
17005420	2017/02/21 08:30	0701 - M/V-THEFT-AUTO 0711 - AUTO-THEFT-REC	20 CHURCH ST, #LVL-D	12	D49	OPEN ADULT
<b>21 TEMPLE ST - 1 Incidents</b>						
17013024	2017/05/09 00:00	0645 - LARC4-M/V PART-STO-PLATE N.A.	21 TEMPLE ST	50	I57	OPEN ADULT
<b>29 TEMPLE ST - 1 Incidents</b>						



<u>Case #</u>	<u>Occurred</u>	<u>UCR Codes</u>	<u>Location</u>	<u>Unit</u>	<u>Officer</u>	<u>Status</u>
<b>29 TEMPLE ST - 1 Incidents</b>						
17014000	2017/05/19 17:32	0604 - LARC3-PERSON \$51-250 1904 - DOMESTIC	29 TEMPLE ST	9	H19	OPEN ADULT
<b>29 TEMPLE ST, #24 - 1 Incidents</b>						
17027811	2017/09/22 00:00	0683 - LARC3-MISCELL 2710 - INV FRAUD	29 TEMPLE ST, #24	9	L04	OPEN ADULT
<b>46 CHURCH ST - 1 Incidents</b>						
17012603	2017/05/04 19:50	0635 - LARC4-FROM M/V N.A.	46 CHURCH ST	50	H05	OPEN ADULT
<b>50 CHURCH ST - 1 Incidents</b>						
17013798	2017/05/18 00:01	0635 - LARC4-FROM M/V N.A.	50 CHURCH ST	50	D80	OPEN ADULT
<b>915 MAIN ST, #302 - 1 Incidents</b>						
17034480	2017/11/28 13:50	0686 - LARC1-PACKAGES N.A.	915 MAIN ST, #302	9	L20	OPEN ADULT
<b>915 MAIN ST, #304 - 1 Incidents</b>						
17032023	2017/11/01 00:00	1903 - HARRASSMENT 1904 - DOMESTIC	915 MAIN ST, #304	12	E70	OPEN ADULT
<b>915 MAIN ST, #411 - 1 Incidents</b>						
17037263	2017/12/20 14:21	0665 - LARC4-BUILDING 0689 - LARC4-PACKAGES	915 MAIN ST, #411	12	J38	OPEN ADULT
<b>COLUMBUS BLVD &amp; TALCOTT ST - 1 Incidents</b>						
17011981	2017/04/28 22:00	0634 - LARC3-FROM M/V 3503 - CR MISCHIEF 3	COLUMBUS BLVD & TALCOTT ST	26	J84	OPEN ADULT
<b>MARKET ST &amp; TEMPLE ST - 1 Incidents</b>						
17019663	2017/07/15 16:00	0635 - LARC4-FROM M/V N.A.	MARKET ST & TEMPLE ST	9	D98	OPEN ADULT
<b>66 Total Incidents</b>						

[illegible][illegible]



# COMPLAINTS AND COMMENDATIONS FORM POLICY

Capital Community College welcomes commendations regarding officers of the department, as well as complaints of officer misconduct or violations of department policy. We place a high value on input from the public, in order to better serve the needs of the college.

Commendations and complaints may be directed to the Master Sergeant in person, phone, or writing.

Commendations and complaints may also be filed with the Dean of Administration (860) 906-5050 or the Director of Human resources at (860) 906-5002.

## COMMENDATIONS

Capital Community College expects a very high level of professional conduct from all officers. Our officers often perform their duties in an exceptional manner exceeding the high standards of the department. To commend an officer, a

citizen can submit a letter or request to speak to a supervisor. The commendation will then be forwarded to the Director of Public Safety.



## COMPLAINTS

Capital Community College Department policy calls for prevention of misconduct. The purpose of this policy is to maintain the quality of police services to the highest professional standard, and to ensure future behavior that conforms to the goals and standards of the department. A complaint will be accepted in any form, in person, by letter, or phone. The complainant may remain anonymous. We ask that as much information as possible be given concerning the incident in question. Please include date, time, and officer name— if known. This will assist us to investigate. Complaints should be filed only by those who are directly involved or an eyewitness to an incident.

## ACTIONS TAKEN

- All complaints will be investigated promptly by a supervisor
- The complainant will be interviewed
- The nature and facts of the incident will be documented
- Results of the investigation will be reduced to writing
- Results are reviewed by the Master Sergeant and Human Resource Director
- The Officer is informed of the findings

- The complainant is notified of the findings—in writing
- Department Policy reviewed to correct and prevent similar future issues



It is the policy of Capital Community College that all complaints will be reviewed in a fair and impartial manner. All investigations will be fully documented and proper action taken resulting from the findings.

Actions Taken by the College may include

- Positive Discipline—Training
- New or revised Policy and Procedure
- Negative Discipline
- Recommendation to State's Attorney in Criminal Investigations
- No Action in complaints not sustained or false complaints



# **STUDENT HANDBOOK**

## **2018 - 2019**



(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.

### **3.6 HEARING PROCEDURES FOR SEXUAL MISCONDUCT, SEXUAL INTIMATE PARTNER, DOMESTIC VIOLENCE & STALKING REPORTS**

In addition to disciplinary procedures applicable to State University students in Section 3.9, Community College students in Section 3.10, or Charter Oak State College Students in Section 3.11, 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; (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; and (vi) invoke the standard of “affirmative consent”<sup>1</sup> in determining whether consent to engage in sexual activity was given by all persons who engaged in sexual activity.
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.

### **3.7 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

<sup>1</sup> The standard of “Affirmative Consent” is set forth in the BOR Sexual Misconduct Reporting, Support Services and Processes Policy and is incorporated herein by reference.



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 3.5 of the Code may disqualify a student for admission to another college or university, and may interfere with his/her selection for employment.

### **3.8 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.

### **3.9 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 3.9.4.
  - 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.

### **3.10 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 3.5 above) for Community College Students as set for in this Section 3.10 of the Code.

#### **3.10.1 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.  
“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.

- a. "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 3.5 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 3.5 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 3.5 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 5:00 pm 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.

### **3.10.2 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 3.5 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 3.10 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 3.5 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.

### **3.11 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 3.5.1 above) for Charter Oak State College Students as set for in this Section 3.11 of the Code.

#### **3.11.1 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.



### **3.11.2 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 3.5.1 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 3.5.1 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 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



**INTEROFFICE MEMORANDUM**

Date: August, 2018

TO: All College Employees

FROM: G. Duncan Harris, Chief Executive Officer 

SUBJECT: Sexual Harassment Policy

It is the policy of Capital Community College to ensure an environment free of discrimination or forms of harassment that unreasonably interfere with the security, well-being or academic experience of any member of the college community. Sexual harassment on our campus is unlawful, as well as unethical, and will not be tolerated.

Sexual Harassment is prohibited by state and Federal law.

- Both Title VII of the Civil Rights Act and Connecticut General Statute 46a-60(a)(8) prohibit sexual harassment in the workplace,
- Title IX of the Education Amendment prohibits sex discrimination including sexual harassment with regard to educational programs and activities (applies most frequently to students)

In employment, Sexual Harassment is defined as: "any unwelcome sexual advances or requests for sexual favor or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individuals, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

In looking at the broader campus community, also prohibited is behavior of a sexual nature that creates a hostile environment for others including faculty, staff, and students. While it is not possible to list all circumstances that constitute sexual harassment the following are some examples of conduct that may constitute sexual harassment depending upon the totality of the circumstance, including the severity of the conduct and its pervasiveness.

- Inappropriate sexual comments
- Telling sexual or sex-based inappropriate jokes
- Sending unwanted suggestive letters, notes or e-mails
- Requesting sexual favors, making sexual innuendos or repeatedly asking someone out
- Inquiring about someone's sexual history or sexual orientation

- Inappropriate and unwanted touching of a person and or their clothing
- Requests for sexual favors in exchange for promised benefits such as higher grades, favorable reviews and recommendations.

