

Sexual Violence Report, 2019

CSCU INSTITUTION: Eastern Connecticut State University
REPORTING OFFICE/DEPARTMENT: Office of Equity and Diversity
INSTITUTION CONTACT: Dr. Stacey Close, Associate Provost/Vice President
for Equity and Diversity
YEAR: 2019

Date: September 14, 2020

Founded in 1889, Eastern Connecticut State University is Connecticut's Public Liberal Arts University. In fall of 2018, Eastern had an enrollment of slightly over 5000 students. In addition, the University had 201 full-time instructional faculty members. While the University's dedicated mission is to provide a liberal education that is practically applied, the well-being and safety of the University community also remains a top priority.ⁱ The Board of Regents, which governs Eastern Connecticut State University and its other 16 affiliated colleges and universities, developed the policies of the system that address issues of sexual assault, violence against children, interpersonal violence, and domestic violence.ⁱⁱ While adhering to the policies of the Board, Eastern Connecticut State University uses a proactive and multi-pronged strategic approach to combat issues of sexual assault, stalking, and interpersonal violence. Included in this report are the narrative, reporting data, and supportive material for the year 2019.

Central to this approach is the inclusion of key offices from throughout the University such as the Women's Center, Public Safety, Housing, Student Affairs, Counseling and Psychological Services, Judicial Affairs, and Office of Equity and Diversity. While the University provides training and education prevention to the key stakeholder departments, staff members in Housing such as hall directors and resident assistants serve as critical frontline support against sexual assault, stalking, and interpersonal violence for students residing on campus. Working closely with Housing and Dean of Students, the director of the Women's Center serves as the advocate for student victims of sexual assault, interpersonal violence, and domestic violence. The director of the Women's Center works to connect complainants with resources both on and off campus. The University's Public Safety Department is available 24 hours a day to assist, combat, and address issues of sexual assault, interpersonal violence, and domestic violence. Housing and Student Affairs staff members are also educated and trained to address best practices for combating sexual

assault. While the rights of complainants are carefully considered, Eastern Connecticut State University also ensures that respondents receive notification of their rights and information about the resources that are available. In addition, the University informs respondents that they may have advocates present also. Over the last three years, the University added trained advocates for respondents and trained another person on staff in adjudication. The campus Judicial Affairs Officer serves as the adjudicating arm for the University in sexual assault cases. The Student Code of Conduct Policy details the Judicial Affairs Officer's role in the process; in addition, it also includes information on the appeals process. Along with the other key stakeholders in combating sexual assault and interpersonal violence, the Office of Equity and Diversity's Title IX coordinator assists by organizing training and educational opportunities on sexual assault and interpersonal violence prevention.ⁱⁱⁱ As far as employees, the Office of Equity and Diversity's role is to connect employees alleging sexual assault, stalking, and interpersonal violence to available resources. In addition, the office conducts Title IX investigations. The narrative includes the BOR/CSCU policies, rights and options of students or employee, and sexual violence reports and data, and public awareness prevention and risk reduction.^{iv}

I. Policies and Rights of Students and Employees

The BOR/CSCU policies regarding sexual misconduct reporting are available at <http://www.ct.edu/regents/policies>. The policies cover terms and usage associated with sexual misconduct issues and allegations. The right to notify law enforcement and seek protective orders are included in the policies. The BOR/CSCU also recognizes the rights of both parties. The SAIV-RT website at Eastern includes confidential resources available to both respondents and

complainants. For employees and students, the policies are available on the Eastern website and presented at orientation for each group.

II. Sexual Violence Statistics and Data: Incidents of Sexual Assault, Stalking, and IPV and Disciplinary Cases Resulting from Investigations of Sexual Assault, Stalking, and Intimate Partner Violence

This section of the narrative provides data on incidences of sexual assault, stalking, and intimate partner violence and disciplinary cases resulting from investigations. In 2018, the University received reports of twenty incidences of sexual assault, three incidences of stalking, and five incidences of intimate partner violence. Of the reported incidences, the 11 sexual assaults reportedly occurred in 2019, while 1 case of reported stalking incidence occurred in the same year. In six of the reported sexual assaults, the reporting party indicated that the respondent had connection to the reporting institution. For the category of the respondent identified as connected to CSCU institution, there were no incidences for sexual assault, stalking, and intimate partner violence. As for confidential or anonymous reports, there were no reports of sexual assault, zero reports of stalking, and intimate partner violence. In 2019, the University investigated allegations of one case of sexual assault. There were no findings of no violation or not responsible for stalking and no finding of no violation or not responsible for intimate partner violence. Among the category of Finding of Responsible and Expulsion, sexual assault, stalking, and intimate partner violence the data for all was zero. In the category of Finding of Responsible and Suspension, there was no finding of responsible and suspension. As for the category of Finding of Responsible and Probation/Warning, there was one finding of responsible and probation/warning. In the Number of Findings Appealed, there were no reported data for sexual assault, stalking, and intimate partner

violence, while in Appeal Outcome there were no reports for sexual assault, stalking, and intimate partner violence.^v

III. Public Awareness, Prevention, and Risk Reduction

The University has a “Tell Somebody” reporting system that allows members of the campus community to report if they believe someone needs help. In 2019, the University also provided both online education and prevention on sexual assault, stalking, and interpersonal violence through Not Any More. Like Haven in past years, Not Any More allowed the University to educate students, instructional faculty and staff members. Of particular importance, the online tool allowed the University to reach second shift employees, many of whom used an online tool for the first time. These employees now had information on which offices offered support and where to file reports in cases of sexual assault, stalking, and interpersonal violence. Along with the online training, the University provided in-person sexual harassment prevention training for faculty and staff and shared the contact information for offices that offer support.^{vi} On October 4, 2019, 40 new faculty and staff completed the state mandated sexual harassment prevention training.^{vii}

The Title IX related spreadsheet includes more than sixty dates of programs of public awareness, prevention, and risk reduction carried out for members of the University community. Given that the spreadsheet contains the trainings, this narrative will highlight a small selection of the trainings. The public awareness, prevention, and risk reduction outreach also included programs targeted to athletic personnel. The Women’s Center has continued programs of awareness from previous years such as the Red Flag Campaign, Clothesline Project, and Take Back the Night, which the University held in 2018. On September 12, 2019, fifty employees

attended the training on Supporting Student Survivors with Disabilities. Staff members have also consistently attended national Title IX and student conduct conferences. ^{viii}

The campus web pages for the Women's Center, Student Conduct, Equity and Diversity, and other departments play a critical role in publicizing the availability resources and campus safety. In 2018, Public Safety at Eastern Connecticut State University decided to begin efforts to increase campus safety by adopting the LiveSafe App that allows any member of the campus community the ability to travel to one's destination, usually at night, while being monitored by public safety, another student, or friend. The program has continued into 2019. Resources flyers, wallet sized resources, and faculty also aid campus safety and awareness. While faculty teach about domestic violence prevention, they also share their knowledge in training with students. In 2018, one faculty members, after providing a training entitled "Dangerously in Love," decided to develop an awareness of domestic violence using a three-on-three basketball tournament scheduled for 2019. The Allyssia Wiley 3 on 3 basketball tournament, which was sponsored by the Office of the President, Office of Equity and Diversity, and Athletics, resulted in 275 students being educated in a safe environment on domestic violence. Both the campus and Willimantic community participated in the fall 2019 program. The faculty member and campus will continue to educate the campus in spring 2020. ^{ix}

CONCLUSION

The short narrative above is an overview of the BOR/CSCU Policies, Reportable Statistics and Data, and Public Awareness, Prevention, and Risk Reduction for Eastern Connecticut State University for 2019. In addition, the narrative has information on the continued training efforts of staff members that organized the programs. The reports also includes a small selection of flyers, online statements, and other attached items.

ⁱNotes

ⁱ U.S. News and World Reports online <http://colleges.usnews.rankingsandreviews.com/best-colleges/eastern-connecticut-state-1425> and information from Institutional Research at Eastern Connecticut State University.

ⁱⁱ Board of Regents for Higher Education, Connecticut State College and University Policy Regarding Sexual Misconduct Reporting, Support Services and Processes Policy

<http://www1.easternct.edu/equityanddiversity/files/2014/07/sexualmisconduct.pdf>

ⁱⁱⁱ Information for all of offices mentioned are included in the color-coded tab section of the binder.

^{iv} See Eastern Connecticut State University Reportable statistics and Data section.

^v See Eastern Connecticut State University Reportable statistics and Data section.

^{vi} See Eastern Connecticut State University Reportable statistics and Data section.

^{vii} See Eastern Connecticut State University Reportable statistics and Data section.

^{viii} See Eastern Connecticut State University Reportable statistics and Data section.

^{ix} See link for 3 on 3 basketball tournament <https://www.easternct.edu/news/stories-and-releases/2019/10-october/alyssiah-wiley-basketball-tournament-aims-to-end-relationship-violence.html>

Table of Contents

Section One.....BOR Sexual Misconduct Policy

Section Two..... Eastern Connecticut State University
Discrimination and Sexual Harassment Policy

Section Three..... Eastern Connecticut State University
Resources

Section Four.....BOR Policy on Abuse and Neglect of
Children

Section Five..... Flyers and Live Safe

Section Six..... Trainings

Section Seven Reporting Template 2019

Section Eight..... Title IX Grievance Policies 2020

Section Nine..... Title IX Information and Wiley Basketball
Tournament

SECTION 1

**Board of Regents for Higher Education
Connecticut State Colleges and Universities**

Policy Regarding

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
Support Services and Processes Policy

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
- sexual jokes

Sexual Misconduct Reporting
Support Services and Processes Policy

- 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) 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.

Sexual Misconduct Reporting
Support Services and Processes Policy

Offenses that are designated as “domestic violence” are against family or household members or persons in dating or cohabitating 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 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.

Sexual Misconduct Reporting
Support Services and Processes Policy

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:

- 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.

Sexual Misconduct Reporting
Support Services and Processes Policy

- 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 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.

Sexual Misconduct Reporting
Support Services and Processes Policy

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.

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

**Sexual Misconduct Reporting
Support Services and Processes Policy**

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.

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| 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

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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.

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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

Sexual Misconduct Reporting
Support Services and Processes Policy

- 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)

Sexual Misconduct Reporting
Support Services and Processes Policy

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

Sexual Misconduct Reporting
Support Services and Processes Policy

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:

Sexual Misconduct Reporting
Support Services and Processes Policy

- 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

Sexual Misconduct Reporting
Support Services and Processes Policy

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.

**Sexual Misconduct Reporting
Support Services and Processes Policy**

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.

SECTION 2

Office of Equity and Diversity (<http://www.easternct.edu/equityanddiversity/>) **Statement of Policy and Grievance Procedures on Discrimination and Sexual Harassment**

It is the policy of Eastern Connecticut State University that unlawful discrimination be prohibited in education, employment and the provision of services by the University. Consequently, it shall be a violation of University policy for any member of the University community to discriminate against any individual with respect to any terms, conditions, or privileges relating to employment or attendance at the University because of such individual's race, color, ethnicity, religious creed, national origin, gender, age, sexual orientation, marital status, genetic information, disability or any other conditions established by law.

Sexual harassment is a type of discriminatory behavior. It is the policy of Eastern Connecticut State University that no member of the academic community may sexually harass another.

It is also the policy of the University that no individual involved in a complaint process shall suffer retaliation for participation in the process. Such retaliation shall not be tolerated at the University.

