



CONNECTICUT  
COLLEGE

## 2020 Report on Sexual Misconduct

January 1, 2020 – December 31, 2020

*Prepared for the Joint Standing Committee of the  
General Assembly of the State of Connecticut as  
required under Public Act 14-11: An Act  
Concerning Sexual Assault, Stalking, and  
Intimate Partner Violence on Campus*



# CONNECTICUT COLLEGE

September 23, 2021

Jeanie B. Phillips  
Clerk  
Higher Education and Employment Advancement Committee  
Legislative Office Building, Room 1800  
Hartford, CT 06106

Subject: Connecticut College report to the Connecticut General Assembly, Public Act 14-11

Dear Ms. Phillips,

You will find enclosed the Connecticut College annual report to be compliant with Public Act 14-11. Please let me know if I can be of any further assistance.

Sincerely,

Ebony L. Manning  
Associate Dean for Equity and Compliance Programs  
Title IX Coordinator  
Connecticut College  
270 Mohegan Avenue  
New London, CT 06320  
860-439-2624



# CONNECTICUT COLLEGE

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## **A. Policy**

Connecticut College's current campus-wide Title IX Policy (sexual harassment, stalking, dating violence and other misconduct and discrimination) is included in this document [Appendix A]. Notice of this policy is sent to the campus community at the beginning of each academic year.

The policy and procedures for students are printed annually in the Connecticut College student, staff, and faculty handbooks. All incoming students, new faculty, and new staff are provided training with the website link to the policy provided.

## **B. Notification of Victim's Rights and Options**

Written notification of victim's rights and options is distributed to all students at the beginning of each year. It may also be found:

- the Connecticut College Student Handbook (*see attachment 1*),
- the College's Title IX website (<http://www.conncoll.edu/title-ix/>), and
- the Director of Sexual Violence Prevention and Advocacy website (<https://www.conncoll.edu/campus-life/sexual-violence-prevention-and-advocacy/>)

Victims also receive written notification when they file a complaint with the College.

## **C. Prevention, Awareness, and Risk Reduction Programs**

### ***Students***

*New Student Orientation:* in January 2020 and August 2020, new students participated in a mandatory workshop on College policies and a mandatory workshop on the College's Green Dot™ Bystander Intervention Program. During Orientation programming, 99% of first-year students received sexual violence prevention education.

*Student Athletes:* in January, April, and September 2020, student athletes participated in a mandatory workshop on the College's Green Dot™ Bystander Intervention Program and mandated sexual assault education.

*Student Staff Training:* in August 2020, residential life student paraprofessional staff participated in a mandatory workshop on College policies, procedures, and bystander intervention.

*Conduct Panel Training:* The hearing board members are trained annually (academic year) and received training in October 28, 2020.

*Overall programming:* Below is a sampling of the large-scale programs that were provided for students on campus. Various Green Dot overview talks were also given in residence halls, classroom settings and with athletic teams throughout the year.

Date	Type	Audience
January 2020	Green Dot Training	Track & Field teams
January 2020	Green Dot Boot camp	Women's Squash Team
February 2020	Green Dot Training	Students
February 2020	Green Dot Bingo	Students
February 2020	Green Dot Dinner	Students
February 2020	Green Dot Bar Night	Students
March 2020	Green Dot Boot camp	Men's Lacrosse Team
April 2020	Title IX Training	Students
August 2020	Title IX Training Video	Students
August 2020	Title IX with Dean Manning	REAL student staff
August 2020	Know Your IX	Students
December 2020	Title IX Town Hall	Students

### January 2020

- A. Office of Sexual Violence Prevention and Advocacy, January 7
  - Green Dot Boot camp: Men's and Women's Track & Field Teams. Approximately 65 attendees
- B. Title IX and Office of Sexual Violence Prevention & Advocacy: January 14
  - Title IX & Supporting Survivors Training for New REAL student staff. Approximately 6 attendees
- C. Office of Sexual Violence Prevention and Advocacy, January 15
  - Green Dot Boot camp: Women's Squash Team. Approximately 15 attendees.
- D. Office of Sexual Violence Prevention and Advocacy, January 16
  - NCAA training for athletes
- E. Title IX and Office of Sexual Violence Prevention and Advocacy, January 17
  - Camels Got Your Back: Bystander Intervention, Title IX, Bias, and Campus Policies Training. Approximately 8 attendees.
- F. Office of Sexual Violence Prevention and Advocacy, January 23
  - Green Dot Lunch for faculty & staff. Approximately 20 attendees.
- G. Green Dot Lunch, January 30
  - An overview/review of Green Dot for professional staff. Approximately 6 attendees.