Capital Community College has a grievance procedure for any individual who feels that they have been discriminated against or have been subjected to sexual harassment. Individuals who believe that they have been subjected to sexual harassment are encouraged to file a formal complaint with the college's Affirmative Action Officer through the established discrimination complaint procedure. The college will not tolerate any retaliatory behavior targeted towards individuals utilizing this grievance process.

The College's Affirmative Action Officers contact information is as follows.

Josephine Agnello-Veley  
Affirmative Action Officer/HR Director  
950 Main Street  
Hartford, CT 06103  
Telephone: (860) 906-5002

If you have supervisory responsibilities as do academic chairs and managers and possible harassment or other violations of this policy are reported to you, you are advised to immediately notify Josephine Agnello-Veley, Director of Human Resources at 860-906-5002.

If you are a faculty member who receives information from a person who believes that she or he is being or has been sexually harassed, your obligation is also to report this behavior.

If an individual has any questions regarding this policy or would like additional information regarding sexual harassment prevention, please contact Josephine Agnello-Veley.

Please sign below to acknowledge that you have received and read this notice and return the original signed copy to the Human Resources Office.

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Signature

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Date



**INTEROFFICE MEMORANDUM**

Date: August, 2018  
TO: All College Employees  
FROM: G. Duncan Harris, Chief Executive Officer   
SUBJECT: **Sex Offender Registry**

As a result of a recent decision by the U.S. Supreme Court, the Connecticut Department of Public Safety (CDPS) is again publishing the names of persons who have been convicted of criminal sex offenses and who are required to register in Connecticut. The law requires me to inform you that Sex Offender Registry information is available at CDPS offices throughout the State, at local police departments and at state police troops with jurisdiction over your region. It is also available online at:

[http://www.state.ct.us/dps/Sex\\_Offender\\_Registry.htm](http://www.state.ct.us/dps/Sex_Offender_Registry.htm).

Note that it is not the obligation of higher education institutions to request information concerning registered sex offenders from the State. However, I am required to let you know that law enforcement information concerning a person on the registry may be obtained by making a request to the CDPS for the criminal history record of such person. The name and date of the individual are required for such search.

Note also that inclusion in the sex offender registry does not per se disqualify any person from employment or from being a student at an institution of higher education. Since persons included in the registry have been released into the community, by definition, they have paid their debt to society. Also note that it is a criminal offense to use information in the sex offender registry to injure, harass, or commit a criminal act against any person included in the registry.

If you have any questions or concerns about the information contained in this memorandum, please address them to the Dean of Student Services or the Human Resources Office, as appropriate.

Doris Arrington  
Dean of Student Services  
Room 212  
(860) 906- 5085

or

Office of Human Resources  
Room 214  
(860) 906- 5002

# BOR POLICIES

## 2018

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*

Sexual Misconduct Reporting  
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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.

5.6	Reporting Suspected Abuse or Neglect of a Child	15-010	2015-01-10
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## **5.6 Reporting Suspected Abuse or Neglect of a Child**

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). Consent must be affirmative. (See Sexual Misconduct Reporting, Support Services and Processes Policy).

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; (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; and (vi) invoke the standard of "affirmative consent"<sup>1</sup> in determining whether consent to engage in sexual activity was given by all persons who engaged in sexual activity .
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.

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<sup>1</sup>The standard of "Affirmative Consent" is set forth in the BOR Sexual Misconduct Reporting, Support Services and Processes Policy and is incorporated herein by reference.

*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.



# Capital Community College

*An Achieving the Dream Leader College*

## **Sexual Violence Awareness & Prevention Fact Sheet for Faculty and Staff**

*Capital Community College is committed to creating a community that is safe and supportive of students and staff of all genders and sexual identities. Sexual misconduct including sexual harassment, sexual assault and intimate partner violence against anyone is unacceptable and is both a crime under state law and a violation of the Board of Regent's policies.*

1. Faculty and staff are required to immediately report any disclosure or report of sexual misconduct
2. All reports of sexual misconduct will be treated seriously and with dignity by the College.
3. All complaints of sexual misconduct will be investigated. If an investigation reveals that sexual misconduct has occurred prompt and effective steps will be taken to end the behavior and /or prevent its recurrence.
4. Violations of the Board of Regent's policy regarding sexual misconduct is subject to disciplinary action.
5. For more information, the following College resources are provided.

Marsha Ball-Davis, Interim Dean of Students ....860-906-5086  
Josephine Agnello-Veley, Title IX Coordinator.. 860-906-5002  
James Griffin, Master Sergeant Public Safety .....860-906-5076  
Sabrina Adams-Roberts, Counselor.....860-906-5043

1. The Connecticut Alliance to End Sexual Violence in East Hartford, CT operates a  
24-Hour confidential Hotline 888-999-5545 (English) 888-568-8332 (Español)



# COLLEGE POLICIES

Students with  
Special Needs  
Statement

Statement  
Regarding  
Sexual  
Violence

NEASC CREDIT  
HOUR POLICY

## IN GENERAL

Capital Community College is committed to creating a community that is safe and supportive of people of all gender and sexual identities; this statement pertains to the entire campus community, whether on ground or virtual, students, faculty, and staff. Two of the College's primary concerns are the health and well-being of each individual and fostering healthy interpersonal relationships. The principles of the Board of Regents Policy on Student Conduct (integrity, equity, respect and responsibility) address elements necessary for healthy interpersonal relationships and these principles are



especially important when relationships become intimate. Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, against anyone is unacceptable and is both a crime under State law and a violation of College policies, including but not limited to: Policy on Student Conduct, Violence Prevention and Response Statement, Statement Against Harassment. The College is committed to providing an environment free of personal offenses.

## **REPORTING ENCOURAGED**

Capital Community College strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedy, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. The College can 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 assault. The College will preserve the confidentiality of those who



report sexual misconduct to the fullest extent possible and allowed by law. College employees, victim advocates or community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place.

## **MANDATED REPORTING**

Mandated reporting requirements of the Child Protection Law may require that a report be made to the Connecticut Department of Social Services whenever the College receives a report that a person under eighteen (18) years of age may have been sexually assaulted. In addition, those College employees who qualify as Campus Security Authorities under the Jeanne Clery Act have a duty to report information that comes to their attention of a possible sexual assault regardless of the age of the reported victim. The College also employs individuals who are members of professions that are mandated reporters under Connecticut law, such as early childhood professionals, nurses and others. In order to comply with the ethical requirements of their profession and the law, any such professional who receives a report of sexual violence may not be able to maintain the confidentiality of the reported violence.

## **PRIVACY OF INFORMATION REPORTED**



When Capital Community College receives a report of sexual assault and/or sexual misconduct, reasonable steps will be taken to preserve the privacy of the person reported to have been the victim while promptly investigating and responding to the report. While the College will strive to maintain the confidentiality of the information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the College also must fulfill its duty to protect the College community and to assure that the appropriate disciplinary processes are implemented. As such, complete confidentiality cannot always be guaranteed.

## Page 2

Confidential resources, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center are bound by state statutes and professional ethics from disclosing information about reports without written releases. Information that such persons receive from the reporter of a sexual assault or the person reported to have been assaulted cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, s/he must speak with a full

confidential resource. The following is a partial list of such confidential resources in the College's service region:



- INFO line (24 hr. service).....211
- Sexual Assault (CONNSACS) (24 hr.).....1-888-999-5545 en Espanol 1-888-568-8332
- Office of Victim Services.....1-800-822-8428

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

## **RIGHTS AND OPTIONS OF THOSE WHO REPORT**

Those who report any type of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, to a College 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:

- All reports of sexual misconduct, including sexual harassment, sexual assault and intimate partner



violence, will be treated seriously and with dignity by the College.