I. DEFINITIONS

1. *Discrimination* is defined as unequal treatment, or unlawful behavior that produces unequal treatment, as defined in the Connecticut General Statutes, U.S. EEOC Guidelines, Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Sexual harassment, defined below, is considered discriminatory behavior.
2. *Sexual harassment* is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic performance or advancement; (ii) submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile, or offensive working or academic environment. Gender harassment, defined as discriminatory behavior towards an individual based on his or her gender, is a form of sexual harassment. It may consist of the use of sexist language, illustrations, examples, and gestures that demonstrate discriminatory behavior.

II. CONTACTS

1. Anyone alleging discrimination and/or harassment by an Eastern employee may contact Dr. Stacey Close, Associate Vice President for Equity and Diversity, 254 Gelsi Young Hall.
2. Discrimination and harassment complaints may also be filed with the Connecticut Commission on Human Rights and Opportunities (<http://www.ct.gov/chro/>), the U.S. Equal Employment Opportunity Commission (<https://www.eeoc.gov/>), or any other agency that enforces laws concerning discrimination.
3. Claims of discrimination or harassment by students are investigated in accordance with the Guidelines for Student Rights and Responsibilities in the Student Handbook. Contact Dr. Walter Diaz, Vice President of Student Affairs, 220 Gelsi Young Hall.

III. COMPLAINT PROCEDURES

To file a complaint, please use the Discrimination and Discriminatory Harassment Complaint Form. (<http://www.easternct.edu/equityanddiversity/files/2014/09/discrimcomplain.doc>)

1. Complaints against University Employees: Complaints of discrimination or sexual harassment may be filed with the Office of Equity and Diversity, Gelsi-Young Hall, Room

254. Complaints should be filed with the University as soon as possible after the incident(s) occurred, but generally no later than thirty (30) calendar days after the occurrence of the alleged act(s) or the complainant's learning of the alleged act(s). Complaints submitted after the designated deadline *may* be accepted at the discretion of the Associate Vice President for Equity and Diversity and with the approval of the President. For example, exceptions to the filing date may be made for students filing after the thirty day period as a result of a complaint against university professors from whom they are currently taking classes. Complaints may also be filed with the Connecticut Commission on Human Rights and Opportunities, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor, and/or any other agency that enforces laws concerning discrimination in employment. Individuals may also seek guidance from the Office of Equity and Diversity on problem-solving strategies that may lead to resolution without filing a complaint. Complaints may be pursued by the University on an informal or formal basis. An informal resolution consists of mediation between the complainant and the respondent(s), and may not include a full investigation. A formal complaint requires a complete and full investigation of the complainant's allegations by the Office of Equity and Diversity and the filing of a written report, consisting of findings and recommendations, with the University President. A formal investigation may be commenced when the parties have failed to agree upon an informal resolution. In determining whether to pursue a complaint formally or informally, the wishes of the complainant will be taken into consideration. Any investigation conducted by the Office of Equity and Diversity shall be initiated within fourteen (14) calendar days of the filing of a complaint. The complainant and the respondent(s) will be notified by the Office of Equity and Diversity of the initiation of the investigation. Upon completion of the investigation, the Associate Vice President for Equity and Diversity or his or her designee shall prepare a report setting forth findings of fact, a determination as to whether discriminatory conduct has occurred, and, if applicable, recommendations for addressing the discriminatory conduct. The complainant and the respondent(s) shall be advised of the completion of the report and shall have an opportunity to review the report prior to its submission to the President. The President or his or her designee shall endeavor to respond to the report prepared by the Office of Equity and Diversity within fourteen (14) calendar days of receipt. It is the goal of the University that all discrimination complaints filed with the Office of Equity and Diversity be resolved within ninety (90) days of receipt. The University shall endeavor, to an extent consistent with its obligations under this policy and the requirements of applicable law, to protect the privacy of persons by whom, or against whom, discrimination complaints have been made.

2. Complaints against University Students:

Claims of discrimination or harassment by students shall be addressed in accordance with the Student Code of Conduct and Statement of Disciplinary Procedures, set forth in the Student Handbook.

III. CONFLICT IN PROVISIONS

If any provision of this policy is determined to be inconsistent with a provision of an applicable collective bargaining agreement, the provision of the applicable collective bargaining agreement shall prevail.

IV. POLICY REVIEW

This Statement of Policy on Discrimination shall be reviewed annually by the Office of Equity and Diversity, in collaboration with the Office of the President, and revised as necessary.

Revised 2019

Office of Equity and Diversity (<http://www.easternct.edu/equityanddiversity/>) Sexual Assault Policy and Procedures

University Policy

A primary concern of the University is the health and well being of each student; therefore, Eastern is committed to creating a community that is free from acts of sexual violence. Sexual violence includes any unwanted, unwelcome, forceful or coercive sexual contact.

Sexual assault, as defined for purposes of this policy and procedures, is a crime. Degrees of sexual assault range from unwanted or coercive sexual contact to forced or coerced sexual penetration (Conn. General Statutes, sec. 53a-70 to sec. 53 a.-74). Acts of sexual assault are not tolerated at Eastern Connecticut State University.

A victim/survivor of a sexual assault has the right to pursue legal proceedings against any alleged offender through the criminal or civil proceedings of the Connecticut courts. A victim/survivor of a sexual assault has the right to pursue disciplinary action against an accused student assailant through the judicial procedures of the University Student Conduct Code, or against an alleged offender who is a University employee through University disciplinary procedures.

University Procedures

The University supports a student's right to exercise an informed choice about actions taken in cases of sexual assault; however, it urges any victim/survivor to contact the University police immediately if a sexual assault occurs. The Eastern Connecticut State University Police work collaboratively with the Office of the Vice President/Dean of Student Affairs to provide an immediate response to a victim/survivor of sexual assault.

Any University faculty, staff member, administrator, or student who is made aware of a sexual assault involving a member of the Eastern Connecticut University community has the responsibility to report the sexual assault to the University Police.

Where to Get Help

A victim/survivor of sexual assault can get immediate help by contacting the University Police. The University maintains a twenty-four-hour-a-day University Police service. If a sexual assault victim/survivor contacts a faculty, administrator, staff member, student employee, or student, the first assistance and response is to get help for the victim/survivor by notifying the University Police of the incident. The University Police response to the incident requires confidentiality, as permitted by law, for both the victim/survivor and alleged offender.

At the time of initial contact, the University Police give first priority to the emotional and physical condition of the victim/survivor. This includes transporting the victim/survivor to the hospital, if desired or required. The victim/survivor is also notified of options for legal, medical, and counseling support, available through on-campus or community related services. An emergency sexual assault notification card is given to the victim/survivor by the University police that describes the available services. Copies of the notification card are also available at the following campus offices:

- University Police Department: 465-5310 (Emergency Hotline: 911)
- Residential Housing: 465-5297
- Health Services Center: 465-5263
- Women's Center: 465-4313
- Office of Student Affairs: 465-4412
- Office of Equity and Diversity: 465-4484
- Counseling and Psychological Services: 465-0181

Confidentiality/Rights

The University maintains confidentiality, as permitted by law, in matters pertaining to a victim/survivor of sexual assault or an alleged offender. No personal identifying information is included in any statistical reports and in informational reports concerning sexual assaults that are provided by the University, as required by the Campus Security Act of 1990.

The victim/survivor has a right to choose among available services, and the right to choose to take judicial action (criminal/civil action, or action in accordance with the University Student Code or disciplinary procedures) against the alleged offender. The victim/survivor has the right to have the sexual assault treated seriously and with dignity by the University.

Sexual Assault Team

Any questions concerning the University sexual assault policies and procedures should be referred to the Sexual Assault Team. The role of the Sexual Assault Team is to provide an ongoing assessment and review of the University's sexual assault policies and procedures, evaluate these policies and procedures, and advise the University on educational programs for sexual assault awareness, prevention, and community safety. The Sexual Assault Team review is to include input from faculty, staff, and students.

Here is a list of Resources to Assist Sexual Violence Victims:

<http://www.easternct.edu/saiv/> (<http://www.easternct.edu/saiv/>)

<http://www.easternct.edu/saiv/resources-within-willimantic/> (<http://www.easternct.edu/saiv/resources-within-willimantic/>)

<http://www.saccec.org/> (<http://www.saccec.org/>)

<http://www.connsacs.org/> (<http://www.connsacs.org/>)

<http://www.ct.gov/chro/> (<http://www.ct.gov/chro/>) (CT Commission on Human Rights and Opportunities)

<http://www.usccr.gov/> (<http://www.usccr.gov/>) (U.S. Commission on Human Rights)

Sexual Assault Awareness

During each fall orientation, and at planned sessions throughout the academic year, students are presented information designed to create student awareness of circumstances leading to sexual assault, including acquaintance rape. Sessions are also planned for faculty, staff members, and administrators. Each entering student is also given an emergency sexual assault notification card that explains available services for victims/survivors of sexual assault, as well as the immediate response role of the University Police.

**Office of
Equity and Diversity (<http://www.easternct.edu/equityanddiversity/>)
Interpersonal Violence and Domestic Violence: Campus Contacts and Reporting
Procedures**

CONTACTS

A. Reports of Interpersonal Violence and Domestic Violence by an Eastern employee are made in accordance with the policy set forth by the policies of the Board of Regents. To report Interpersonal Violence and Domestic Violence employees should contact:

University Police at (860) 465-5310 or 911

Dr. Stacey Close

close@easternct.edu

Associate Vice President for Equity and Diversity at (860) 465-5791

Mr. Kenneth DeLisa

delisak@easternct.edu

Chief Human Resources Officer at (860) 465-5269

B. Reports of Interpersonal Violence and Domestic Violence by an Eastern student against another student are made in accordance with the Guidelines for Student Rights and Responsibilities in the Student Handbook. To report Interpersonal Violence and Domestic Violence, students should contact University Police at (860) 465-5310, and/or Dr. Stacey Close, Associate Vice President of Equity and Diversity, at (860) 465-5791. For advocacy and further information including your Title IX rights and reporting procedures visit the Sexual Assault & Interpersonal Violence Response Team (SAIV-RT) website at www.easternct.edu/saiv/. Please contact Starsheemar Byrum, Women's Center and SAIV-RT Coordinator at (860) 465-4314 for assistance or with any questions regarding support and advocacy. For general information on Title IX, also see Dr. Stacey Close, Associate Vice President of Equity and Diversity, at (860) 465-5791.

REPORTING PROCEDURES

A. University Employees:

Employees (complainants), after contact with employee personnel above, may report issues of Interpersonal Violence and Domestic Violence by another employee or student to the Office of Equity and Diversity, Gelsi-Young Hall, Room 254. The reports should be filed with the University as soon as possible after the incident(s) occurred, but generally no later than thirty (30) calendar days after the occurrence of the alleged act(s) or the complainant's learning of the alleged act(s).

Complaints submitted after the designated deadline *may* be accepted at the discretion of the Associate Vice President for Equity and Diversity and with the approval of the President. Reports may also be filed with University Police.

Complaints may be pursued as disclosures or reports. A formal report requires a complete and full investigation of the complainant's allegations by the Office of Equity and Diversity and the filing of a written report, consisting of findings and recommendations, with the University President. In determining whether to pursue a complaint formally, the wishes of the complainant will be taken into consideration.

Any formal investigation conducted by the Office of Equity and Diversity shall be initiated within fourteen (14) calendar days of the filing of a report. The complainant and the respondent(s) will

be notified by the Office of Equity and Diversity of the initiation of the investigation. Both parties will be informed of their rights under the policies and their ability to have advocates. Upon completion of the investigation, the Associate Vice President for Equity and Diversity or his or her designee shall prepare a report setting forth findings of fact. The complainant and the respondent(s) shall be advised of the completion of the report and shall have an opportunity to review the report prior to its submission to the President. The President or his or her designee shall endeavor to respond to the report prepared by the Office of Equity and Diversity within fourteen (14) calendar days of receipt. It is the goal of the University that all reports of Interpersonal Violence and Domestic Violence filed with the Office of Equity and Diversity be addressed and resolved within sixty (60) days of receipt.