### February 2020

- A. Office of Sexual Violence Prevention and Advocacy, February 2
  - 6-hour Green Dot training for students. Approximately 36 attendees.
- B. Green Dot Bingo, February 3
  - Green Dot Bingo event for students. Co-sponsored by REAL. Approximately 20 attendees.

- C. Green Dot Dinner, February 4
  - Green Dot tabling and trivia in Harris dining hall.
- D. Green Dot Bar Night, February 5
  - Green Dot trivia at Humphrey's and tabling with information and resources.
- E. Green Dot Hockey Game, February 5
  - 9<sup>th</sup> annual Green Dot men's hockey game. Approximately 100+ attendees.
- F. Our Bodies, Our Minds, February 12
  - Interactive workshop by Art with Impact to discuss effects of sexual violence on survivors' mental health and how to support friends. Co-sponsored by Student Accessibility Services and Gender & Sexuality Programs. Approximately 50 attendees.
- G. Survivor Love Letters, February 14
  - Tabling in Crozier Williams Student Center on Valentine's Day to encourage students to create messages of support to survivors. Approximately 50+ attendees.
- H. Frisky February Consent Workshop, February 19
  - Interactive workshop about consent facilitated by SVPA interns and GSP student staff. Collaboration with Gender and Sexuality Programs. Approximately 25 attendees.
- I. Frisky February Sex Trivia, February 25
  - Trivia on consent and sex facilitated by SVPA Interns and GSP student staff. Collaboration with Gender and Sexuality Programs. Approximately 50+ attendees.

### **March 2020**

- A. Consent, Explained Campaign, March 1
  - Poster campaign around campus explaining various aspects of consent
- B. Green Dot Boot camp, March 11
  - Men's Lacrosse Team. Approximately 50 attendees.

### **April 2020**

#### Sexual Assault Awareness Month

- A. Sexual Assault Awareness Month Social Media, April 1
  - Social media posts highlighting survivors. Collaboration with Gender and Sexuality Programs and SAAM Social Media Posts.
- B. Tea on Title IX event, April 23
  - Questions and Answer event with the Title IX Coordinator and Senior Investigator and Compliance Officer. Approximately 5 attendees.

### **May 2020**

- A. Connecticut College Resource Team meeting, May 8
  - CCRT meeting to discuss new Title IX regulations.

### **August 2020**

- A. #Reclaim Redzones Campaign, August 23
  - Social media campaign highlighting important figures in sexual violence history, reclaiming survivorship, speaking out, & resources on campus.

- B. Green Dot Training, August 27
  - 7 different 60 minute Green Dot overviews for all student leaders. Approximately 250 attendees.
- C. Genesis Convos on Healthy Relationships, August 20 & 21
  - Informal session with the Director of SVPA and Title IX Coordinator re: healthy relationships and consent for Genesis Pre-orientation.
- D. Know Your IX: Camels' Got Your Back, August 29 & 30
  - Informational presentation by the Office of Sexual Violence Prevention and Advocacy and Title IX Office. All first year students attended.
- E. Speak About It, August 30
  - After independently watching three videos on consent, power, and hooking up, students met within their FYS groups for a facilitated conversation with SafetyNet Peer Educators and/or DIEI Student Staff. All first year students attended.

## **September 2020**

- A. Masculinity Monday Campaign, September 21 (on-going)
  - Social media campaign to highlight men in prevention, talk about healthy vs toxic masculinity, and how men can prevent sexual violence. 11 posts total in Fall 2020
- B. Virtual Green Dot Boot, September 18
  - Green Dot Bystander Intervention workshop for interested students. Approximately 11 attendees.
- C. Virtual Green Dot Boot, September 22
  - Green Dot Bystander Intervention workshop for interested students. Approximately 18 attendees.
- D. SVPA Community Conversation: Safety & Spaces, September 30
  - Open conversation with students about voyeurism incident in Wright, safety, and prevention. Approximately 10 attendees.