- Referrals to off-campus counseling and medical services that are available immediately and confidentially, whether or not those who report an assault feel ready to make any decisions about reporting the assault to police, the Dean of Students or the College's Title IX Coordinator.
- Those who have been assaulted have the right to take both legal action (criminal/civil action) and action in accordance with the Policy on Student Conduct and Policy Against Harassment against the individual allegedly responsible.

Options for Changing Academic, Transportation and Working Arrangements Capital Community College will provide assistance to those involved in a report of sexual harassment, sexual assault or intimate partner violence, including but not limited to, reasonably available options for changing academic, campus transportation or working situations as well as honoring lawful protective or temporary restraining orders.

## **AGENCY CONTACT INFORMATION**

It is the practice of the College that whenever the Dean of Students, Title IX Coordinator, Public Safety Department or other employee receives a report that a student, faculty or staff member has been subjected to





sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, the College's Title IX Coordinator or other employee shall immediately provide student, faculty or staff member with contact information for and, if requested, professional assistance in accessing and using campus, local advocacy, counseling, health, and mental health services. The following list of services, including contact information, is provided for this purpose:

Page 3

- Marsha Ball-Davis, Interim Dean of Student Affairs  
.....860-906-5086
- Josephine Agnello-Veley, Director, HR & Labor Relations, *Equal Employment Opportunity Officer/Title IX Coordinator*..... 860-906-5002
- James Griffin, Master Sergeant Public Safety....860-906-5086
- Sabrina Adams-Roberts, Lead Counselor.....860-906-5043

Right to Notify Law Enforcement & Seek Protective and Other Orders Those who report being subjected to sexual misconduct, including harassment, sexual assault or intimate partner violence, 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:
  3. – standing criminal protective orders;
  4. – protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;
  5. – temporary restraining orders or protective orders prohibiting the harassment of a witness;
  6. – relief from physical abuse by a family or household member or person in a dating relationship;  
and
  7. – family violence protective orders.

Information pertaining to how to apply for a restraining order is available at:

➡ <http://jud.ct.gov/publications/fm142.pdf>

(<http://jud.ct.gov/crimevictim/index.html>) as well as through the Office for Victim Services.

In addition, the Office of Victim Services (OVS), Connecticut Judicial Branch, is the state's lead agency established to provide services to victims of violent crime. For further information, including contact information for the OVS, see: ➡

<http://jud.ct.gov/crimevictim/index.html>

(<http://jud.ct.gov/crimevictim/index.html>) or call 1- 800-822-8428.



Students should be aware that under Connecticut law (Public Act 12-114, entitled An Act Concerning Domestic Violence) that became effective on October 1, 2012, among other provisions, requires clerks of court, upon request of the protected person, to send notice of a protective order to the President and the special police force, if any, at the College or University at which the victim is enrolled. The full text of the statute can be found at:

➡ <http://www.cga.ct.gov/2012/act/pa/2012pa-00114-r00hb-05548-pa.htm>

(<http://www.cga.ct.gov/2012/ACT/PA/2012PA-00114-R00HB-05548-PA.htm>)

## STUDENT CONDUCT PROCEDURES

The College's Student Handbook provides the procedures for the investigation and resolution of complaints regarding student conduct, including those involving sexual harassment, sexual assault and intimate partner violence.

The College's Dean of Students or Title IX Coordinator can assist in explaining the student conduct process. The Dean of Students, Title IX Coordinator or designee are the designated recipients of reports of violations of



the Expectations for Student Conduct set forth in the Student Handbook. The Dean of Students also administers the Policy on Student Conduct process regarding any such reports. The Policy on Student Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for complainants and accused students.

## **TIME TO REPORT**

Normally reports must be received by the Dean of Students or other designee of the President within thirty (30) days of the date of a possible violation or within thirty (30) days of the date the facts constituting a possible violation were known. However, the College recognizes that the decision to file a report of sexual misconduct or relationship violence is difficult and may take some time. Because memories may fade and witnesses may become inaccessible, the sooner information is gathered, the greater is the ability of the College to effectively investigate and resolve the matter fairly to all parties concerned.

**Danger to Persons, Property or Academic Process:**  
Interim Suspension or Restriction Upon receipt of a report, the Dean must initially determine if, based upon the reported incident, the continued presence of the reported violator would constitute an unreasonable danger to the persons, property or academic process of

the College. If the Dean so determines, the Dean is authorized to suspend or restrict the reported violator on an interim basis.



## **INVESTIGATION**

The Dean is expected to conduct a thorough and impartial investigation into the report and, upon the conclusion of the investigation, the Dean must decide whether the information gathered leads to the conclusion that the reported student committed the reported violation.

## **RANGE OF SANCTIONS**

The Policy on Student Conduct provides sanctions for any violation of the Policy that range from a warning to separation from the College depending on the severity and the extent of the behavior, among other factors. The purpose of sanctions includes, but is not limited to: changing student behavior, protecting the College community from further violations and fostering a campus environment that is conducive to learning, teaching and working.

Upon the conclusion of the investigation, the Dean must determine whether or not the sanction for the violation involves suspension or expulsion from the College.



- Violation Not Warranting Suspension or Expulsion If the Dean determines the violation does not warrant suspension or expulsion from the College, then the Dean is expected to conduct an Administrative Conference and decide, after informing the accused student of the results of the investigation and after providing the accused student with an opportunity to provide additional information, whether a violation has occurred and, if so, what sanction not involving suspension or expulsion is appropriate. There is no right of review from such a decision of the Dean.
- Violation Warranting Suspension or Expulsion: Resolution Options If upon the completion of the investigation the Dean determines that the reported student has violated the Expectations for Student Conduct and that suspension or expulsion is warranted, the Dean shall offer the accused student a statement of the results of the investigation, a proposed agreement in lieu of a hearing and a statement of the student's rights at a hearing should there be a hearing.

#### Rights of Both the Reported Victim and the Accused

Additionally, both the reported victim and the accused student are entitled to the following:



- to 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;
- to request that student conduct proceedings begin promptly;
- to have student conduct proceedings be conducted by an official trained in issues relating to sexual assault and intimate partner violence;
- to present information, including other persons, on their behalf;
- to have the student conduct proceedings use the more likely than not standard in determining whether a violation of the Expectations for Student Conduct has been committed, i. e. , whether it is more likely than not that the reported act of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, was committed by the accused student.
- to be informed in writing of the results of the proceeding as soon as possible after it concludes, normally no later than the next business day after it concludes; and
- consistent with the requirements of the Family Educational Rights and Privacy Act

(FERPA) and other federal and State laws, have their identities kept confidential.



## KEY DEFINITIONS

Sexual assault is defined to mean first, second, third and fourth degree sexual assault as well as aggravated first degree sexual assault and third degree sexual assault with a firearm as more specifically defined in Connecticut State law.

Sexual Misconduct Is defined as:

- Non-consensual sexual intercourse, which includes any sexual intercourse (anal, oral, or vaginal), however slight, with any body part or object, by a man or a woman, without effective consent.
- Non-consensual sexual contact, which includes sexual touching, however slight, with any object, by a man or a woman, without effective consent.
- Sexual exploitation, which includes non-consensual, unjust or abusive sexual advantage taken by a student of another, for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute non-consensual





sexual intercourse, non-consensual sexual contact or sexual harassment. Examples of sexual exploitation include, but are not limited to: prostitution, videotaping consensual sex without a partner's consent, peeping tommy and knowingly transmitting sexually transmitted infections without a partner's knowledge.

Consent is defined as informed, freely and actively given assent, involving an understandable exchange of affirmative words or actions, which indicates a willingness to participate in mutually agreed upon sexual activity. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. The lack of a negative response is not consent. Consent may not be given by a minor or by any individual who is incapacitated, whether voluntarily or involuntarily, by drugs and/or alcohol. Past consent of sexual activities does not imply ongoing future consent.

Stalking is defined as any behaviors or activities occurring on more than one (1) 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, whether on or off campus, non-consensual communications (face to face, telephone, e-mail, etc.), threatening or obscene gestures, surveillance or being present outside the victim's classroom or workplace.