The University shall endeavor, to an extent consistent with its obligations under this policy and the requirements of applicable law, to protect the privacy of persons by whom, or against whom, reports have been made.

B. Complaints against University Students:

Claims of Interpersonal Violence or domestic violence by students shall be addressed in accordance with the Student Code of Conduct and Statement of Disciplinary Procedures, set forth in the Student Handbook.

Contacts Phone and Emails, Students

Ms. Michelle Delaney
Dean of Students
(860) 465-5244
delaneymi@easternct.edu (<mailto:delaneymi@easternct.edu>)

Ms. Starsheemar Byrum
Coordinator, Women's Center
(860) 465-4314
byrums@easternct.edu (<mailto:byrums@easternct.edu>)

Off Campus Resources

Connecticut Coalition Against Domestic Violence
1-888-774-2900 (English)
1-844-831-9200 (Español)

United Services
860-456-2261

Sexual Assault Crisis Center of Eastern Connecticut
860-456-3595

Windham Community Memorial Hospital
860-456-9116

**Office of
Equity and Diversity (<http://www.easternct.edu/equityanddiversity/>)
Policy on Workplace Threats and Violence**

Eastern Connecticut State University values the safety and security of its employees and students. Threats, threatening behavior, or acts of violence against employees, students, visitors, guests, or other individuals by anyone on Eastern Connecticut State University property will not be tolerated. Violations of this policy can lead to disciplinary action, which may include suspension, dismissal, expulsion, or criminal prosecution.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on Eastern Connecticut State University property shall be subject to removal from the premises as quickly as safety permits, and shall remain off the campus pending the outcome of an investigation. Eastern Connecticut State University will initiate an appropriate response. This response may include investigation, suspension or expulsion of students, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

All Eastern Connecticut State University personnel are responsible for notifying the management representative(s) designated below of any threats, which they have witnessed, received, or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed, which could be perceived as threatening or violent, when that behavior is job related or might be carried out at the university, or is connected to university employment or academic study. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. If the designated management representatives are not available, personnel should report the threat to their supervisor or another member of the management team.

All individuals who apply for or obtain a protective or restraining order, which lists university locations as being protected areas, must provide to the designated management representatives a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order that is granted, and a copy of any protective or restraining order which is made permanent.

Eastern Connecticut State University understands the sensitivity of the information requested and will respect the confidentiality of the reporting employee(s) to the extent permitted by law.

Designated management representatives are:

Mr. Jeffrey Garewski
Director of Public Safety
(860) 465-4521
Public Safety Building

Mr. Kenneth DeLisa
Chief Human Resources Officer
(860) 465-5269
Gelsi & Young Hall, Room 126

Related Link:

State of Connecticut Violence in the Workplace Policy and Procedures (<http://www.ct.gov/opm/lib/opm/olr/wpv/workplaceviolencemanualrevised060107.pdf>)

SECTION 3

Confidential Reporting (On-Campus)

Counseling and Psychological Services (CAPS) *

The therapists at CAPS provide both immediate crisis intervention and therapy to victims of interpersonal violence including but not limited to sexual assault, relationship violence and stalking. Even if the incident happened prior to the victim's time at Eastern, they can still provide counseling and psychological services. Therapists can be accessed by appointment.

192 High Street, Willimantic, CT

Monday – Friday, 8:30 am – 4:30 pm

Emergency Walk-In Hours: Monday – Friday; 1:00 pm – 3:00 pm

860-465-0181

www.easternct.edu/counseling

Campus Ministry

Engages all aspects of faith life on campus and provides information and support to students who may have experienced dating violence, domestic violence, sexual assault, stalking or any form of harassment. Campus Ministry is a resource and can share your reporting options, available resources and assistance for the victim, and the victim's rights. The campus ministers provide spiritual guidance by appointment.

Newman Hall, 290 Prospect Street

Willimantic, CT; Monday – Friday, 8 am – 5 pm

860-423-0856

www.easternct.edu/campusministry

Office of AccessAbility Services

The Office of AccessAbility serves to meet the unique educational needs of students with documented permanent and temporary disabilities such as ADHD, ASD, learning disabilities, psychological disabilities, deafness and hearing impairments, blindness and visual impairments, and physical disabilities. OAS can be a resource in supporting students who experience disabilities and who have been victims of dating violence, domestic violence, sexual assault, stalking or any form of harassment.

Wood Support Services Center, 2nd Floor

Willimantic, CT; Monday – Friday, 8 am – 5 pm

860-465-0189

<http://www.easternct.edu/accessability/>

Student Health Services

Student Health Services provide health services and follow-up care for current students. This includes, but is not limited to baseline and follow-up testing for STDs and provide pregnancy testing, options for crisis pregnancy, and emergency contraception.

185 Birch Street, Willimantic, CT 06226

Monday, 9 am – 5:00 pm

Tuesday – Friday, 9 am – 4:30 pm

860-465-5263

www1.easternct.edu/health

Additional Resources at Eastern Connecticut State University

University Police

860-465-5310 (24/7)

The Eastern Police Department is responsible for all criminal investigations and apprehensions.

Eastern Police Department may also be contacted anonymously through the confidential hotline at 860-465-0242.

Title IX Resource

Office of Equity and Diversity

Dr. Stacey Close

Associate Vice President of Equity and Diversity

Available: Monday – Friday | 8 am - 4 pm

close@easternct.edu

860-465-5791

The Office of Equity and Diversity investigates internal complaints made by any Eastern employees or students who believe themselves to have experienced sexual harassment and interpersonal violence. Students may initiate action against students, administrators, faculty, and staff through this office. Complaints may be filed by reporting the incident to Office of Equity and Diversity.

www.easternct.edu/equityanddiversity

Sexual Assault & Interpersonal Violence Response Team (SAIV-RT)

www.easternct.edu/saiv/

Michelle Delaney

Dean of Students

delaneym@easternct.edu

860-465-5244

Starsheemar Byrum

University Victim Advocate

Available: Monday – Friday | 8 am - 4 pm

byrums@easternct.edu

860-465-4313

The Sexual Assault and Interpersonal Violence Response Team (SAIV-RT) provides assistance to those impacted by dating violence, domestic violence, sexual assault, stalking and other forms of harassment. Assistance may include counseling, advocacy, medical care, academic interventions as well as referrals. www.easternct.edu/saiv

Office of Student Conduct

Chris Ambrosio

Interim Director

ambrosioc@easternct.edu

860-465-00363

Student Conduct handles reports of violations of the Student Code of Conduct and provides advisement to both student complainants and student respondents involved.

Local and National Resources

**Advocates are available 24/7. Information is kept strictly confidential. The services below are not required to report to the University.*

Willimantic Police Department

(860) 465-3135 (24/7)

22 Meadow St, Willimantic, CT 06226

***Connecticut Coalition Against Domestic Violence**

Statewide Hotline: 1-888-774-2900 (24/7)

***United Services Domestic Violence Program**

United Services provides domestic violence shelters and services throughout Northeastern Connecticut. The Domestic Violence Program offers an array of services designed for families to become free of abuse.

132 Mansfield Avenue, Willimantic, CT 06226

860-774-8648 or 860-456-9476 (24/7)

unitedservicesct.org/services/domestic-Violence

***Connecticut Alliance to End Sexual Violence**

Statewide Hotline: 1-888-999-5545 (24/7)

Spanish Hotline: 1-888-568-8332 (24/7)

***Sexual Assault Crisis Center of Eastern Connecticut (SACCEC)**

The Sexual Assault Crisis Center of Eastern Connecticut (SACCEC) is a private, non-profit agency offering free and confidential, comprehensive services to victims of sexual assault and abuse.

SACCEC is a member center of the Connecticut Alliance to End Sexual Violence, the statewide coalition of sexual assault crisis agencies.

90 South Park Street, Willimantic, CT 06226

860-456-9476 or 888-999-5545 (24/7)

www.saccecc.org

The Sexual Assault Forensic Examiners (SAFE) Program

The SAFE Program is a Judicial Branch, Office of Victim Services program that provides participating hospitals with 24/7 access to specially trained healthcare providers who provide compassionate and culturally sensitive care to adult and adolescent victims of sexual assault. Sexual Assault Forensic Examiners, called SAFEs, conduct sexual assault exams (also called medical-forensic exams) to identify injuries, collect and document physical evidence using a standardized evidence collection kit including assessment and evidence collection in suspected drug-facilitated sexual assaults. They also conduct risk evaluation for sexually transmitted infections and pregnancy, and ensure the provision of preventive medications and emergency contraception. Additionally, SAFEs provide resources and referrals for follow-up at discharge.

Participating hospitals in the SAFE Program include: [Hartford Hospital](#), [The Hospital of Central Connecticut \(New Britain campus\)](#), [Manchester Hospital](#), [Middlesex Hospital](#), [Saint Francis Hospital](#), and [Windham Hospital](#).

***Windham Community Memorial Hospital Emergency Department**

112 Mansfield Ave, Willimantic, CT 06226

Services available 24/7

860-456-9116

www.windhamhospital.org

Victims of violence go to the local hospital to receive medical care from any emergency department.

Office of Victim Services (OVS)

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

225 Spring St, Wethersfield, CT 06109

Monday – Friday | 8 am – 4:30 pm

1800-822-8428 (TTY)

www.jud.ct.gov/crimevictim

The Connecticut Commission on Human Rights & Opportunities (All)

The mission of the Connecticut Commission on Human Rights and Opportunities is to eliminate discrimination through civil and human rights law enforcement and to establish equal opportunity and justice for all persons within the state through advocacy and education.

Capitol Region
450 Columbus Blvd, Suite 2
Hartford, CT 06103
Tel: (860) 566-7710

Eastern Region
100 Broadway
Norwich, CT 06360
Tel: (860) 886-5707

Southwest
Region 1057
Broad Street
Bridgeport, CT 06604
Tel: (203) 579-6246

West Central Region
Rowland State Government
Center 55 West Main Street,
Suite 210
Waterbury, CT 06702-2004
Tel: (203) 805-6579

Complaints should be filed with the Commission on Human Rights and Opportunities no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred.

The Equal Employment Opportunities Commission (Employees)

The U.S. Equal Employment Opportunity Commission is a federal agency that administers and enforces civil rights laws against workplace discrimination.

John F. Kennedy Federal Office
Building Government Center,
Room 475 Boston, MA 02203
Tel: 1-800-669-4000

Complaints should be filed with the Equal Employment Opportunities Commission no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred, except, that in a case when the aggrieved person has initially filed a complaint with the Commission on Human Rights and Opportunities, such complaint should be filed no later than three hundred (300) days after the alleged act of employment discrimination occurred.

State of Connecticut: Employees Grievance Procedure

Contact Human Resources Office or union representatives for Grievance forms and/or procedures.

U.S. Department of Education, Office for Civil Rights (Students)

33 Arch Street

Ninth Floor
Boston, MA 02110
Tel: (617) 289-0111
Fax: (617) 289-0150



EASTERN ALERT: Eastern Fall Reopening [Read More](#)

+ Navigation

Diversity & Social Justice Council

Mission Statement

The mission of the Diversity and Social Justice Council is to support and monitor the University's evolution towards inclusive excellence through the promotion of coherence, cohesion, and collaboration of diversity initiatives and institutional structures within and across organizational systems at Eastern Connecticut State University.