## **October 2020**

### **Domestic Violence Awareness Month**

- A. Domestic Violence Awareness Month Campaign, 10/1-10/30
  - Social media campaign to educate the community about domestic violence dynamics, statistics, and intersections, published in English & Spanish. Collaboration with GSP. Posts were published every Thursday & Sunday in October.
- B. Writing for Healing, October 2
  - Workshop on using creative writing for healing & processing, co-facilitated with ORSP and Cadenza Magazine. Approximately 7 attendees.
- C. Red Flag Campaign, October 5-15
  - Educational display on Larrabee Green highlighting the "red flags" of dating violence using signs and red surveyors flags.
- D. Wright House Community Conversation, October 4

- Facilitated conversations for residents about voyeurism. Co-facilitated with the Floor Governors. Approximately 15 attendees.
- E. #Reclaim Redzones Campaign, October 8
- Social media campaign highlighting important figures in sexual violence history, reclaiming survivorship, speaking out, & resources on campus.
- F. Virtual Green Dot Boot camp, October 8
- Green Dot Bystander Intervention training. Approximately 12 attendees.

## November 2020

- A. Let's talk COVID and Safer Sex, November 8
- Student-facilitated conversation about consent, boundaries, and safer sex during COVID. Collaboration with GSP. Approximately 10 students participated.
- B. Let's Talk Reproductive Justice, November 19
- Student-facilitated conversation about reproductive justice. Collaboration with Dialogue, GSIS, and GSP. Approximately 20 students participated.
- C. Stronger Together: Reclaiming Survivorship Panel, November 11
- Virtual panel with three survivor-activists who have channeled their experiences in to various different avenues (activism, teaching, art, etc.). Approximately 30 students participated.

## December 2020

- A. IX Days of IX Changes to Title IX Campaign, December 1- 9
- Social media campaign to educate the community about changes to Title IX, created by the SafetyNet Policy & Legal Task force.
- B. Let's Talk New Title IX Regs: Title IX Virtual Town Hall, December 9
- Virtual Conversation about Title IX regs with Title IX Coordinator. Facilitated by the SafetyNet Policy & Legal Task Force. Approximately 10 attendees.

## *Faculty, Staff, Administrators*

Below is a list of workshops and trainings on campus that encompassed prevention education, policies, and procedures for sexual misconduct, stalking, and intimate partner violence.

Date	Type	Audience
January 2020	Green Dot Lunch	Staff and Faculty
January 2020	Green Dot Mixed Lunch	Academic Resource Center Staff
February 2020	Green Dot Hockey Game	Students, Faculty, & Staff
February 2020	Title IX training	Faculty Grievance Committee
February 2020	Title IX Training	Athletic Department
March 2020	Title IX Training	Faculty Ombudsperson



May 2020	CCRT meeting	Faculty, staff, and Campus Partners
July 2020	Title IX Training	New Faculty
August 2020	Title IX Training	New Faculty
August 2020	Title IX Training	Staff Council members
September 2020	Title IX Training	Faculty and Staff
September 2020	Sexual Harassment Training	Faculty and Staff

#### D. Types of Prevention and Campaign Awareness Programs

- A. Mandatory Sexual Harassment Training for all Staff and Faculty.
- B. The Connecticut College Resource Team convened for meetings.
- C. A new Sexual harassment and Nondiscrimination Policy was put in place in accordance to the new Federal Regulations.

#### E. Number of reported incidences to the College

The information provided below is for the calendar year 2020.

Type	Number of Incidences Reported	Number of Confidential or Anonymous Reports	Number of Disciplinary Cases
Sexual Misconduct (includes sexual assault and sexual harassment)	10	8	1
Stalking	0	1	0
Dating Violence	1	0	0

\* Some cases reported alleged multiple allegations in one report.

The final outcome of the disciplinary cases for students included suspension and expulsion. Note that the sexual harassment cases include offenses lesser than sexual assault. The final outcome of disciplinary cases for employees included one resignation.

## **Appendix: Sexual harassment and Nondiscrimination (Title IX) Policy**

### **I. Summary**

Connecticut College's Title IX Policy reflects compliance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Connecticut state law and other federal laws.

The College's Honor Code and Principles of Community emphasize that members of our community act with equity and respect for the dignity of all human beings. Sexual harassment, dating violence, and other forms of discrimination based on sex or gender (including gender identity, expression, or characteristics) are forms of unwelcome conduct that create an intimidating and offensive work, residential, study or social environment and therefore violate this policy.

Members of the College community and visitors have the right to be free from all types of such misconduct, as defined in this policy. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

Acts of sexual harassment, dating violence, sexual assault, and stalking may be committed by any person upon any other person, regardless of the sex, gender, gender identity and/or sexual orientation of those involved.