Relationship 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; (2) sexual assault in a spousal or cohabiting relationship; and (3) domestic violence (which includes various crimes) and first, second, and third degree stalking as more specifically defined in Connecticut State law.
- 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.
- 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.

## RESOURCES



A variety of support resources are available on campus and in the community to assist in dealing with sexual violence. These resources are available whether or not the incident occurred on campus or off campus.

The College and community partners provide a range of services, resources, and mechanisms. In all cases, the choice may begin with an exploratory conversation. Making contact does not obligate anyone to utilize services or make any report.

For support and information on available options contacting any of the following is encouraged:

- Marsha Ball-Davis, Interim Dean of Student Affairs .....860-906-5086
- Josephine Agnello-Veley, Director, HR & Labor Relations, *Equal Employment Opportunity Officer/Title IX Coordinator*..... 860-906-5002
- James Griffin, Master Sergeant Public Safety.....860-906-5086
- Sabrina Adams-Roberts, Lead Counselor..... 860-906-5043

## SEXUAL ASSAULT AWARENESS & EDUCATION



Training is planned for faculty, staff members, and administrators. Each entering student will be given an emergency sexual assault notification card that explains available services for victims of sexual assault, as well as the immediate response role of College personnel.

## **CONCLUSION**

All members of the College community share a responsibility for upholding this practice as we strive to attain our goal of creating a community that is safe and free of violence.

# **How do you know if someone is in an abusive relationship?**

Whether or not you know it, some of the people in your life may be facing violence in their lives. For many reasons, it is often hard for victims to acknowledge they are being abused by the people who are supposed to love them or help care for them.

The following list of behaviors can help you recognize if you or someone you know is in an abusive relationship.

- Denying and Blaming
  - Destruction of Property
  - Economic Control
  - Emotional Withholding
  - Intimidation
  - Isolation
  - Pressure
  - Physical Violence
  - Sexual Violence
  - Stalking/Harassment
  - Threats
  - Verbal Attacks
  - Withholding Information
  - Withholding Medication
  - Withholding Personal Care
  - Controlling
- Communication Aides

**Help yourself or someone you know...  
If you need help or just someone to talk to...  
Call our confidential domestic violence hotline.**

## **You have the right...**

1. To request *to be notified* of court proceedings, including arrest, arraignment and release of the person who harmed you;
2. To assistance in obtaining *immediate medical care*, if required;
3. To be *protected from harassment* from your employer for appearing as a witness if you receive a subpoena;
4. To have *property returned* if it was seized by police in the investigation or prosecution of the crime committed against you;
5. To make an application for *compensation for costs* you have incurred as a result of the crime such as medical/dental expenses; counseling for victims and their relatives; lost wages; and funeral costs.
6. To request *to be informed* of the *services and agencies* that can help you, including the assistance of a court based family violence victim advocate.

**In Connecticut,  
you have rights,  
which are protected  
by law.**

This project is funded in part by the Office of Victim Services, Superior Court Operations Division, State of CT Judicial Branch, Victims of Crime Act Victim Assistance Grant



## **YWCA New Britain**

### **sexual assault crisis service**

YWCA New Britain Sexual Assault Crisis Service offers free and confidential services to sexual assault survivors and their loved ones.

#### **our services include:**

- 24 hour hotline in English and Spanish with access to trained and certified Counselor Advocates
- Accompaniment throughout medical, court, and police procedures
- Short-term counseling
- Support groups
- Information and referrals
- Prevention Education
- Counselor Advocate trainings

#### **serving:**

Andover, Avon, Berlin, Bloomfield, Bolton, Bristol, Burlington, Canton, East Granby, East Hartford, Ellington, Enfield, Farmington, Glastonbury, Granby, Hartford, Hartland, Hebron, Manchester, Marlborough, New Britain, Newington, Plainville, Plymouth, Rocky Hill, Simsbury, Somers, South Windsor, Southington, Stafford, Suffield, Tolland, Vernon, West Hartford, Wethersfield, Windsor, and Windsor Locks.

#### **Toll Free Hotline**

**English: 1-888-999-5545**

**Spanish: 1-888-568-8332**



eliminating racism  
empowering women  
**ywca**

## **YWCA NEW BRITAIN SERVICIOS DE CRISIS POR ASALTO SEXUAL**

Los Servicios de Crisis por Asalto Sexual de la YWCA New Britain ofrece asistencia a sobrevivientes de asalto sexual, a sus familiares y amistades.

### **Ofrecemos:**

- Línea de auxilio en Inglés y en Español las 24 horas al día, con acceso inmediato a consejeros adiestrados y certificados.
- Acompañamiento para las víctimas y sus familiares durante los procedimientos médicos, de la policía y de la corte.
- Apoyo y consejería.
- Variedad de grupos de apoyo.
- Información y referidos a servicios adicionales.
- Programas de prevención, presentaciones en las escuelas, instituciones religiosas y adiestramientos profesionales.
- Consejeros bilingües, consejeros masculinos y Lenguaje de Señas

### **Servimos:**

a todos los pueblos del Condado de Hartford y parte del Condado de Tolland:  
Andover, Avon, Berlin, Bloomfield, Bolton, Bristol, Broad Brook, Burlington, Canton, Collinsville, East Granby, East Hartford, East Windsor, Ellington, Enfield, Farmington, Glastonbury, Granby, Hartford, Hartland, Hebron, Manchester, Marlborough, New Britain, Newington, North Canton, North Granby, Plainville, Plymouth, Rocky Hill, Simsbury, Somers, South Glastonbury, South Windsor, Southington, Stafford, Stafford Springs, Suffield, Tolland, Vernon, West Granby, West Hartford, West Hartland, West Simsbury, Wethersfield, Windsor y Windsor Locks.

### **Líneas de Auxilio**

**Español: 1-888-568-8332**

**Inglés: 1-888-999-5545**

Oficina en New Britain  
19 Franklin Square  
New Britain, CT 06051  
860-225-4681  
860-775-7443 (fax)

Oficina Satélite en Hartford:  
75 Charter Oak Avenue  
Building 1, Suite 1-304  
(Estación de metro Pleasant Hill)



THE COMMITTEE FOR

## Diversity & Inclusion

### Special Thanks

Dr. Wilfredo Nieves, CCC President  
Doris B. Arington, Dean of Student Services  
Art Kureczka, Professor  
Interval House  
Hartford Behavioral Health  
UConn Women's Center  
Capital Preparatory Magnet, YWCC



Event Organizers  
Committee for Diversity & Inclusion  
Dean of Student Services

Subcommittee Members  
Prof. Miriam Mercado, Prof. Michelle White, Prof. Lillian Martinez,  
Marie Basche, Helena Carrasquillo and Roxanne Plummer

## 6th Annual Women's Conference *One of Us, All of Us*

*Out of the Shadows:  
Addressing Violence & Sexual Harassment  
through Education, Awareness and Advocacy.*