Diversity Statement

Eastern Connecticut State University values the diversity of its students, faculty, and staff. Differences in race, ethnicity, national origin, class, religion, learning styles, gender, gender identity and expression, sexual orientation, age, ideology, and other aspects of human variation and characterization, including but not limited to those protected by law and CSU and Eastern policies, enrich the educational experiences and social and intellectual development of students and create a rich cultural environment. Eastern is committed to ensuring that regardless of their differences, all members of the Eastern community are challenged to achieve their full potential and are supported in their pursuit of that goal.

Council Structure

Chair

Eunice Matthews-Armstead
Sociology
matthewse@easternct.edu

Members

Theresa
Bouley
Education
bouleyt@easternct.edu

Fatma
Pakdil
Business
Administration
pakdiltf@easternct.edu

Clifford
Marrett
Center for
Career &
Internship
Development
marrettc@easternct.edu

Cara
Bergstrom-
Lynch

Sociology
bergstromlynchc@easternct.edu

Indira
Petoskey

Continuing
Studies &

Enhanced
Learning

petoskeyi@easternct.edu

Ex-Officio

William Salka

salkaw@easternct.edu

Stacey Close

closes@easternct.edu

Sub-Committees

Each sub-committee will be charged with the development of an action plan based on, but not limited to, the sub-committee definitions outlined in the comprehensive diversity plan.

- Campus Climate Sub-Committee** Creating a welcoming campus environment enriches campus life and individuals to reach their potential. In the fall of 2007 President Núñez requested that the DRJ Committee administer a campus climate survey to the entire university community (students, faculty and staff) in order to assess perceptions about the existing campus climate. This was the first time that such an extensive survey had been administered at Eastern. A campus climate survey was developed by the Diversity Race and Justice (DRJ) Committee in the spring of 2008 and was administered in the spring and fall of 2008. The purpose of the survey was to provide baseline data about the perceptions of the university campus climate by different segments of our population. A major benefit of doing such a survey is that the data can be used to help us institutionalize the university core value of "inclusion". The Campus climate sub-committee is charged with the continued monitoring and redistribution of this survey.

- **Institutional Viability**

The institutional Viability sub-committee is concern with issues of admission and retention among students, faculty, and staff who make up Eastern Connecticut State University Community for the purpose of maintaining diverse community. This sub-committee will focus on such things as accessibility by various populations to aspects of the university community; student admissions, student major selection and success, student persistence, retention, and graduation hiring, departmental compositions, promotion and tenure. The institutional viability data (admissions, hiring, recruitment, promotion and retention) is essential for assessing diversity initiatives and progress over time.

- **Academic Programming**

The academic programming sub-committee will focus on the academic departments for the purpose of facilitating the development of opportunities for interdepartmental collaborations as well as individual departmental initiatives that support the diversity mission and support the distribution of information regarding best practices among academic departments.

- **Institutional Programming**

The Institutional programming sub-committee will focus on the non-academic departments (such as student affairs, support staff, etc.) for the purpose of facilitating the development of opportunities for interdepartmental collaborations as well as individual departmental initiatives that support the diversity mission and support the distribution of information regarding best practices among non-academic departments.



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[MAPS](#)

[DISCLAIMER](#)

[EMERGENCY](#)

[NON-DISCRIMINATION NOTICE](#)

Eastern Connecticut State University engages students from diverse backgrounds in a transformative, liberal arts learning experience that provides knowledge and skills to lead enriching, purposeful lives.

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83 Windham Street, Willimantic, Connecticut 06226

SECTION 4

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

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.

SECTION 5

Student Intervention Protocol

As a member of the Eastern Connecticut State University community, you may come in contact with students who are experiencing personal distress or difficulties coping with college. Students may reveal problems to you through personal communication or indirectly by their general behavior.

Please be aware of the following calls for action and support available so that you are equipped with the information necessary to assist our students.

1. If you believe someone is in imminent danger of harm to themselves or others, immediately call 911 to initiate an emergency response.
2. Complete the "Tell Somebody" online report form at www.easternct.edu/tellsomebody to provide detailed information on any behavior that is concerning you and needs to be brought to the attention of the Student Intervention Team.
3. If you are concerned about a student, but it is not an imminent danger situation, call the Dean of Students Office at (860) 465-5244 or (860) 465-4412 or any member of the Student Intervention Team (on the back).



EASTERN CONNECTICUT STATE UNIVERSITY

The Division of Student Affairs - Office of the Dean of Students

EASTERN CONNECTICUT STATE UNIVERSITY

Sexual Assault and Interpersonal Violence Response Team (SAIV-RT)

We respond to sexual assault, sexual harassment, intimate partner violence and stalking. If you or someone you know has been a victim, the following options are available to you:

- Advocacy and Support
- Medical Assistance
- Counseling Services
- Resources On and Off Campus
- University Disciplinary Response
- Education

You Have A Right To Confidentiality.

www1.easternct.edu/saiv

Student Intervention Team

The Student Intervention Team's purpose is to provide a proactive approach to engaging students who may be in crisis. The team is composed of the following members:

Michelle Delaney, Interim Dean of Students

Phone: (860) 465-5244 Email: delancymi@easternct.edu

Joseph Adam Cherepon, Director,
Counseling and Psychological Services
Phone: (860) 465-5778
Email: chereponjo@easternct.edu

Jennifer Boylan, Director,
AccessAbility Services
Phone: (860) 465-5573
Email: boylanj@easternct.edu

LaMar Coleman, Director,
Housing and Residential Life
Phone: (860) 465-0072
Email: colemanla@easternct.edu

Chris Ambrosio, Interim Director,
Student Conduct
Phone: (860) 465-0063
Email: ambrosioc@easternct.edu

Timothy Viens, Detective,
University Police Department
Phone: (860) 465-5068
Email: vienssti@easternct.edu

Sandra Rose-Zak, Coordinator,
Wellness Education & Promotion
Phone: (860) 465-2821
Email: rosczaks@easternct.edu

The Dean of Students convenes the team every Monday morning during the academic year (and as necessary during other times) to discuss information received about students so that the team may determine the appropriate course of action to best assist the students. It is important that you share any information you have about a student, regardless of its significance, so that we can determine a course of action.

Campus Responders: Monday-Friday, 8:30 a.m.-5 p.m.

Women's Center (860) 465-4314

Counseling and Psychological Services (860) 465-0181

Office of Equity and Diversity and Title IX Coordinator (860) 465-5791

24 Hour Hotlines

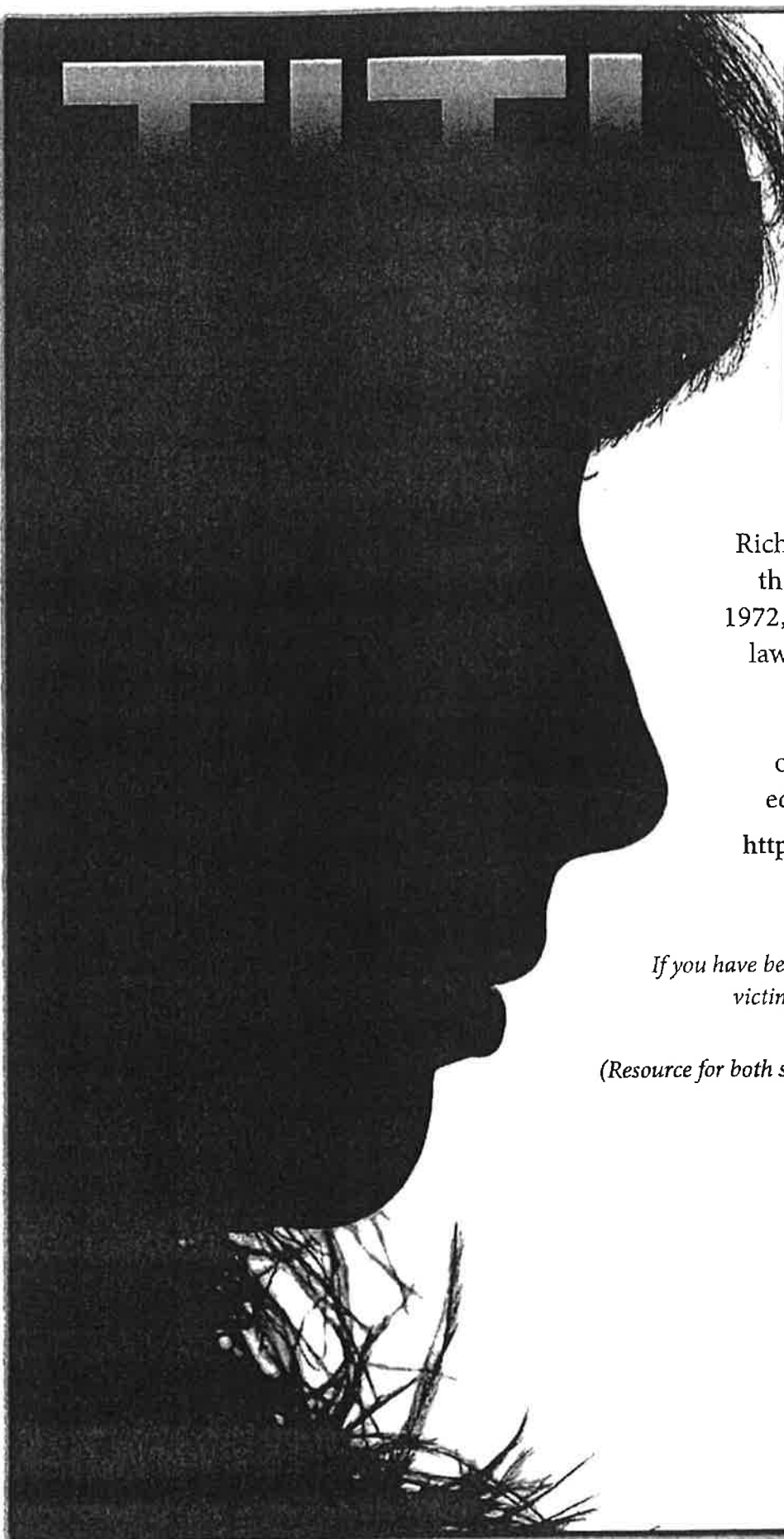
Eastern Public Safety: 911 (Emergency) (860) 465-5310 (Non Emergency)

Willimantic Police: 911 (Emergency) (860) 465-3135 (Non Emergency)

Sexual Assault Crisis Center of Eastern Connecticut (860) 456-2789

Domestic Violence Services (860) 456-9476

Windham Community Memorial Hospital Emergency Room
(860) 456-6715 • 112 Mansfield Ave., Willimantic, CT



TITLE IX

On June 23, 1972, President Richard Nixon signed Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., into law. Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.

<http://www.justice.gov/crt/about/cor/coord/titleix.php>

If you have been or suspect you may have been a victim of interpersonal violence contact:

Office of Equity and Diversity
(Resource for both students and University employees)
(860) 465-5791

Women's Center
(Resource for students)
(860) 465-4314



**EASTERN
CONNECTICUT
STATE UNIVERSITY**

Office of Equity and Diversity

Sexual Harassment

Sexual Harassment is Illegal and is prohibited by

The Connecticut Discriminatory Employment Practices Act
(section 46a-60 (a) (8) of the Connecticut General Statutes)

and

Title VII of the Civil Rights Act of 1964
(42 United States Code Section 2000e et. seq.)

Sexual harassment means . . .