When a report of sexual harassment, dating violence, or other Title IX-related violation is brought to the College's attention, the College will take steps to end the misconduct, prevent its recurrence, and address its effects. When accused individuals are determined to have violated this policy, serious sanctions will be imposed, up to and including termination for faculty and staff members. Sanctions for student conduct complaints typically differ based on the circumstances of the complaint. For example, a finding of responsibility for rape typically result in suspension or expulsion; fondling typically results in a range of sanctions from warning to expulsion; dating violence typically results in a range of sanctions from disciplinary probation to expulsion.

This policy has been written to affirm the College's goal of maintaining a positive learning, living, and working environment. This policy addresses issues particular to faculty, staff, and students as well as the intersection of these constituencies. It applies in all College settings, including off-campus settings in which individuals are engaged in College-related business or educational programs. The policy may also apply to situations occurring off campus that negatively impact the College community.

This policy incorporates other College policies relating to specific behaviors that are covered by Title IX. Those behaviors are listed here; the policies relating to them are included below:

- Sexual Harassment
  - Sexual Assault
    - Rape

- Sodomy
  - Sexual Assault with an Object
  - Fondling
  - Incest
  - Statutory Rape
- Dating Violence
- Domestic Violence
- Stalking
- Retaliation

Any Connecticut College policy may fall within this Title IX Policy and Procedure when the violation of the policy results in a discriminatory effect caused in whole or in part on the basis of the person's actual or perceived sex or gender. When behaviors not covered under this policy occur in concert with covered behaviors, the College reserves the right to address all misconduct jointly under these procedures.

Individuals who believe they have, or may have, experienced any of the behaviors covered by this policy, or who have witnessed such behavior, are strongly encouraged to report their experience to the Title IX Coordinator or one of the deputy Title IX coordinators. All faculty and supervisory staff are mandated to promptly report any potential violations of this policy to the Title IX Coordinator.

The Office of Institutional Equity and Inclusion oversees all Title IX compliance for the institution, oversees compliance for faculty, and may receive complaints by students, faculty and staff. Two staff members serve as Deputy Title IX Coordinators: Eva Kovach, Associate Director of Athletics and Deputy Title IX Coordinator, focuses primarily on issues of Title IX compliance within athletics and Cheryl Miller, Vice President for Human Resources and Organizational Development and Deputy Title IX Coordinator, focuses primarily on issues of Title IX compliance for staff. One staff member serves as the Title IX investigator: Carrie-Jo McGuffey, Senior Investigator and Compliance Officer. Inquiries regarding applications of Title IX on campus may be directed to any of the following:

- John McKnight, Dean of Institutional Equity and Inclusion, Office of Institutional Equity and Inclusion, Unity House, 860- 439-2035 or [jmcknight@conncoll.edu](mailto:jmcknight@conncoll.edu)
- Ebony Manning, Associate Dean for Equity and Compliance Programs and Title IX Coordinator, Office of Institutional Equity and Inclusion, Unity House, 860-439-2035 or [emanning@conncoll.edu](mailto:emanning@conncoll.edu)
- Eva Kovach, Associate Director of Athletics and Deputy Title IX Coordinator Athletic Center, 860-439-2557 or [edkov@conncoll.edu](mailto:edkov@conncoll.edu)
- Cheryl Miller, Vice President for Human Resources and Organizational Development and Deputy Title IX Coordinator, Human Resources, 860-439-2085 or [cmiller5@conncoll.edu](mailto:cmiller5@conncoll.edu)
- Carrie-Jo McGuffey, Senior Investigator and Compliance Officer, 860-439-5258 [orcmcguffey@conncoll.edu](mailto:orcmcguffey@conncoll.edu)

When a person is involved in a Title IX complaint, if there is perceived bias or conflict of interest regarding a deputy Title IX Coordinator or others handling the Title IX grievance procedures, those concerns should be shared with the Title IX Coordinator. If there is perceived bias or conflict of interest regarding the Title IX Coordinator, those concerns should be shared with the Dean of Institutional Equity and Inclusion. If bias or a conflict of interest is demonstrated, substitute officials will be identified to address that complaint.

This policy includes a list of relevant definitions; a list of resources for emotional, physical and academic support; a description of the process for reporting incidents; and a brief description of formal procedures for addressing violations of this policy, both for students and members of the faculty and staff. The procedures to be followed are based on whichever process has jurisdiction over the accused and may be found in the Student Handbook (students), IFF (faculty), or Human Resources (staff).

Resources for reducing the risk of being accused of sexual misconduct or experiencing sexual misconduct may be found in Appendix B on p.169.