1<sup>IN</sup> 5 WOMEN  
IS SEXUALLY  
ASSAULTED IN  
COLLEGE

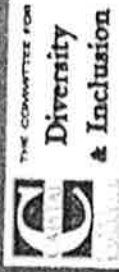
STOP  
Violence Against Women

## Wednesday, March 28, 2018

12:00pm-3:00pm

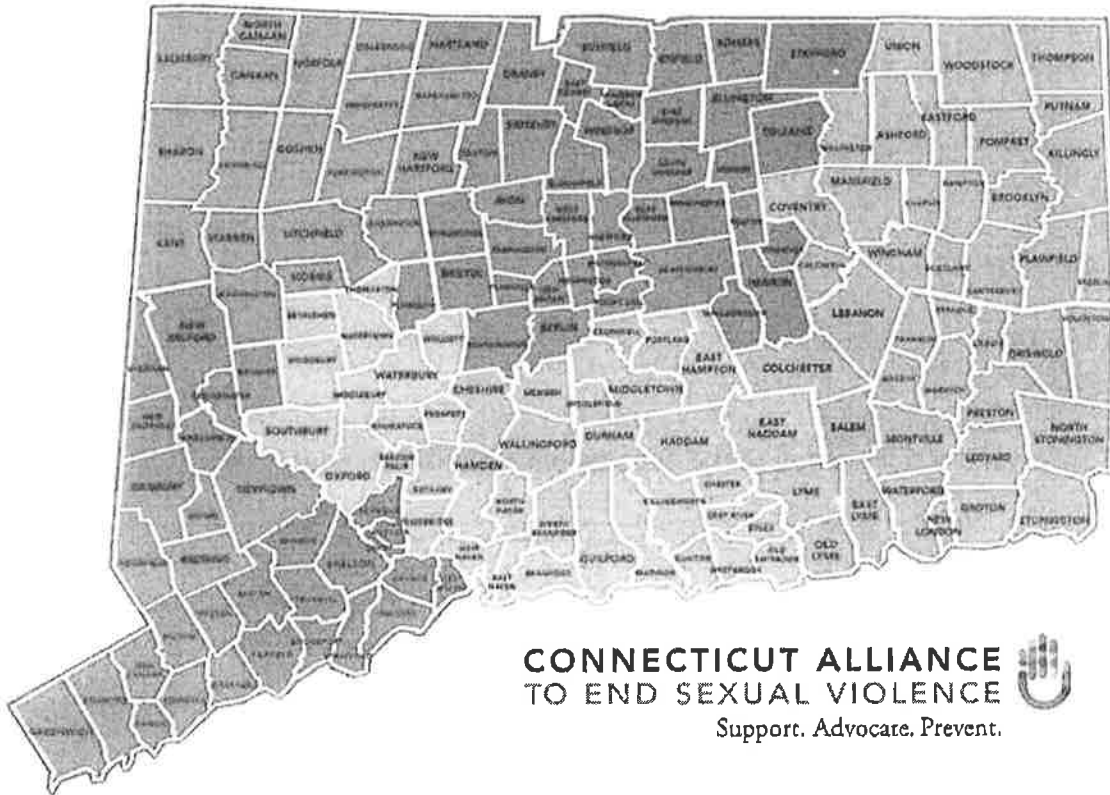
CAPITAL COMMUNITY COLLEGE

CENTINEL HILL HALL AUDITORIUM  
11th Floor



Office of the Dean of Student Services

## The Alliance Member Center Service Areas



- Serial Assault Crisis Center of Eastern Connecticut (Located in Willimantic and New London)  
 Maria Busineau, Associate Director      mbusineau@sbcglobal.net      860-456-3595
- Rebecca Fernandez, Asst. Director of Prevention and Intervention Services      rfernandez@womenfamilies.org  
 860-344-1474 x111
- Rape Crisis Center of Milford (Located in Milford)  
 Peggy Pisano, Director of Victims Services      peggy.mrcc@yahoo.com      203-874-8712
- The Center for Family Justice (Located in Bridgeport)**  
 Gail Wiggins, Coordinator of S.V. Services      gwiggins@centerforfamilyjustice.org      203-334-6154 x118
- YWCA New Britain Sexual Assault Crisis Service (Located in New Britain and Hartford)  
 Amanda Carrington, Campus Advocate      acarrington@ywcaneubritain.org      860-215-8179
- Melissa Malagutti, Program Director      mmalagutti@safehavenofgw.org      203-753-3613
- Susan B. Anthony Project (Located in Torrington)  
 Michelle Marone, Program Director      mmarone@sbaproject.org      860-489-3798 x329
- Women's Center of Greater Danbury (Located in Danbury)  
 Lynn Nichols, Law Enforcement Liaison Adult Advocate      lynn.n@wcogd.org      203-731-5200
- The Center for Sexual Assault Crisis Counseling and Education (Located in Stamford)  
 Marsha Placide, Adult Advocate      m.placide@thecenter-ct.org      203-487-0665



**Need Help? Call Project ASAP: 860-222-7299**

**We offer services to:**

- Victims of adult sexual assault
- Friends and family of individuals who have experienced sexual assault as an adult

**No fees or insurance needed**

**Ofrecemos servicios a:**

- Adultos víctimas de abuso sexual
- Amigos y familiares de individuos que han sido víctima de abuso sexual en la adultez

**Servicios gratuitos, no necesita seguro medico**



**Located:**

2550 Main Street  
Hartford, CT  
06120

**Serving:  
GREATER HARTFORD**



Working toward ending domestic violence

**Servicios de Apoyo  
para Víctimas de Violencia Doméstica**

**Línea de Crisis de 24 Horas  
860-527-0550**

**Albergue de Emergencia  
para mujeres abusadas y sus niños**

**Plan de Seguridad**

**Grupos de Apoyo**

**Consejería**

**Programas para Niños**

**Abogacía para Víctimas**

**Abogacía Legal**

**Información y Referido**

**Educación Comunitaria**



Miembro de La Coalición en Contra de  
la Violencia Doméstica de Connecticut

**Interval House**

*Un Programa para Víctimas de Violencia Doméstica*

**P.O. Box 340207 Hartford, CT 06134-0207**

**Línea de Crisis de 24 Horas**

**1-860-527-0550**

**TDD/TTY 1-860-249-5384**

**Línea de Crisis para Todos**

## **Que Puede Hacer Usted?**

Nadie tiene el derecho de abusarla;  
y no existe tal cosa como un golpe merecido.

1. Si una discusion parece inevitable, muevase a una area que tenga acceso a una salida. Mantengase alejada de la cocina, baños y de cualquier area donde hayan armas.
2. Mantenga un bolso preparado en un lugar no revelado, pero accesible, de manera que pueda salir rapido.
3. Deje dinero, un juego de llaves, copias de documentos importantes y ropa adicional con alguien de confianza, para que asi pueda salir rapidamente.
4. Identifique a un vecino a quien pueda decirle acerca de la violencia; pidale que llame a la policia, si escucha un arboroto proveniente de su hogar.
5. Mantenga accesible el numero de nuestra linea de crisis de 24 horas. Nuestras consejeras hablaran con usted sobre sus derechos, opciones, nuestros servicios, albergue, y referidos.
6. Llame a la policia. No importa la relacion entre las dos personas, la Violencia Domestica es un Crimen. La policia es requerida por ley a efectuar un arresto, si ellos tienen alguna razon para creer que un crimen ha sido cometido. Si la policia no efectua un arresto, usted tiene derecho ha hacer una querella.
7. Si ha sido herida, busque tratamiento medico.
8. Vaya a la casa de un amigo o familiar.
9. Cuando las cosas esten calmadas, no abandone los planes de conseguir ayuda para salirse. No se engañe a si misma en creer que las cosas se mantendran calmadas.

## **NUNCA OTRA MUJER ABUSADA**

Llamando la atencion en el hecho de que usted ha sido abusada, usted le da valor a que otra mujer hable.



**Vida...**

hay opciones para  
la violencia doméstica

**844.831.9200**

línea de crisis, 24 horas al día  
[www.ctcadv.org](http://www.ctcadv.org)

- llamadas gratis y confidenciales, 24 horas al día, todos los días
- refugio temporario de emergencia
- planificación de seguridad
- consejería y grupos de apoyo para víctimas y sus niños
- información y referidos
- consejería sobre el sistema criminal

*Vida es un programa de*

**cca | DV**

Connecticut Coalition Against Domestic Violence

# How do you know if someone is in an abusive relationship?

Whether or not you know it, some of the people in your life may be facing violence in their lives. For many reasons, it is often hard for victims to acknowledge they are being abused by the people who are supposed to love them or help care for them.

The following list of behaviors can help you recognize if you or someone you know is in an abusive relationship.