Any unwelcome sexual advances or requests 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 employment;
- ▼ Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- ▼ Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

It is the policy of Eastern Connecticut State University that no member of the academic community may sexually harass another.

Individuals who engage in acts of sexual harassment may also be subject to civil and criminal penalties.

If you have a complaint to file or questions on Eastern Connecticut State University's policy or procedures on sexual harassment contact:

Office of Equity and Diversity
(860) 465-5791

Claims of harassment by students are also investigated by the:

Office of Student Affairs
(860) 465-4412

Complaints may also be directed to the:

**Connecticut Commission on
Human Rights & Opportunities**

21 Grand Street
Hartford, Connecticut 06106

(860) 541-3400

(800) 477-5737



EASTERN CONNECTICUT STATE UNIVERSITY



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Navigation

LiveSafe

Eastern Connecticut State University now has a new mobile safety app called LiveSafe. The LiveSafe app provides the campus community with a direct connection to campus public safety so that everyone can easily communicate all their safety needs. Its easy-to-use features help you stay safe every day and enable us to better protect you. LiveSafe is a free mobile safety app and is easy and quick to use! The app is available as a free download for all Eastern students, faculty and staff. The Eastern Community is encouraged to use the LiveSafe app to communicate with Eastern Police about any issues, concerns or questions related to campus safety and security.

While this app does have a 911 feature, it does not replace using 911 telephone voice communication when faced with an emergency situation. The LiveSafe app is being provided as a new channel to report non-emergency information, safety information and crimes to the Eastern Police Department and some other campus departments when appropriate.

Benefits:

- Share information, tips and safety concerns with campus safety via text messaging, including picture, video, and audio attachments, or even through live chat.
- Stay anonymous anytime, or send your user information and location to Eastern Police as soon as you call or message, allowing faster response times.
- View a helpful **Safety Map** that displays where recent incidents have occurred, as well as nearby safety locations.
- Activate, SafeWalk, a GPS-tagged monitoring feature to let your friends and family keep you covered until you arrive safely to your destination.
- The user controls what information is sent and who it is sent to.

Set-Up LiveSafe:

1. Download the app on your [iPhone](#) or [Android](#).
2. Make sure to select the “LiveSafe” App and open it.
3. Register your mobile phone and Eastern e-mail (required).
4. Select “**Eastern Connecticut State University**” as your affiliation.
5. LiveSafe will send you a text or an e-mail with a confirmation code that you must enter to verify your affiliation.
6. You will be asked to create an account by entering your first/last name and a password for your LiveSafe profile.
7. You will be sent an e-mail to verify your account/profile information (if the e-mail goes to your junk mailbox please move it to your inbox to properly confirm it).
8. Answer a few setup questions (you can change these settings in the future).
9. You’re set! Start using the app to stay safe every day.



CONTACT US

MAPS

DISCLAIMER

EMERGENCY

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SECTION 6

Connecticut State Colleges and Universities (CSCU)

Title IX Related Training Provided by Counseling and Psychological Services (CAPS)

January 1, 2019 - December 31, 2019

| *Domestic Violence (DoV), Dating Violence (Dv), Sexual Assault (SA), Stalking (S) ** Primary= new employees/students ***Ongoing= throughout the year | | | | | | | | | | | | |
|--|---------------------|--|-----------------------------|--|---|--------------------|------------------|--|--------------------------|-----------------------|---|-----------|
| DEPARTMENT | DATE | NAME OF PROGRAM | LOCATION | PRESENTER | AUDIENCE | NUMBER IN AUDIENCE | TITLE IX RELATED | WHICH PROHIBITED BEHAVIOR WAS COVERED? | PRIMARY** OR ONGOING?*** | STUDENTS OR EMPLOYEES | LEARNING OBJECTIVES | DOCUMENTS |
| Student Activities/ SOAR | January 15, 2019 | It Starts with Us: Being an Active Bystander | Webb 110 | Starsheemar Byrum/ Unity Wing staff | New students (transfers and first year) | 78 | | DoV, Dv, SA, S | Primary | students | A discussion on how and why to actively engage in the prevention of interpersonal violence on campus. | |
| Student Conduct | January 16, 2019 | Title IX Report Writing | ECSU | Maria Weinberger | TIIX Investigators | 8 | Yes | DoV, Dv, SA, S | Primary | Employees | Policy and Report Writing | |
| Arthur L. Johnson Unity Wing: Women's Center | February 4, 2019 | The Vagina Monologues Promotional Tabling | Student Center Vendor Table | Women's Center Student Ambassadors and Staff | Students | 25 | | DoV, Dv, SA | Ongoing | Students | Promote the upcoming performance of the Vagina Monologues, a performance that shares women's experiences with sexuality, interpersonal violence, and feminism | |
| Arthur L. Johnson Unity Wing: Women's Center | February 6, 2019 | The Vagina Monologues Promotional Tabling | Student Center Vendor Table | Women's Center Student Ambassadors and Staff | Students | 25 | | DoV, Dv, SA | Ongoing | Students | Promote the upcoming performance of the Vagina Monologues, a performance that shares women's experiences with sexuality, interpersonal violence, and feminism | |
| Student Conduct | 2/18/2019-2/21/2019 | Campuses and the Courts | Tampa, FL | ATTYA | TIIX/Conduct Staff | 100 | Yes | DoV, Dv, SA, S | Primary | Employees | V-Day at Eastern CT State University joins the global movement to stop violence against women and girls through performances of The Vagina Monologues. The monologues consist of sad, happy, and angry accounts of dis-female, gender non conforming, and transgender women's experiences with sexuality, interpersonal violence, and feminism. All proceeds go to a selected agency with a mission to end violence against women and/or girls. | |
| Arthur L. Johnson Unity Wing: Women's Center | February 21, 2019 | The Vagina Monologues Performance | Student Center Theater | Student Performers | Students | 50 | | DoV, Dv, SA, S | Ongoing | Students | V-Day at Eastern CT State University joins the global movement to stop violence against women and girls through performances of The Vagina Monologues. The monologues consist of sad, happy, and angry accounts of dis-female, gender non conforming, and trans | |
| Arthur L. Johnson Unity Wing: Women's Center | February 22, 2019 | The Vagina Monologues Performance | Student Center Theater | Student Performers | Students | 50 | | DoV, Dv, SA, S | Ongoing | Students | V-Day at Eastern CT State University joins the global movement to stop violence against women and girls through performances of The Vagina Monologues. The monologues consist of sad, happy, and angry accounts of dis-female, gender non conforming, and trans | |

| | | | | | | | | | | | | |
|--|-------------------------|--|-------------------------------|--|---------------------|----|-----|-----------------|---------|-----------|---|--------------|
| Arthur L. Johnson Unity Wing: Women's Center | February 26, 2019 | Love is Louder | Student Center Vendor Table | Women's Center Student Ambassadors and Staff | Students | 30 | | Dov, Dav, S | Ongoing | Students | The Jed Foundation created this movement in 2010. The movement began at a time when there was a lot of anger and confusion online after a series of tragedies involving bullying. Six years later, hundreds of thousands of you have grown the movement around the world. Love and support are louder than any voice that tries to bring us down. Joining the Women's Center in continuing the message that love is louder. | |
| ECSUPD | March 5- March 11, 2019 | LEC RECERT | Nonwich | Various | | | X | | | Kim | DV, Sex. Asst., Stalking, Human Trafficking.. | POST CREDITS |
| OAS | March 25, 2019 | Support Person Training | Presidents Dining Room Hurley | Conduct | Kristen Scavone | | | | | | | |
| Arthur L. Johnson Unity Wing: Women's Center | April 1, 2019 | Sexual Assault Awareness Month Tabling | Student Center Vendor Table | Women's Center Student Ambassadors and Staff | Students | 20 | | Dov, Dav, SA, S | Ongoing | Students | The month of April is focused on spreading awareness on sexual assault. Wear a teal ribbon in solidarity to those who support this month and spreading awareness. The #MeToo movement has expanded these conversations into everyday life, and harnessing the power of #MeToo for prevention will take us one step closer to a culture without sexual violence. | |
| Arthur L. Johnson Unity Wing: Women's Center | April 1, 2019 | Reel Talk: I am Evidence | Student Center Theater | Women's Center Student Ambassadors and Staff | Students | 30 | | Dov, Dav, SA | Ongoing | Students | Join the Women's Center as we discuss the unknown mysteries of rape test kits. I AM EVIDENCE exposes the alarming number of untested rape kits in the United States through character driven narrative, bringing much needed attention to the disturbing pattern of how the criminal justice system has historically treated sexual assault survivors. | |
| Student Conduct | April 2, 2019 | TIx Coordinator Coalition | CCSU | Elizabeth Conkin | CT TIx Stakeholders | 50 | yes | Dov, Dav, Sa, S | Ongoing | Employees | State Statutes | |
| Arthur L. Johnson Unity Wing: Women's Center | April 8, 2019 | Escalation Workshop | Student Center Theater | Women's Center Student Ambassadors and Staff | Students | 20 | | Dov, Dav, S | Ongoing | Students | The Escalation Workshop, created by the OneLove Foundation, is a film-based discussion used to educate about the signs of relationship abuse. The workshop consists of a film following a college-aged couple from the sweet beginnings of their relationship to the abusive ending, followed by a guided discussion by a trained facilitator. | |

| | | | | | | | | | | | |
|---|--------------------|---|---|---|----------|-----|-----------------|---------|----------|---|--------------|
| Arthur L. Johnson Unity Wing: Women's Center | April 11, 2019 | I Choose Campaign Tabling | Webb Hall Lobby | Women's Center Student Ambassadors and Staff | Students | 20 | DoV, DaV, SA, S | Ongoing | Students | Campaign introduced by CT Coalition Against Domestic Violence that focuses on engaging men and boys to make positive life choices and taking a stand against domestic violence and other forms of interpersonal violence. | |
| NOW and the Arthur L. Johnson Unity Wing: Women's Center | April 15, 2019 | Take Back the Night: I Stand with Survivors NOW | Webb lawn | NOW, Women's Center Student Ambassadors and Staff | Students | 20 | DoV, DaV, SA, S | Ongoing | Students | National Organization for Women and the Women's Center are hosting a tabling activity that educated students on Domestic Violence and Sexual Assault. This is the first event leading up to Take Back the Night. Students will be asked to create a ribbon of teal or purple in honor of survivors. These ribbons will be put on display at TBTN. | |
| Arthur L. Johnson Unity Wing: Women's Center | April 16, 2019 | Take Back the Night: Yoga | Student Center 115 | Angie Jacques | Students | 15 | DoV, DaV, SA, S | Ongoing | Students | A guided yoga practice and meditation to help ground you in the present moment and cultivate a sense of calm in your mind and body. Essential oils and mantras on self love and care will be offered as a means to stay focused and connected to good things during an intense week of events related to TBTN. | |
| Diversity and Arthur L. Johnson Unity Wing: Women's Center | April 17, 2019 | Put a Pin in It: Burton Making | Webb Lawn | Women's Center Student Ambassadors and Staff; Diversity Members | Students | 15 | DoV, DaV, SA, S | Ongoing | Students | Fun and engaging activity for students to create buttons to empower their peers to stand with survivors of interpersonal violence | |
| Arthur L. Johnson Unity Wing: Pride Center | April 18, 2019 | Love+ A Healthy Relationship Fair | Betty Tipton Room | Pride Center Student Ambassadors and Staff | Students | 250 | DoV, DaV, SA, S | Ongoing | Students | We often discuss what unhealthy relationships and behaviors look like, but we don't discuss what healthy relationships are. What are some telltale signs of a healthy relationship? What does it look like in queer relationships? In different cultures? Learn more about what healthy relationships are and their importance in our lives. | |
| Arthur L. Johnson Unity Wing: Women's Center; Co-Sponsored with NOW, FEMALES, and MALES | April 22, 2019 | Take Back the Night | Betty Tipton room and Student Center Café | Women's Center Student Ambassadors and Staff | Students | 60 | DoV, DaV, SA, S | Ongoing | Students | TBTN on Eastern's campus is focused on gathering the on-campus community as well as the surrounding Williamantic communities together to educate, provide resources, give the opportunity for individuals to speak out about their stories. | |
| ECSUPD | 5/6/2019-5/10/2019 | LEC RECERT | Norwich | Various | | X | | | Viens | DoV, Sex, Asslt, Stalking, Human Trafficking.. | POST CREDITS |
| ECSUPD | May 23, 2019 | Human Trafficking | ECSU PD | Fauchon | | X | | | Hamilton | Human Trafficking | POST CREDITS |