## II. Definitions

### A. *Sexual Activity*

Sexual activity is defined as intentional contact with the breasts, buttocks, groin, or genitals, or touching another person(s) with any of these body parts, or making another person(s) touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

### B. *Consent*

**Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.** Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity and that consent is sustained throughout the activity. **For consent to be valid,** there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.

What is not consent?

- Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse).
- A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.
- Silence, passivity or the absence of resistance alone cannot be taken as consent.
- A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.

- A person who is unable to understand what is happening or is disoriented, helpless, asleep or unconscious, unable to communicate due to a mental or physical condition, or incapacitated due to the influence of alcohol or other drugs (or the combination thereof) cannot consent. An individual who engages in sexual activity when that individual knows, or should know (by a reasonable person standard), that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.
  - Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because that person lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability and/or involuntary physical restraint.
- The decision to be sexually intimate must be made without coercion (unreasonable pressure for sexual activity). Both partners must be equally free to act.
- A verbal “no” (no matter how indecisive) or resistance (no matter how passive) constitutes a lack of consent. A forced sexual act is considered without consent except in the rare case where force is explicitly consented to.
- A person cannot consent if he or she is under the age of 16 years. In Connecticut, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old may be a crime, as well as a violation of this policy, even if the minor wanted to engage in the act.

### C. *Unwelcome Conduct*

Conduct is unwelcome if a person 1) did not request or invite it, and 2) regarded the unrequested and uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on another occasion. Sexual conduct that is nonconsensual is by definition unwelcome as that term is used throughout this policy.

## III. Sexual Misconduct, Sexual Harassment, Dating Violence, Stalking, and Retaliation

### A. Sexual Misconduct

Connecticut College defines “sexual misconduct” as any sexual contact or activity that occurs without the *consent* of any individual involved.

Some types of sexual misconduct are more harmful than others, and are therefore perceived as more serious.

Individuals accused of sexual misconduct do not avoid or mitigate responsibility by claiming they were under the influence of alcohol or other drugs. The College considers Non-

Consensual Sexual Penetration violations to be the most serious, and, therefore, typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. Predatory, pattern and/or repeat offenders face either expulsion or termination.

## 1. Sexual Harassment

Both the Equal Employment Opportunity Commission and the State of Connecticut regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the College's Title IX Coordinator or Deputy Coordinators (see p.10 for contact information). The College does not condone sexual harassment among members of the College community and/or within College programs because it creates an unacceptable working and/or educational environment.

*Definition.* Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment that is so severe and pervasive that it effectively deprives someone of equal access to the College's programs and activities, sexual assault, domestic violence, dating violence, and stalking.

Sexual Harassment is defined as conduct on the basis of sex that satisfies the elements of one or more of the following categories:

### A. Quid Pro Quo:

- a. an employee of the College who
- b. conditions the provision of an aid, benefit, or service of the College
- c. on an individual's participation in unwelcome sexual conduct.

### B. Severe and pervasive sexual harassment:

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and,
- e. objectively offensive,
- f. that it effectively denies a person equal access to the College's education program or activity.<sup>1</sup>

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<sup>1</sup> Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is below the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred.

## 2. Sexual Assault

- 1) Sexual assault, defined as:
  - a) Rape:
    - i) Penetration,
    - ii) no matter how slight,
    - iii) of the vagina or anus with any body part or object, or
    - iv) oral penetration by a sex organ of another person,
    - v) without the consent of the Complainant.
  - b) Sodomy:
    - i) Oral or anal sexual intercourse with another person,
    - ii) without consent, including instances where the Complainant is incapable of giving consent due to age<sup>2</sup> or temporary or permanent mental or physical incapacity.
  - c) Sexual Assault with an Object:
    - i) The use of an object or instrument to penetrate,
    - ii) however slightly,
    - iii) the genital or anal opening of the body of another person,
    - iv) without consent, including instances where the Complainant is incapable of giving consent due to age or temporary or permanent mental or physical incapacity.
  - d) Fondling:
    - i) The touching of the private body parts of another person (such as buttocks, groin, breasts, genitals),
    - ii) for the purpose of sexual gratification,
    - iii) without consent, including instances where the Complainant is incapable of giving consent because of age or temporary or permanent mental or physical incapacity.
  - e) Incest
    - i) Sexual intercourse,
    - ii) between persons who are related to each other,
    - iii) within the degrees wherein marriage is prohibited by Connecticut law.
  - f) Statutory Rape:
    - i) Non-forcible sexual intercourse,
    - ii) with a minor more than three years younger than the actor if the younger person is at least age 13, but under age 16, or
    - iii) with a minor under age 13 if the actor is more than two years older,
- 2) Dating Violence, defined as:
  - a. violence,
  - b. committed by a person,
  - c. who is in or has been in a social relationship of a romantic or intimate

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<sup>2</sup> The Age of Consent in Connecticut is 16 years old.

nature with the Complainant.