- Denying and Blaming
- Destruction of Property
- Economic Control
- Emotional Withholding
- Intimidation
- Isolation
- Pressure
- Physical Violence
- Sexual Violence
- Stalking/Harassment
- Threats
- Verbal Attacks
- Withholding Information
- Withholding Medication
- Withholding Personal Care
- Controlling Communication Aides

## You have the right...

1. To request *to be notified* of court proceedings, including arrest, arraignment and release of the person who harmed you;
2. To assistance in obtaining *immediate medical care*, if required;
3. To be *protected from harassment* from your employer for appearing as a witness if you receive a subpoena;
4. To have *property returned* if it was seized by police in the investigation or prosecution of the crime committed against you;
5. To make an application for *compensation for costs* you have incurred as a result of the crime such as medical/dental expenses; counseling for victims and their relatives; lost wages; and funeral costs.
6. To request *to be informed* of the *services* and *agencies* that can help you, including the assistance of a court based family violence victim advocate.

Help yourself or someone you know...

If you need help or just someone to talk to...  
Call our confidential domestic violence hotline.

# 888-774-2900

**In Connecticut,  
you have rights  
which are protected  
by law.**

This project is funded in part by the Office of Victim Services, Superior Court Operations Division, State of CT Judicial Branch, Victims of Crime Act Victim Assistance Grant



**Office of Victim Services (OVS)  
1-800-822-8428**

**8:00 a.m. to 4:30 p.m. Monday through Friday**

***[www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)***

**Domestic Violence:** Advocacy, emergency shelter, counseling,  
and other services: 1-888-774-2900 Statewide Toll-Free

**Sexual Assault:** Counseling and advocacy  
1-888-999-5545 Statewide Toll-Free  
(En Español: 1-888-568-8332)

***Immediately following a crime, victims have rights, including  
the right to:***

- ♦ Help getting emergency medical care.
- ♦ Be notified about arrest and court proceedings. Arraignment may occur the day after arrest. Contact the clerk of court to check on status, court date and location.
- ♦ Timely disposition of the case after arrest of the accused.
- ♦ Reasonable protection from the accused.
- ♦ Get information on services and agencies that help victims.
- ♦ Apply to OVS for crime-related financial assistance related to personal injury expenses (OVS 1-888-286-7347).
- ♦ Return of property the police took for investigating the crime.
- ♦ Be treated with fairness and respect throughout the criminal justice system process.

***The Office of Victim Services, Connecticut Judicial Branch***

# Office of Victim Services (OVS) 1-800-822-8428

8:00 a.m. to 4:30 p.m. Monday through Friday

[www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)

Information regarding services available for  
crime victims (pursuant to C.G.S. § 54-222a).

## INFORMATION AND SUPPORT SERVICES

OVS.....	1-800-822-8428
<i>(OVS for information, advocacy, counseling referral, notification and victim compensation)</i>	
INFO-Line (24 hour service).....	211
Sexual Assault (CONNSACS) (24 hr.).....	1-888-999-5545
<i>En Espanol (24 hr.)</i> .....	1-888-568-8332
Domestic Violence (CCADV) (24 hr.).....	1-888-774-2900
Elder Abuse.....	1-888-385-4225
Child Abuse Care Line (24 hr.).....	1-800-842-2288
Mothers Against Drunk Driving (MADD) (24 hr.)	1-800-544-3690
Survivors of Homicide (24 hr.) .....	1-888-833-4764
Office of Victim Advocate.....	1-888-771-3126

POLICE DEPT. AND TELEPHONE NO.
--------------------------------

CASE NUMBER AND COURT LOCATION
--------------------------------



TE CREEMOS.



CONNECTICUT ALLIANCE  
TO END SEXUAL VIOLENCE



EndSexualViolenceCT.org antes CONNSACS

# LA VIOLENCIA SEXUAL OCURRE EN TODAS LAS COMUNIDADES.

Lesbianas, gays, bisexuales, transgénero y personas diferentes (LGBTQ) son más probables a experimentar discriminación, acoso, violencia física y violencia sexual. Debido a la naturaleza de la opresión, la violencia sexual afecta no solo a individuos sino a las comunidades de las que son partes.



Sexo sin consentimiento es injusto y es un crimen.

La violencia sexual puede incluir el uso de coacción, manipulación, amenazas, intimidaciones, fuerza o abuso de poder.



2 de cada 5 HOMOBISSEXUALES serán sexualmente abusados.

Walters, M.L., Chen, J., and Breiding, M.J. (2013). The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Findings on Victimization by Sexual Orientation. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention

## TIENES EL DERECHO DE VIVIR LIBRE DE VIOLENCIA SEXUAL.

No importa cuáles fueron las circunstancias, si crees que fuiste víctima o sobreviviente de violencia sexual, entonces:



LLAMA A LA LÍNEA DIRECTA CONFIDENCIAL Y GRATUITA 24 HORAS DEL DÍA

1-888-568-8332 (Español)  
1-888-999-5545 (Inglés)

Tienes el derecho de recibir ayuda independientemente de tu orientación sexual, identidad o expresión de género, edad, estado de inmigración, raza, etnia, nacionalidad, o tu religión o creencias espirituales.

Nuestros programas de crisis por asalto sexual proveen servicios gratuitos y confidenciales en Español e Inglés.

Estos servicios incluyen:

- asesores certificados para ayudar a víctimas de violencia sexual
- asesoramiento/consejería a corto plazo y grupos de apoyo
- información y recomendaciones de otros servicios sociales y legales
- acompañamiento y respaldo en hospitales, departamentos de policía y tribunales



# **STATEMENT REGARDING SEXUAL VIOLENCE**

## **IN GENERAL**

Capital Community College is committed to creating a community that is safe and supportive of people of all gender and sexual identities; this statement pertains to the entire campus community, whether on ground or virtual, students, faculty, and staff. Two of the College's primary concerns are the health and well-being of each individual and fostering healthy interpersonal relationships. The principles of the Board of Regents Policy on Student Conduct (integrity, equity, respect and responsibility) address elements necessary for healthy interpersonal relationships and these principles are especially important when relationships become intimate. Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, against anyone is unacceptable and is both a crime under State law and a violation of College policies, including but not limited to: Policy on Student Conduct, Violence Prevention and Response Statement, Statement Against Harassment. The College is committed to providing an environment free of personal offenses.

## **REPORTING ENCOURAGED**

Capital Community College strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedy, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. The College can 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 assault. The College will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. College employees, victim advocates or community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place.

## **MANDATED REPORTING**

Mandated reporting requirements of the Child Protection Law may require that a report be made to the Connecticut Department of Social Services whenever the College receives a report that a person under eighteen (18) years of age may have been sexually assaulted. In addition, those College employees who qualify as Campus Security Authorities under the Jeanne Clery Act have a duty to report information that comes to their attention of a possible sexual assault regardless of the age of the reported victim. The College also employs individuals who are members of professions that are mandated reporters under Connecticut law, such as early childhood professionals, nurses and others. In order to comply with the ethical requirements of their profession and the law, any such professional who receives a report of sexual violence may not be able to maintain the confidentiality of the reported violence.

## **PRIVACY OF INFORMATION REPORTED**

When Capital Community College receives a report of sexual assault and/or sexual misconduct, reasonable steps will be taken to preserve the privacy of the person reported to have been the victim while promptly investigating and responding to the report. While the College will strive to maintain the confidentiality of the information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the College also must fulfill its duty to protect the College community and to assure that the appropriate disciplinary processes are implemented. As such, complete confidentiality cannot always be guaranteed.