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|----------------------------|-------------------------|---|---|---|--|-----|-----|--|-----------------|----------|---|---|--------------|
| ECSUPD | May 23, 2019 | Human Trafficking | ECSU PD | Fauchon | | | X | | | Botting | Human Trafficking | POST CREDITS | |
| ECSUPD | May 23, 2019 | Human Trafficking | ECSU PD | Fauchon | | | X | | | Vining | Human Trafficking | POST CREDITS | |
| ECSUPD | May 23, 2019 | Human Trafficking | ECSU PD | Fauchon | | | X | | | Brown | Human Trafficking | POST CREDITS | |
| ECSUPD | June 7, 2019 | CJ System Trauma Informed | POST/Meriden | Garvey | | | X | | | Hamilton | Sex. Asslt, Stalking, DV, Clery, Title IX | POST CREDITS | |
| Student Activities/ SOAR | 6/24/2019, 6/27/2019 | Sex Signals | Student Center BTR | Sex Signals/ Catharis Productions | New First Year student | 835 | | | DAV, SA | PRIMARY | students | | |
| Student Conduct | June 25th and 26th 2019 | Title IX Hearing Officer & Decision-Maker Training & Certification Course | Central Connecticut State University, New Britain, CT | ATIXA | Hearing Officers | X | X | | Dov, DAV, SA, S | Primary | Employees | Due Process and Hearings | |
| OAS | June 25th and 26th 2019 | Title IX Hearing Officer & Decision-Maker Training & Certification Course | Central Connecticut State University, New Britain, CT | ATIXA | Kristen Scavone | | | | | | | | |
| ECSUPD | July 8, 2019 | Human Trafficking | ECSU PD | Fauchon | | | X | | | | Schneider | Human Trafficking | POST CREDITS |
| ECSUPD | July 10, 2019 | Clery Basics | Assuntnuck | Egan | | | X | | | | Hamilton, Vens | Clery, Title IX, DV, Sex. Asslt | Certificate |
| ECSUPD | 7/13/2019-7/19/2019 | Campus Public Safety Training Academy | Fairfield Univ. | Various | | | X | | | | Figueroa | Clery, Title IX, DV, Sex. Asslt | Certificate |
| ECSUPD | 7/13/2019-7/19/2019 | Campus Public Safety Training Academy | Fairfield Univ. | Various | | | X | | | | Thompson | Clery, Title IX, DV, Sex. Asslt | Certificate |
| ECSUPD | 7/13-7/19/19 | Campus Public Safety Training Academy | Fairfield Univ. | Various | | | X | | | | Raccio | Clery, Title IX, DV, Sex. Asslt | Certificate |
| Student Activities/ SOAR | 7/15/19, 7/16/19, 8/1 | It Starts with Us: Being an Active Bystander | Webb 110 | Startheemar Byrum/SAIV-RT/ Unity Wing staff | New students (transfers and first year) | 315 | | | Dov, DAV, SA, S | Primary | students | A discussion on how and why to actively engage in the prevention of interpersonal violence on campus. | |
| ECSUPD | August 7, 2019 | Human Trafficking | ECSU PD | Fauchon | | | X | | | Garowski | Human Trafficking | POST CREDITS | |
| OAS | 8/12/2019 | Not on the Radar: Sexual Assault of College Students with Disabilities | Tunxis Community College | Vera Institute for Justice Training | Sarah Schmitman | | | | | | | | |
| ECSUPD | 8/12 | Supporting Student Surv. w/Disabilities | Tunxis | Annelises Brown | | | X | | | | Hamilton | Title IX | |
| Housing & Residential Life | August 15, 2019 | Sexual Assault and Interpersonal Response Training | Student Center Theatre | Startheemar Byrum | Resident Assistants and RA Alternates and Hall Directors | 102 | Yes | | Dov, SA, S | Primary | Student employees and employees | Training on signs of Sexual Assault and Interpersonal Violence, Response, Resources available, and protocol. | |
| Student Conduct | August 21, 2019 | Title IX Process | Student Center Betty Tipton Room | Dr. Stacey Close | Resident Assistants and RA Alternates and Hall Directors | 102 | Yes | | Dov, DAV, SA, S | Primary | Student employees and employees | Training on Title IX terminology and process and how Housing Staff fits in the process. | |
| Housing & Residential Life | August 21, 2019 | Title IX Process | Student Center Betty Tipton Room | Dr. Stacey Close | Resident Assistants and RA Alternates and Hall Directors | 102 | Yes | | Dov, SA, S | Primary | Student employees and employees | Training on Title IX terminology and process and how Housing Staff fits in the process. | |
| Housing & Residential Life | August 22, 2019 | Behind Closed Doors | Mead Hall | Startheemar Byrum | Resident Assistants and RA Alternates | 88 | Yes | | Dov, SA, S | Primary | Student employees | Application of learning from training session on SAIVRT and Title IX in role play scenarios. | |
| ECSUPD | 9/9-9/13/19 | LEC RECERT | Norwich | Various | | | X | | | | Fauchon | DV, Sex. Asslt, Stalking, Human Trafficking.. | POST CREDITS |
| OVW Grant | 9/12/2019 | Supporting Student Survivors with Disabilities | Tunxis Community College | OVW Grant | Grant Members | 50 | | | Dov, DAV, SA, S | Ongoing | Employees | A training that addresses domestic violence and sexual violence and its impact on individuals who have disabilities | |
| ECSUPD | 9/24 | Campus Law Enforcement Security | WCSU | Cumtine | | | X | | | | Vining, Hamilton, Fauchon | DV, IPV, Sex. Asslt, Stalking, Clery, Title IX | POST CREDITS |

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|---|-------------------------------|--|----------------------------------|---|---|--------------------|-----------------|-----------------------------|---------------------------|--|--|
| Office of Wellness Education and Promotion | Sept., 25, 2019 | CHOICES about Alcohol | Wood Support Services Center | Coordinator, Wellness Education and Promotion | Students | 6 | Day, SA | Ongoing | | Class discussion includes effect of alcohol on ability to give consent - or to fully understand if agreed consent. | * CHOICES is assigned to students as a sanction for violation of the University Alcohol policy |
| OAS | October 4, 2019 | Sexual Harassment: Prevention Training | Presidents Dining Room Hurley | Dr. Close Office | Sarah Schmitman, Rachel Tessier and Marissa Digby | | | | | | |
| Arthur L. Johnson Unity Wing: Women's Center | October 7, 2019 | Red Flag Campaign Pop-Up Table | Shakespeare Garage | Women's Center Student Ambassadors | Students | 40 | Day, SA, S | Ongoing | Students and Employees | The Red Flag Campaign uses a bystander intervention strategy, encouraging friends and other campus community members to "say something" when they see warning signs for dating violence, sexual assault, and stalking. Red flags have popped up all over campus to increase awareness of warning signs for dating violence, sexual assault, and stalking. | |
| ESUPD | 10/7/2019- 10/11/2019 | LEC RECERT | Norwich | Various | | X | | | MCBride | DV, Sex, Asslt, Stalking, Human Trafficking... | POST CREDITS |
| Arthur L. Johnson Unity Wing: Women's Center | October 7, 2019 | Red Flag Campaign | Women's Center Library | Women's Center Staff and Student Ambassadors | Students | Visual Campaign | Day, SA, S | Ongoing | Students and Employees | The Red Flag Campaign uses a bystander intervention strategy, encouraging friends and other campus community members to "say something" when they see warning signs for dating violence, sexual assault, and stalking. Red flags have popped up all over campus | |
| CAPS | October 7, November 4 2019 | Athletics Resource Pannel | Fine Arts Center | Chris Ambrosio, Tim Veins, Bryce Crapser | Second year athletes | 20-40? | Yes SA, S | Ongoing (twice/semester) | Students | Gain knowledge of Title IX process, increase bystander behavior. Identify campus resources, differentiate between confidential and non-confidential resources | N/A |
| Sexual Assault & Interpersonal Violence Response Team (SAIV-RT) | October 7, 2019 | Bringing in the Bystander (BITB) | Student Center, Theater | Unity Wing Leaders | Student Athletes | 50 | DoV, Day, SA, S | Ongoing | Student Athletes | Bringing in the Bystander is an in-person prevention program to teach community members to intervene before, during and after instances of sexual and relationship violence and stalking. During the program, participants learn knowledge and skills to identify and safely intervene to prevent sexual assault and relationship violence and stalking. The program is very interactive and allows participants to develop and practice bystander intervention prevention skills. | |

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|---|-------------------------------|----------------------------------|------------------------------|---|---------------------|--------|-----|-----------------|---|------------------------|--|---------------------------------------|
| Arthur L. Johnson Unity Wing; Women's Center | October 6, 2019 | Red Flag Campaign | Student Center Patio | Women's Center Staff and Student Ambassadors | Students | 50 | | Day, SA, S | Ongoing | Students and Employees | The Red Flag Campaign uses a bystander intervention strategy, encouraging friends and other campus community members to "say something" when they see warning signs for dating violence, sexual assault, and stalking. Red flags have popped up all over campus | |
| CAPS | October 10 - December 5, 2019 | Men's Project | Laurel Hall | Bryce Crapser | Eastern Students | 12-Aug | Yes | DoV, Day, Sa, S | Ongoing (weekly trainings during Fall ans) | Students | Reduce sexism, rape myth acceptance, androcentric language, and coercion in intimate relationships; increase feminism, feminist activism, bystander intervention, and egalitarianism in intimate relationships; Reduce the incidence of sexual assault | Can provide program manual if needed. |
| Office of Wellness Education and Promotion | October 10, 2019 | CHOICES about Alcohol | Wood Support Services Center | Coordinator, Wellness Education and Promotion | Students | 10 | | Day, SA | Ongoing | Students | Class discussion includes effect of alcohol on ability to give consent - or to fully understand if agreed consent. | |
| Student Activities | October 16, 2019 | Let's Talk About It | Niejadilk Hall | NOW and FEMALES | Students | 20 | | Day, SA | | Students | A program designed to increase awareness about issues pertaining to gender-based violence and ways to increase awareness about the issues and resources available for support. | |
| Arthur L. Johnson Unity Wing; Women's Center | October 17, 2019 | The ClotheLine Project | Student Center 113 | Women's Center Staff and Student Ambassadors | Students | 15 | | DoV, Daym SA, S | Ongoing | Students and Employees | Acknowledge and share stories of survivors of gender-based violence in order to spread awareness on these issues. | |
| Student Concl:ct | October 23, 2019 | TIx Support Person Training | ECSU | Crits Ambrosio | TIx Support Persons | 20 | Yes | DoV, Day, Sa, S | primary | Employees | Support services, process training | |
| Sexual Assault & Interpersonal Violence Response Team (SAIV-RT) | November 4, 2019 | Bringing in the Bystander (BITB) | Student Center, Theater | Unity Wing Leaders | Student Athletes | 50 | | DoV, Day, SA, S | Ongoing | Student Athletes | Bringing in the Bystander is an in-person prevention program to teach community members to intervene before, during and after instances of sexual and relationship violence and stalking. During the program, participants learn knowledge and skills to identify and safely intervene to prevent sexual assault and relationship violence and stalking. The program is very interactive and allows participants to develop and practice bystander intervention prevention skills. | |