- i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
- ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- iii. Dating violence does not include acts covered under the definition of domestic violence.

3) Domestic Violence, defined as:

- a. violence,
- b. committed by:
  - i. a current or former spouse or intimate partner of the Complainant,
  - ii. a person with whom the Complainant shares a child in common,
  - iii. a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner,<sup>3</sup>
  - iv. a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Connecticut, or
  - v. any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Connecticut.

4) Stalking, defined as:

- a. engaging in a course of conduct,
- b. directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. suffer substantial emotional distress. For the purposes of this definition—
    - (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
    - (ii) Reasonable person means a reasonable person in the position of the Complainant and under similar circumstances
    - (iii) Substantial emotional distress means significant mental suffering or

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<sup>3</sup> A roommate relationship does not fall within this definition unless the roommates are current or former spouses or otherwise engaged in an intimate relationship. The mere fact of cohabitation is insufficient to satisfy this definition.



anguish that may but does not necessarily require medical or other professional treatment or counseling.

In addition to violating the College's policy, sexual assault and stalking are crimes in Connecticut and may be subject to criminal prosecution.

#### **D. Retaliation**

Retaliation is defined as any adverse action taken against a complainant, witness or third-party supporter because of their involvement in protected activity, such as filing a complaint of sexual misconduct. It is unlawful to retaliate against any member of the Connecticut College community for filing a sexual misconduct or Title IX related complaint or for cooperating in an investigation of sexual misconduct or Title IX related matter. Any student, employee, or any other person in the College who is found to have engaged in retaliation is subject to discipline up to and including termination of employment or expulsion.

### **IV. Support for Students Who Have Experienced Sexual Misconduct, Intimate Partner Violence, Stalking, or Other Forms of Gender Discrimination**

Students have several choices in terms of seeking information and support. The following sections outline all the available options. None of these options is mutually exclusive; a student may pursue any or all options.

#### **A. Confidential Support**

The following offices can assist a student with the emotional and physical healing process. These college professionals can also help students decide whether or not to pursue the Title IX complaint investigation process or file a criminal charge. The people listed below may be able to assist the student with room changes, arranging to dissolve a housing contract and pro-rating a refund, exam, paper, or assignment rescheduling, taking an incomplete in a class, transferring class sections when available, temporary withdrawal, alternative course completion options, a contact limitation order, counseling assistance, student financial aid assistance, escorts or other campus safety protections.

- Director of Sexual Violence Prevention and Advocacy (860-439-2219)
- Student Counseling Services (860-439-4587)
- Student Health Services (860-439-2275)
- College Chaplain (860-439-2450)

When an individual comes to one of these people for support and advice, the information may remain confidential and does not constitute official notice to the college of sexual misconduct. These staff members, with the exception of Student Counseling Services and College Chaplains, must inform the College that an incident was reported without revealing details that could identify those involved, per the federal Clery Act.

#### **Campus Advocate**

The Director of Sexual Violence Prevention and Advocacy (860-439-2219/Cro 222 or through the after business hours' College on-call system by requesting Campus Safety to

contact the director) is a trained advocate with knowledge of sexual assault, intimate partner violence, and stalking. The Director is a confidential reporting option and is typically available during the academic year to assist students who have experienced sexual misconduct, stalking or intimate partner violence. The Director also serves as a resource for friends as well as for faculty and staff supporting students. The Director offers assistance with the following:

- Support
- connecting students with the appropriate on campus services (medical, counseling, housing and academic accommodations)
- connecting students with the appropriate off-campus services (medical, counseling, and legal)
- providing information about the reporting procedures, both on and off campus
- securing an on-campus no-contact directive

### **Recommended First Response**

To assist in the decision-making process, the following information is important for individuals who have experienced sexual violence misconduct and friends assisting the student:

#### *Medical Attention:*

When students experience any kind of sexual misconduct, intimate partner violence or stalking and feels medical services are needed, students may seek medical care at Student Health Services or Lawrence and Memorial (L& M) Emergency Room (365 Montauk Avenue, New London).