Confidential resources, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center are bound by state statutes and professional ethics from disclosing information about reports without written releases. Information that such persons receive from the reporter of a sexual assault or the person reported to have been assaulted cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, s/he must speak with a full confidential resource. The following is a partial list of such confidential resources in the College's service region:

- INFO line (24 hr. service).....211
- Sexual Assault (CONNSACS) (24 hr.).....1-888-999-5545 en Espanol 1-888-568-8332
- Office of Victim Services.....1-800-822-8428

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

## **RIGHTS AND OPTIONS OF THOSE WHO REPORT**

Those who report any type of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, to a College 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:

- ☐ All reports of sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, will be treated seriously and with dignity by the College.
- ☐ Referrals to off-campus counseling and medical services that are available immediately and confidentially, whether or not those who report an assault feel ready to make any decisions about reporting the assault to police, the Dean of Students or the College's Title IX Coordinator.
- ☐ Those who have been assaulted have the right to take both legal action (criminal/civil action) and action in accordance with the Policy on Student Conduct and Policy Against Harassment against the individual allegedly responsible.

Options for Changing Academic, Transportation and Working Arrangements Capital Community College will provide assistance to those involved in a report of sexual harassment, sexual assault or intimate partner violence, including but not limited to, reasonably available options for changing academic, campus transportation or working situations as well as honoring lawful protective or temporary restraining orders.

## **AGENCY CONTACT INFORMATION**

It is the practice of the College that whenever the Interim Dean of Students, Title IX Coordinator, Public Safety Department or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, the College's Title IX Coordinator or other employee shall immediately provide student, faculty or staff

member with contact information for and, if requested, professional assistance in accessing and using campus, local advocacy, counseling, health, and mental health services. The following list of services, including contact information, is provided for this purpose:

- Marsha Ball-Davis, Interim Dean of Students (860) 906-5086
- Josephine Agnello-Veley, Title IX Coord./HR Director (860) 906-5002
- James Griffin, Master Sergeant Public Safety (860) 906-5076

**Right to Notify Law Enforcement & Seek Protective and Other Orders** Those who report being subjected to sexual misconduct, including harassment, sexual assault or intimate partner violence, 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:
3. – standing criminal protective orders;
4. – protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;
5. – temporary restraining orders or protective orders prohibiting the harassment of a witness;
6. – relief from physical abuse by a family or household member or person in a dating relationship;

and

1. – family violence protective orders.

Information pertaining to how to apply for a restraining is available at: <http://jud.ct.gov/Publications/fm142.pdf> as well as through the Office for Victim Services.

In addition, the Office of Victim Services (OVS), Connecticut Judicial Branch, is the state's lead agency established to provide services to victims of violent crime. For further information, including contact information for the OVS, see:

<http://jud.ct.gov/crimevictim/index.html> or call 1- 800-822-8428.

Students should be aware that under Connecticut law (Public Act 12-114, entitled An Act Concerning Domestic Violence) that became effective on October 1, 2012, among other provisions, requires clerks of court, upon request of the protected person, to send



notice of a protective order to the President and the special police force, if any, at the College or University at which the victim is enrolled. The full text of the statute can be found at: <http://www.cga.ct.gov/2012/ACT/PA/2012PA-00114-R00HB-05548-PA.htm>

## **STUDENT CONDUCT PROCEDURES**

The College's Student Handbook provides the procedures for the investigation and resolution of complaints regarding student conduct, including those involving sexual harassment, sexual assault and intimate partner violence.

The College's Dean of Students or Title IX Coordinator can assist in explaining the student conduct process. The Dean of Students, Title IX Coordinator or designee are the designated recipients of reports of violations of the Expectations for Student Conduct set forth in the Student Handbook. The Dean of Students also administers the Policy on Student Conduct process regarding any such reports. The Policy on Student Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for complainants and accused students.

## **TIME TO REPORT**

Normally reports must be received by the Dean of Students or other designee of the President within thirty (30) days of the date of a possible violation or within thirty (30) days of the date the facts constituting a possible violation were known. However, the College recognizes that the decision to file a report of sexual misconduct or relationship violence is difficult and may take some time. Because memories may fade and witnesses may become inaccessible, the sooner information is gathered, the greater is the ability of the College to effectively investigate and resolve the matter fairly to all parties concerned.

**Danger to Persons, Property or Academic Process: Interim Suspension or Restriction**  
Upon receipt of a report, the Dean must initially determine if, based upon the reported incident, the continued presence of the reported violator would constitute an unreasonable danger to the persons, property or academic process of the College. If the Dean so determines, the Dean is authorized to suspend or restrict the reported violator on an interim basis.

## **INVESTIGATION**

The Dean is expected to conduct a thorough and impartial investigation into the report and, upon the conclusion of the investigation, the Dean must decide whether the information gathered leads to the conclusion that the reported student committed the reported violation.

## **RANGE OF SANCTIONS**

The Policy on Student Conduct provides sanctions for any violation of the Policy that range from a warning to separation from the College depending on the severity and the extent of the behavior, among other factors. The purpose of sanctions includes, but is not limited to: changing student behavior, protecting the College community from further violations and fostering a campus environment that is conducive to learning, teaching and working.

Upon the conclusion of the investigation, the Dean must determine whether or not the sanction for the violation involves suspension or expulsion from the College.

□ Violation Not Warranting Suspension or Expulsion If the Dean determines the violation does not warrant suspension or expulsion from the College, then the Dean is expected to conduct an Administrative Conference and decide, after informing the accused student of the results of the investigation and after providing the accused student with an opportunity to provide additional information, whether a violation has occurred and, if so, what sanction not involving suspension or expulsion is appropriate. There is no right of review from such a decision of the Dean.

□ Violation Warranting Suspension or Expulsion: Resolution Options If upon the completion of the investigation the Dean determines that the reported student has violated the Expectations for Student Conduct and that suspension or expulsion is warranted, the Dean shall offer the accused student a statement of the results of the investigation, a proposed agreement in lieu of a hearing and a statement of the student's rights at a hearing should there be a hearing.

### **Rights of Both the Reported Victim and the Accused**

Additionally, both the reported victim and the accused student are entitled to the following:

- to 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;
- to request that student conduct proceedings begin promptly;

- to have student conduct proceedings be conducted by an official trained in issues relating to sexual assault and intimate partner violence;
- to present information, including other persons, on their behalf;
- to have the student conduct proceedings use the more likely than not standard in determining whether a violation of the Expectations for Student Conduct has been committed, i. e. , whether it is more likely than not that the reported act of sexual misconduct, including sexual harassment, sexual assault or intimate partner violence, was committed by the accused student.
- to be informed in writing of the results of the proceeding as soon as possible after it concludes, normally no later than the next business day after it concludes; and
- consistent with the requirements of the Family Educational Rights and Privacy Act (FERPA) and other federal and State laws, have their identities kept confidential.

## KEY DEFINITIONS

Sexual assault is defined to mean first, second, third and fourth degree sexual assault as well as aggravated first degree sexual assault and third degree sexual assault with a firearm as more specifically defined in Connecticut State law.

Sexual Misconduct is defined as:

- Non-consensual sexual intercourse, which includes any sexual intercourse (anal, oral, or vaginal), however slight, with any body part or object, by a man or a woman, without effective consent.
- Non-consensual sexual contact, which includes sexual touching, however slight, with any object, by a man or a woman, without effective consent.
- Sexual exploitation, which includes non-consensual, unjust or abusive sexual advantage taken by a student of another, for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute non-consensual sexual intercourse, non-consensual sexual contact or sexual harassment. Examples of sexual exploitation include, but are not limited to: prostitution, videotaping consensual sex without a partner's consent, peeping tommery and knowingly transmitting sexually transmitted infections without a partner's knowledge.

Consent is defined as informed, freely and actively given assent, involving an understandable exchange of affirmative words or actions, which indicates a willingness to participate in mutually agreed upon sexual activity. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of

sexual involvement. The lack of a negative response is not consent. Consent may not be given by a minor or by any individual who is incapacitated, whether voluntarily or involuntarily, by drugs and/or alcohol. Past consent of sexual activities does not imply ongoing future consent.

Stalking is defined as any behaviors or activities occurring on more than one (1) 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, whether on or off campus, non-consensual communications (face to face, telephone, e-mail, etc.), threatening or obscene gestures, surveillance or being present outside the victim's classroom or workplace.