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|---|-------------------|--------------------------|------------------------------|---|-------------------------|----|---------|---------|-----------------------------|---|--|
| Arthur L. Johnson Unity Wing; Women's Center and Intercultural Center | November 6, 2019 | Swati Khurana | Student Center, Rm. 115 | Swati Khurana | Students | 20 | DoV, SA | Ongoing | Students, Faculty and Staff | Hurana will speak about her 2013 protest staged in front of the Indian Consulate in NYC with the South Asian Women's Creative Collective against the gang rape and death of the young woman Jyoti Singh on a Delhi bus in December 2012. Khurana will frame her conversation in the context of the #MeToo movement. | |
| Office of Wellness Education and Promotion | November 7, 2019 | CHOICES about Alcohol | Wood Support Services Center | Coordinator, Wellness Education and Promotion | Students | 8 | DaV, SA | Ongoing | Students | Class discussion includes effect of alcohol on ability to give consent - or to fully understand if agreed consent. | |
| OAS | November 22 2019 | Support Person Refresher | STU | Conduct/Dean of Students office | Kristen Seavone | | | | | | |
| Office of Wellness Education and Promotion | December 4, 2019 | CHOICES about Alcohol | Wood Support Services Center | Coordinator, Wellness Education and Promotion | Students | 6 | DaV, SA | Ongoing | Students | Class discussion includes effect of alcohol on ability to give consent - or to fully understand if agreed consent. | |
| the Connecticut Alliance to End Sexual Violence | December 12, 2019 | Consortium Training | Student Center, Rm. 217 | The CT Alliance | Consortium Team Members | 20 | SA | Ongoing | Employees | Training organized to discuss forthcoming regulations from the Federal Government about handling cases of sexual assault and other forms of gender based violence on campus | |

SECTION 7



Connecticut State
Colleges & Universities

SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA

CSCU INSTITUTION: Eastern Connecticut State University
REPORTING OFFICE/DEPARTMENT: Office of Equity and Diversity
INSTITUTION CONTACT: Dr. Stacey Close
YEAR: 2019

| Incidents of Sexual Assault, Stalking and IPV Reported to CSCU in 2019 | | | | | |
|--|------------------------------|--|---|--|-----------------------------------|
| Type of Incident | Number of Incidents Reported | Incident Reported to Have Occurred in 2018 | Respondent Identified as Connected to the Reporting Institution | Respondent Identified as Connected to CSCU Institution | Confidential or Anonymous Reports |
| Sexual Assault | 11 | 0 | 6 | 0 | 0 |
| Stalking | 1 | 0 | 0 | 0 | 0 |
| Intimate Partner Violence (IPV) | 1 | 0 | 0 | 0 | 0 |

| Disciplinary Cases Resulting from Investigations of Sexual Assault, Stalking and Intimate Partner Violence | | | | | | | | |
|--|--------------------------|--|-------------------------|--|-------------------------------------|--|-----------------------------|----------------|
| Type of Incident | Number of Investigations | Finding of | | | Finding of Responsible & Suspension | Finding of Responsible & Probation/Warning | Number of Findings Appealed | Appeal Outcome |
| | | Finding of No Violation or Not Responsible | Responsible & Expulsion | | | | | |
| Sexual Assault | 1 | 0 | 0 | | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | | 0 | 0 | 0 | 0 |
| Intimate Partner Violence (IPV) | 0 | 0 | 0 | | 0 | 0 | 0 | 0 |

Link to the CSCU Student Code of Conduct: <http://www.ct.edu/files/policies/5.1%20StudentCodeofConduct.pdf> Link to the CSCU Sexual Misconduct Policy: <http://www.ct.edu/files/policies/5.2%20Sexual%20misconduct%20reporting%20support%20and%20processes.pdf>

SECTION 8



Title IX Grievance Procedures for Addressing Formal Complaints of Sexual Harassment August 14, 2020

1. Introduction

What is the purpose of the Title IX Grievance Procedures?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution must respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution must follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://www.govinfo.gov/content/pkg/FR-2020-05-19/pdf/2020-10512.pdf>

Based on the Final Rule, the Connecticut State Colleges and Universities (“CSCU”) will implement the following Title IX Grievance Procedures (referenced herein as “policy” or “grievance procedure”), effective August 14, 2020.

How does the Title IX Grievance Procedures impact other campus disciplinary policies?

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, CSCU must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Procedures defined below.

Eastern Connecticut State University remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our institutions have a

- Student Code of Conduct (“Code of Conduct”) that defines certain behavior as a violation of campus policy, and a
- Sexual Misconduct Reporting, Supportive Measures and Processes Policy (“Sexual Misconduct Policy”) that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Grievance Procedures, or misconduct falling outside the Title IX Grievance Procedures is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Code of Conduct and Sexual Misconduct Policy through a separate grievance proceeding.

<https://www.ct.edu/files/pdfs/hr-policy-sexual-misconduct.pdf>

The elements established in the Title IX Grievance Procedures under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Procedure. This Grievance Procedure does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other or process.

How does the Title IX Grievance Procedures impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

2. The Title IX Grievance Procedures

General Rules of Application

Effective Date: August 14, 2020

This Title IX Grievance Procedures will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Title IX Grievance Procedures if a case is not complete by that date.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this grievance procedures or the invalidated elements of Title IX policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Procedures be revoked in this manner, any conduct covered under the Title IX Grievance Procedures shall be investigated and adjudicated under the existing Code of Conduct/ Sexual Misconduct Policy.

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or

state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

Definitions

Covered Sexual Harassment

For the purposes of this Title IX Grievance Procedures, "sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Connecticut domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Connecticut.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress. Note that conduct that does not meet one or more of these criteria may still be prohibited under the Sexual Misconduct Policy.

Consent

For the purposes of this Title IX Grievance Procedures, “consent” refers to “affirmative consent”. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

Education Program or Activity

For the purposes of this Title IX Grievance Procedures, Eastern Connecticut State University’s “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that EASTERN CONNECTICUT STATE UNIVERSITY has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the programs and activities over which Eastern has substantial control.

Formal Complaint

For the purposes of this Title IX Grievance Procedures, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within Central Connecticut State University’s education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Procedures to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Grievance Procedures, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless: o They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or o They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent

For the purposes of this Title IX Grievance Procedures, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

School Calendar Days

For the purposes of this Title IX Grievance Procedures, “school calendar days” means the weekdays (Mondays through Fridays) when EASTERN CONNECTICUT STATE UNIVERSITY classes are in session.

Privacy vs. Confidentiality

Consistent with the Sexual Misconduct Policy, references made to confidentiality refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean EASTERN CONNECTICUT STATE UNIVERSITY offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. EASTERN CONNECTICUT STATE UNIVERSITY will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Grievance Procedure does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

Making a Report Regarding Covered Sexual Harassment to the Institution

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact Information for the Title IX Coordinator:

Name: Dr. Stacey Close

Title: Associate Provost/Vice President for Equity and Diversity and Title IX Officer

Office Address: 83 Windham Street Gelsi and Young Hall, 254 Willimantic, CT 06226

Email Address: close@easternct.edu

Telephone Number: (860) 465-5791

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy: Title IX Coordinator or designee, Vice President for Student Affairs, Dean of Students, and Director of the Women's Center.

The following Officials may provide confidentiality: For ECSU, 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.

Non-Investigatory Measures Available Under the Title IX Grievance Procedures

Supportive Measures Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from EASTERN CONNECTICUT STATE UNIVERSITY regardless of whether they desire to file a complaint.

As appropriate, supportive measures may include, but not be limited to:

- Counseling
- extensions of deadlines or other course-related adjustments • modifications of work or class schedules • campus escort services • restrictions on contact between the parties (no contact orders) • changes in work or housing locations • leaves of absence • increased security and monitoring of certain areas of the campus

Supportive measures are non-disciplinary and non-punitive.

Emergency Removal

Eastern retains the authority to remove a respondent from University program or activity on an emergency basis, where Eastern (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If the University determines such removal is necessary, the respondent will be provided notice and an opportunity pursuant to the Code of Conduct to challenge the decision immediately following the removal.

Administrative Leave

Eastern Connecticut State University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with collective bargaining agreements and human resource policies.

The Title IX Grievance Process

Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) school calendar days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Grievance Procedure if they are currently participating in, or attempting to participate in, the education programs or activities of EASTERN CONNECTICUT STATE UNIVERSITY, including as an employee. For complainants who do not meet this criteria, the College will utilize existing policy in the Code of Conduct

<https://www.ct.edu/files/policies/5.1%20StudentCodeofConduct.pdf> and/or Sexual Misconduct Policy

<https://www.ct.edu/files/policies/5.2%20Ssexual%20misconduct%20reporting%20support%20and%20processes.pdf>.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine if a Formal Complaint is necessary. EASTERN CONNECTICUT STATE UNIVERSITY will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Grievance Procedure.

Nothing in the Title IX Grievance Policy or Code of Conduct prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

Informal Resolution

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the Informal Resolution Process through an informed written consent. Information about this process will be available at a later time.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction

The Title IX Coordinator will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in Eastern's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, Eastern will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal

If any one of these elements are not met, the Title IX Coordinator will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Procedures. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal

The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Procedures, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if: • A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint; • The respondent is no longer enrolled or employed by {the institution}; or, • If specific circumstances prevent {the institution} from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in “Appeals,” below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, EASTERN CONNECTICUT STATE UNIVERSITY retains discretion to utilize the Code of Conduct and/or the Sexual Misconduct Policy to determine if a violation of the Code of Conduct and/or the Sexual Misconduct Policy has occurred. If so, EASTERN CONNECTICUT STATE UNIVERSITY will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

Notice of Allegations

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following: • Notice of the institution's Title IX Grievance Process and a hyperlink to a copy of the process.

- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.

A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Procedures, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Advisor of Choice and Participation of Advisor of Choice

Eastern will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

Eastern requires parties to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Eastern.

Eastern will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Eastern obligations to investigate and adjudicate in a prompt timeframe under Title IX and other University policies apply to matters governed under this Grievance Procedure, and Eastern cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Eastern will not be obligated to delay a meeting or hearing under this process more than five (5) school calendar days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Eastern.

Notice of Meetings and Interviews Eastern will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Grievance Process of up to five (5) school calendar days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five-day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator or designee shall have sole judgment to grant further pauses in the Process.

Investigation

General Rules of Investigations

An investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

Eastern Connecticut State University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of Title IX has occurred. This

burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Eastern Connecticut State University and does not indicate responsibility.

Eastern Connecticut State University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Eastern Connecticut State University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or a hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) school calendar days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report.

Requests to Extend Inspection and Review

The institution may provide the parties five (5) school calendar days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) school calendar days to inspect, review, and respond to the party's additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors agree not to photograph or otherwise copy the evidence and must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process.

Inclusion of Evidence Not Directly Related to the Allegations:

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may be reviewed by the parties and their advisors, if any.