Physical evidence of a criminal sexual assault must be collected within 120 hours. However, students are also strongly encouraged to seek medical attention after that time period. When students experience criminal sexual assault, they may first go to Health Services. Staff there can provide support and can arrange for transportation and an escort to the Lawrence and Memorial (L& M) Emergency Room (365 Montauk Avenue, New London). If Health Services is closed, students may go directly to L&M Hospital. It is important that they not wash themselves or their clothing before an examination.

- The Sexual Assault Nurse Examiner (a specially trained nurse) at L&M is on call 24 hours a day, 7 days a week.
- A Rape Crisis Counselor from the Sexual Assault Crisis Center of Eastern CT can also meet the student at L & M Hospital - call the 24-hour State Hotline at 888-999-5545.
- The Director of Sexual Violence Prevention and Advocacy is available 24 hours/7 days a week (during the academic year) through the College on-call system and may be reached by requesting Campus Safety to contact the director. It is not necessary to disclose any information to Campus Safety.

#### *Amnesty:*

The health and safety of students is a primary concern at Connecticut College. At the discretion of the Senior Associate Dean of Student Life or the Dean of Students, the College may extend amnesty to students for minor violations when the student chooses to bring

related serious violations (such as hazing, sexual misconduct, and drug distribution) to the dean's attention. Educational options may be implemented by the Senior Associate Dean of Student Life or the Dean of Students but no conduct proceedings will be initiated. Please refer to the Medical Amnesty Policy for alcohol and other drugs on p.31.

*Contact Limitation Orders:*

Students may also consider requesting a campus contact limitation order from Senior Associate Dean of Student Life. The Director of Sexual Violence Prevention and Advocacy can discuss this process with students. With a contact limitation order in effect, a student is instructed not to engage in either direct or indirect contact with the complainant(s) and witnesses. Methods of contact include verbal exchange, telephone, email, letter, and communication via another party on the student's behalf.

#### **IV. Reporting Title IX Violations**

An individual filing a complaint may be accompanied by an advisor of their choosing to guide and accompany the individual throughout the campus resolution process. The individual is entitled to be accompanied by the advisor in all meetings and interviews at which the individual is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the process, the advisor will be removed from the process. The Title IX Coordinator (or designee) will determine whether or not the advisor may be reinstated, replaced, or whether the right to an advisor has been forfeited for the remainder of the process.

All parties are required to have an Advisor for the Live Hearings.

**On Campus:** Formal complaints alleging violations of sexual harassment, dating violence, stalking, or other gender-based discrimination may be filed with the Title IX Coordinator or Campus Safety. The Title IX Coordinator will initiate the Title IX Complaint Investigation Process, after receiving a signed formal complaint, to address the complaint. Stalking complaints not related to Title IX may be referred to the Dean's Grievance process. The College may be limited in pursuing and/or resolving complaints involving students no longer at the institution.

In addition to its responsibilities under Title IX, the College may have an obligation under state law to report instances of sexual abuse or exploitation of a person under the age of 18 to local police or the Connecticut Department of Children and Families, and it may report to the police instances of sexual activity with a minor that that would constitute a crime under Connecticut law. Otherwise, cases are reported to the police only if the individual requests it or if there is an imminent health or safety risk.

The College reserves the right to take whatever measures it deems necessary in response to complaints of stalking, intimate partner violence, and/or sexual misconduct in order to

protect the rights and personal safety of the members of the campus community. Such measures include, but are not limited to, modification of living arrangements and class schedules, summary removal from campus pending an investigation after a Violence Risk Assessment is completed, restricting/prohibiting contact with person(s) on campus, transportation assistance, reporting to the local police, and pursuing an investigation without the participation of the complainant. The College has the responsibility to consider the concerns and rights of both the complainant and the respondent.

Sanctions for student conduct complaints may differ based on the circumstances of the complaint. For example, a finding of responsibility for non-consensual sexual penetration may result in suspension or expulsion; non-consensual sexual contact may result in a range of sanctions from warning to expulsion; intimate partner violence may result in a range of sanctions from disciplinary probation to expulsion. The list of all the possible sanctions are on pp. 50-51.

Sexual harassment, dating violence, and other forms of gender-based discrimination are considered Title IX violations and oblige the College to respond to reported incidents. Once an institution has received notice of a possible Title IX violation, the Office for Civil Rights requires it to take immediate and appropriate steps to investigate what occurred, and if a violation is found, to take prompt and effective action to end the harassment, remedy the effects, and prevent its reoccurrence. This course of action is the institution's responsibility whether or not the student who was harassed makes a formal complaint or otherwise asks the school to take action. Students have a right to file a complaint with the Office for Civil Rights concerning alleged failures by the College to comply with the requirements of Title IX. Complaints may be filed at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

When a person is involved in a Title IX complaint, if there is a perceived bias or conflict of interest regarding a Deputy Title IX Coordinator or others handling the Title IX grievance procedures, those concerns should be shared with the Title IX Coordinator. If there is a perceived bias or conflict of interest regarding the Title IX Coordinator, those concerns should be shared with the Dean of Institutional Equity and Inclusion.