Relationship 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; (2) sexual assault in a spousal or cohabiting relationship; and (3) domestic violence (which includes various crimes) and first, second, and third degree stalking as more specifically defined in Connecticut State law.
- 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.
- 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.

## **RESOURCES**

A variety of support resources are available on campus and in the community to assist in dealing with sexual violence. These resources are available whether or not the incident occurred on campus or off campus.

The College and community partners provide a range of services, resources, and mechanisms. In all cases, the choice may begin with an exploratory conversation. Making contact does not obligate anyone to utilize services or make any report. For support and information on available options contacting any of the following is encouraged:

- Marsha Ball-Davis, Interim Dean of Students .....(860) 906-5086
- Josephine Agnello-Veley, Title IX Coordinator..... (860) 906-5002
- James Griffin, Master Sergeant Public Safety.....(860) 906-5086

## **SEXUAL ASSAULT AWARENESS & EDUCATION**

Training is planned for faculty, staff members, and administrators. Each entering student will be given an emergency sexual assault notification card that explains available services for victims of sexual assault, as well as the immediate response role of College personnel.

## **CONCLUSION**

All members of the College community share a responsibility for upholding this practice as we strive to attain our goal of creating a community that is safe and free of violence.



## Raising Support to Sustain Our Services and Programs for Victims

Interval House maintains an active fundraising and donor development program to support the services of the organization. Funding sources include: individuals, faith communities, United Way, foundations, special events, corporations, and all levels of government.

To contribute call: 860-246-9149

Monetary Donations: Ext. 338  
Volunteers: Ext. 350  
Community Education: Ext. 311  
In-kind Donations: Ext. 358

### Hotlines:

Interval House 1-860-527-0550  
Interval House East/West 1-860-645-4033  
Statewide Hotline 1-888-774-2900

Interval House, P.O. Box 340207

Hartford, CT 06134-0207

www.intervalhousect.org



## interval house

Working toward ending domestic violence



## 24-Hour Hotline

860-527-0550

## Offering Hope to Victims of Domestic Violence

www.intervalhousect.org

## About Interval House

Since 1977, Interval House has made a positive difference in the lives of nearly 150,000 women and children who experienced psychological and physical abuse at the hand of a domestic or intimate partner.

Standing with abused women and children in their struggle for safety and justice, Interval House provides a safe place to live as well as concrete information and education to understand and deal with their individual situations. Women and children are given guidance and tools to utilize other community resources, and empower themselves. Through Interval House's specialized services for children, it is less likely children will continue the pattern of domestic violence.

### Services

- 24-hour Hotline
- Safety planning and counseling
- Emergency shelter
- Support groups
- Court advocacy
- Programs for children
- Community education
- Information and referral

### The Need Has Grown

We serve more than 7,000 clients and educate as many as 18,000 people annually from our shelter, and satellite offices in Manchester, Interval House East, and Simsbury. Interval House West Services are available to victims in 24 communities in the Greater Hartford Area and are provided to those seeking help in the strictest confidence, and at no cost.

### Help Is Available, You Are Not Alone

Domestic violence occurs in an intimate relationship when one person maintains power over the other by using a pattern of controlling and abusive behavior. The abuse may be emotional, verbal or physical. It may also include sexual assaults or threats. The victim may feel scared, confused, dependent, and insecure. Physical or sexual assault of an intimate partner – or the threat of – is a crime.

*Domestic Violence destroys the body, the spirit, the family, and the future. Victims are often ashamed to let anyone know about intimate family problems, but abuse thrives in silence.*

No one has the right to be abusive and there is no such thing as a "deserved" beating -- psychological or physical. The only person responsible for the tragedy of domestic violence is the abuser. Intervention is key to stopping this insidious cycle of violence.

### Interval House Mission Statement

Interval House is dedicated to providing services to prevent and break the cycle of family and intimate partner abuse. We strive to reach everyone at risk and bring about social change.

interval house

Working toward ending domestic violence

## Emergency Shelter

The shelter's location is confidential and is available for abused women and their children 24-hours a day, 65 days a year. It's the largest domestic violence shelter in the state, and even if all 20 beds are full, we will find you a safe place to stay. Interval House is wheelchair accessible, and has bilingual staff. It also has a telephone translation service allowing staff to communicate with callers and clients in hundreds of languages.

## Help In The Courts:

### Criminal Court

When there has been an arrest, Family Violence Victim Advocates educate their clients about criminal court and advocate for them within the system. They do not offer legal advice. With the client's permission, an advocate can provide crucial information to court officials.

Family Violence Victim Advocates help clients understand law enforcement and criminal court procedures.

### Civil Court

Court Advocates help with civil court matters, educate clients and advocate for them within the system. They do not offer legal advice. Court Advocates can help a client obtain an attorney and help clients understand, restraining orders, custody and visitation rights, as well as divorce procedures.

### Manchester Outreach Team

The Manchester Domestic Violence Outreach Team is housed at the Manchester Police Department and partners with an Interval House Advocate. Services are available to anyone who lives or works in Manchester and to victims of abuse that occur in Manchester. To contact the Manchester Domestic Violence Outreach Team call: 860-643-3334.

### Support Groups

Groups meet weekly are held in confidential locations in several towns in our region. Staff members or volunteers facilitate support groups where participants talk about their experiences and share ideas for safety planning. They gain information on a range of subjects including: safety planning, the law, as well as other domestic violence issues and topics.

Support groups rebuild self-esteem so victims feel empowered to make their own decisions and direct their own life. Childcare is available for all groups.



## Crisis Counseling/Advocacy

Counselor/Advocates interview callers, assess needs and review options with victims. They do not tell the client what to do, but educate them about abuse, its repercussions, and the impact on their children. Counselor/Advocates refer clients to other Interval House and community services as needed.

- The Counselor/Advocate help clients with developing an individual safety plan
- Safety planning is based on the belief the victim knows the abuser and situation better than anyone
- The victim is always safety planning and is constantly changing their plan in response to the abuser's behavior.

interval house

## Children's Services

Child Advocates provide services to the children of our clients living in the community or in our shelter. Children can attend weekly groups and participate in age-appropriate activities that address self-esteem and safety planning.

Children are always affected by the abuse they witness. Batters put their children at risk for becoming teen or adult abusers or victims perpetuating the cycle of family violence. Child Advocates help parents connect with needed resources, and offer supportive services and information in areas such as:



- Counseling
- Relationships
- Financial Aid
- Legal
- Parenting
- Victim Rights
- State agencies such as Dept. of Children and Families.

## Volunteer Program

By giving their time and talent, volunteers play an essential role in providing services to victims of domestic violence. Volunteers who work directly with victims must be certified. But non-certified volunteers can also help by participating in special events, project and fundraising activities.

Some volunteer opportunities include:

- Crisis Counseling/Advocacy
- Hotline and Children's Program
- Support Groups & Community Education
- Participating in the Speaker's Bureau and events.

## Community Education

Outreach and education is key to helping prevent Domestic Violence, and breaking the cycle. The Community Educator is available for presentations to groups such as schools, churches, and other organizations. Topics include domestic violence, teen dating violence, the impact of domestic violence on children and parents, and other related subjects.

## Offering Immediate Assistance

Callers may be:

- Current or past victims of abuse who have an emergency
- Current or past victims of abuse who are ready or need to address the effects of abuse
- Victims who have left an abusive relationship and need to talk
- Anyone uneasy about their intimate relationship and wondering if they're being abused
- Friends and family of a victim calling for support
- Agencies requesting information about our services and programs.

## 24-Hour Hotlines:

The 24-hour Hotline is the gateway to all of Interval House's services. Each office has its own hotline number, and the toll-free statewide number routes callers to the nearest domestic violence agency. All calls are confidential.

Interval House's 24-hour Hotlines:

Hartford 860-527-0550

Manchester 860-645-4033

## Statewide Hotline:

888-774-2900