Investigative Report

The investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) school calendar days prior the hearing in an electronic format or a hard copy for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information

Hearing

General Rules of Hearings

Eastern will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at college/university discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through remote video conferencing. This technology will enable participants simultaneously to see and hear each other. At its discretion, EASTERN CONNECTICUT STATE UNIVERSITY may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through either an audio recording, audiovisual recording or transcript. That recording or transcript will be made available to the parties for inspection and review.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such

testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

Continuances or Granting Extensions

Eastern Connecticut State University may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, EASTERN CONNECTICUT STATE UNIVERSITY will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly-discovered Evidence

As a general rule, no new evidence or witnesses may be submitted during the live hearing. If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Hearing Official/Panel will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence. If the Hearing Official answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a “statement” by that party.
 - For example, a verbal or written statement constituting part or all of the sexual harassment itself is not a “prior statement” that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint.
- Eastern will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party’s participation.
- If a party does not submit to cross-examination, the hearing body cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.
- The hearing officer cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross examination or other questions.

The Hearing Officer The hearing officer is the Student Conduct Officer.

- The hearing officer maintains no conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing officer will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker’s actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross examination.

- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- The party's advisor may appear and conduct cross examination on their behalf. All questions must be addressed to hearing officer, who will determine relevance.
- If neither a party nor their advisor appear at the hearing, Eastern will provide an advisor to appear on behalf of the non-appearing party.

Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation
- If a witness does not submit to cross-examination, as described below, the hearing body cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).

Hearing Procedures

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The hearing officer will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The hearing officer will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after the hearing body conducts its initial round of questioning; During the Parties' cross-examination, the hearing body will have the authority to pause cross-examination at any time for the purposes of asking the hearing body's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the hearing

body. A Party's waiver of cross-examination does not eliminate the ability of the hearing officer to use statements made by the Party.

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the hearing body will determine if the question is relevant. See Relevance Procedures. Cross-examination questions that are duplicative of those already asked, including by the hearing body may be deemed irrelevant if they have been asked and answered.

Review of Transcript/Recording

Either the recording or transcript of the hearing will be available for review by the parties unless there are any extenuating circumstances. The record/transcript of the hearing will not be provided to parties or advisors of choice.

Determination of Responsibility

Standard of Proof

Eastern Connecticut State University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Grievance Procedure. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Grievance Procedure occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Hearing Body.

The hearing body shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that the hearing body allow parties to call "expert witnesses" for direct and cross examination. EASTERN CONNECTICUT STATE UNIVERSITY does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

EASTERN CONNECTICUT STATE UNIVERSITY allow parties to call character witnesses to testify. EASTERN CONNECTICUT STATE UNIVERSITY does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that EASTERN CONNECTICUT STATE UNIVERSITY admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and nonacademic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the hearing body may draw an adverse inference as to that party or witness' credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include: 1. Identification of the allegations potentially constituting covered sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

3. Findings of fact supporting the determination;

4. Conclusions regarding which section of policy, if any, the respondent has or has not violated.

5. For each allegation: a. A statement of, and rationale for, a determination regarding responsibility; b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and

6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by EASTERN CONNECTICUT STATE UNIVERSITY within ten (10) school calendar days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in “Appeals” below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Appeals

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) school calendar days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution’s own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter;
- The severity of sanctions.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by an Appeals Officer, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties and include rationale for the decision.

Retaliation

Eastern will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Procedures, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Procedures.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations. No person may intimidate, threaten,

coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Procedures.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to the Board of Regents Title IX Statement of Policy and Board of Regents Sexual Misconduct Reporting, Supportive Measures and Processes Policy.

SECTION 9



EASTERN ALERT: Eastern Fall Reopening [Read More](#)

+ Navigation

Title IX Information

➤ *DOE Letter Regarding Title IX Final Rule*

➤ *Title IX Training Materials*

➤ *Statement of Title IX Policy*

➤ *Policy on Consensual Relationships*

✓ *Sexual Misconduct Reporting Policy*

BOR Sexual Misconduct Reporting, Supportive Measures and Processes Policy 

➤ *BOR Student Code of Conduct*



CONTACT US

MAPS

DISCLAIMER

EMERGENCY

NON-DISCRIMINATION NOTICE

Eastern Connecticut State University engages students from diverse backgrounds in a transformative, liberal arts learning experience that provides knowledge and skills to lead enriching, purposeful lives.

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+ Navigation

Statement of Policy and Grievance Procedures on Discrimination and Sexual Harassment

It is the policy of Eastern Connecticut State University that unlawful discrimination be prohibited in education, employment and the provision of services by the University. Consequently, it shall be a violation of University policy for any member of the University community to discriminate against any individual with respect to any terms, conditions, or privileges relating to employment or attendance at the University because of such individual's race, color, ethnicity, religious creed, national origin, gender, age, sexual orientation, marital status, veteran status, genetic information, disability or any other conditions established by law.

Sexual harassment is a type of discriminatory behavior. It is the policy of Eastern Connecticut State University that no member of the academic community may sexually harass another.

It is also the policy of the University that no individual involved in a complaint process shall suffer retaliation for participation in the process. Such retaliation shall not be tolerated at the University.

I. DEFINITIONS

1. *Discrimination* is defined as unequal treatment, or unlawful behavior that produces unequal treatment, as defined in the Connecticut General Statutes, U.S. EEOC Guidelines, Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Sexual harassment, defined below, is considered discriminatory behavior.
2. *Sexual harassment* is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
(i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic performance or advancement; (ii) submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or of creating an intimidating, hostile, or offensive working or academic environment. Gender harassment, defined as discriminatory behavior towards an individual based on his or her gender, is a form of sexual harassment. It may consist of the use of sexist language, illustrations, examples, and gestures that demonstrate discriminatory behavior.

II. CONTACTS

1. Anyone alleging discrimination and/or harassment by an Eastern employee may contact Dr Stacey Close, Associate Provost/Vice President for Equity and Diversity., 254 Gelsi Young Hall.
2. Discrimination and harassment complaints may also be filed with the Connecticut Commission on Human Rights and Opportunities, the U.S. Equal Employment Opportunity Commission, or any other agency that enforces laws concerning discrimination.
3. Claims of discrimination or harassment by students are investigated in accordance with the Guidelines for Student Rights and Responsibilities in the Student Handbook. Contact Dr. Walter Diaz, Vice President of Student Affairs, 220 Gelsi Young Hall.

III. COMPLAINT PROCEDURES

To file a complaint, please use the Discrimination and Discriminatory Harassment Complaint Form. 

1. Complaints against University Employees: Complaints of discrimination or sexual harassment may be filed with the Office of Equity and Diversity, Gelsi-Young Hall, Room 254. Complaints should be filed with the University as soon as possible after the incident(s) occurred, but generally no later than thirty (30) calendar days after the occurrence of the alleged act(s) or the complainant's learning of the alleged act(s). Complaints submitted after the designated deadline *may* be accepted at the discretion of the Associate Provost/Vice President for Equity and Diversity and with the approval of the President. For example, exceptions to the filing date may be made for students filing after the thirty day period as a result of a complaint against university professors from whom they are currently taking classes. Complaints may also be filed with the Connecticut Commission on Human Rights and Opportunities, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Labor, and/or any other agency that enforces laws concerning discrimination in employment. Individuals may also seek guidance from the Office of Equity and Diversity on problem-solving strategies that may lead to resolution without filing a complaint. Complaints may be pursued by the University on an informal or formal basis. An informal resolution consists of mediation between the complainant and the respondent(s), and may not include a full investigation. A formal complaint requires a complete and full investigation of the complainant's allegations by the Office of Equity and Diversity and the filing of a written report, consisting of findings and recommendations, with the University President. A formal investigation may be commenced when the parties have failed to agree upon an informal resolution. In determining whether to pursue a complaint formally or informally, the wishes of the complainant will be taken into consideration.

Any investigation conducted by the Office of Equity and Diversity shall be initiated within fourteen (14) calendar days of the filing of a complaint. The complainant and the respondent(s) will be notified by the Office of Equity and Diversity of the initiation of the investigation. In addition, the University President and Human Resources will receive notification of a complaint filed with the Office of Equity and Diversity involving employees. Upon completion of the investigation, the Associate Provost/Vice President for Equity and Diversity or his or her designee shall prepare a report setting forth findings of fact, a determination as to whether discriminatory conduct has occurred, and, if

applicable, recommendations for addressing the discriminatory conduct. The complainant and the respondent(s) shall be advised of the completion of the report and shall have an opportunity to review the report prior to its submission to the President. The President or his or her designee shall endeavor to respond to the report prepared by the Office of Equity and Diversity within fourteen (14) calendar days of receipt. It is the goal of the University that all discrimination complaints filed with the Office of Equity and Diversity be resolved within ninety (90) days of receipt.

The University shall endeavor, to an extent consistent with its obligations under this policy and the requirements of applicable law, to protect the privacy of persons by whom, or against whom, discrimination complaints have been made.

2. Complaints against University Students:

Claims of discrimination or harassment by students shall be the addressed in accordance with the Student Code of Conduct and Statement of Disciplinary Procedures, set forth in the Student Handbook.

III. CONFLICT IN PROVISIONS

If any provision of this policy is determined to be inconsistent with a provision of an applicable collective bargaining agreement, the provision of the applicable collective bargaining agreement shall prevail.

IV. POLICY REVIEW

This Statement of Policy on Discrimination shall be reviewed annually by the Office of Equity and Diversity, in collaboration with the Office of the President, and revised as necessary.

Revised 2020



CONTACT US

MAPS

DISCLAIMER

EMERGENCY

NON-DISCRIMINATION NOTICE

Eastern Connecticut State University engages students from diverse backgrounds in a transformative, liberal arts learning experience that provides knowledge and skills to lead enriching, purposeful lives.

Accredited by the New England Commission on Higher Education
83 Windham Street, Willimantic, Connecticut 06226

CHECKLIST FOR CONN. GEN. STAT. § 10a-55m(f) SEXUAL VIOLENCE REPORT 2019 SUBMISSION

INSTITUTION INFORMATION

Name: Eastern Connecticut State University
Contact: Dr. Stacey Close
Reporting Office/Department: Office of Equity and Diversity
Report Year: 2019

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.

POLICIES

Institution's most recent policies regarding sexual assault, stalking, and intimate partner violence.* ☐ BOR/CSCU Sexual Misconduct Reporting, Support Services and Processes Policy (Effective 6/16/2016)
☐ BOR/CSCU Policy on Consensual Relationships (Effective 10/20/2016)
☐ BOR/CSCU Policy Regarding Reporting Suspected Abuse or Neglect of a Child (Effective 1/10/2015)
☐ BOR/CSCU Student Code of Conduct (Effective 6/16/2016)

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

WRITTEN NOTIFICATION

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

SEXUAL VIOLENCE STATISTICS AND DATA

Institution reports containing the following statistics and data on sexual assault, stalking, and intimate partner violence for the preceding calendar year:

(See Conn. Gen. Stat. § 10a-55m(f) Reportable Statistics and Data Template)

☐ Sexual Violence Reportable Statistics and Data
☐ Concise and informative explanation of reportable sexual violence statistics and data, including clarification of number of incidents, reports, disclosures, discipline, and final outcomes.

PUBLIC AWARENESS, PREVENTION, AND RISK REDUCTION INFORMATION

Public awareness, prevention, and risk reduction information submitted by institution: ☐ Title IX Related Training Provided Spreadsheet
☐ 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

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 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 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, (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.

(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 fear for such person's physical safety or the physical safety of a third person; 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 he recklessly causes another person to reasonably fear for his physical safety by willfully 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.