**Off Campus:** The New London and Waterford police departments are available if a student would like to report sexual misconduct, stalking, or intimate partner violence, and, possibly initiate a criminal investigation. The police department can also assist the student with obtaining a protective order through the court. The College will honor any court-issued protective order. Connecticut College encourages students to report all crimes to the appropriate district police department and will assist the complainant in making such a report. Again, this option of reporting is not exclusive; a student may seek internal College support and also file a formal complaint with the Senior Associate Dean of Student Life in addition to reporting to the police.

The Director of Sexual Violence Prevention and Advocacy works with a specific member of the New London Police Department as well as the Waterford Police Department and can initiate contact and arrange a meeting between a student and the police. A representative of the College may accompany the student, upon request. During a police investigation, the

College may briefly suspend its own investigation to accommodate the needs of the police. The College has no control over the police investigation and the resulting legal process.

### **Federal Timely Warning Obligations**

Individuals who have experienced sexual misconduct, intimate partner violence, or stalking need to be aware that the College must issue timely warnings for incidents reported that pose a substantial threat of bodily harm or danger to the members of the campus community. The College will ensure that a complainant's name and other identifying information are not disclosed while still providing enough information for community members to make safety decisions in light of the danger (see Campus Safety Communications on p. 110).

### **V. Support for Students Accused of a Title IX Violation**

If a complaint has been filed alleging misconduct by a student, the student should make an appointment immediately to meet with the Title IX Coordinator who will explain the resolution process in detail and assist in contacting a support person or other trained professional staff members who can provide support throughout the process. Students may enlist any of these staff members or anyone else to be a support person.

The individual responding to a complaint may be accompanied by an advisor of their choosing to guide and accompany them throughout the campus resolution process. The individual is entitled to be accompanied by the adviser in all meetings and interviews at which the individual is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the process, the advisor will be removed from the process. The Title IX Coordinator (or designee) will determine whether or not the adviser may be reinstated, replaced, or whether the right to an adviser has been forfeited for the remainder of the process. Specific guidelines and options for support persons may be found in the Student Handbook.

All parties are required to have an Advisor for the Live Hearing.

When a student has been charged with a Title IX Policy violation, that student may wish to make an appointment with Counseling Services as soon as possible.

The Chaplains in the Office of Religious and Spiritual Life may also be a resource. They are experienced in helping students who are going through distressing situations. Call 860-439-2450 for an appointment.

## **VI. Questions and answers relating to the Sexual Misconduct, Intimate Partner Violence, and Stalking Policies and the Title IX Complaint Investigation Process**

The following are some of the most commonly asked questions regarding Connecticut College's Title IX policies and related procedures.

### ***1. How can the College help to remedy the effects of discrimination?***

Accommodations available to you may include:

- Room changes (see #9)
- Arranging to dissolve a housing contract and pro-rating a refund
- Exam, paper, or assignment rescheduling;
- Taking an incomplete in a class;
- Transferring class sections when available;
- Temporary withdrawal;
- Alternative course completion options;
- Contact limitation order;
- Counseling assistance;
- Escorts or other Campus Safety protections

The Director of Sexual Violence Prevention and Advocacy, the Senior Associate Dean of Student Life, or the Title IX Coordinator may assist you in pursuing these options.

### ***2. How does privacy apply?***

The privacy of all parties to a complaint of sexual misconduct will be maintained, except insofar as it interferes with the College's obligation to fully investigate allegations of sexual misconduct.

All participants in the hearing are bound under FERPA not to release information learned in the hearing process. The Complainant may be informed of any outcome, sanction, and rationale relating directly to the complainant.

In some instances, the Dean of Students, or his/her designee, may also choose to make a brief announcement of the nature of the violation and the action taken, using no names. Certain College administrators are informed privately (e.g. the President of the College, Dean of Students, Director of Campus Safety, and Title IX Coordinator). If a student reports an act of alleged sexual misconduct to the Director of Sexual Violence Prevention and Advocacy, Student Counseling Services, Student Health Services, or a College chaplain or to the Office of Student Life, the student will be encouraged to report that incident to the local police. The College is required by federal law to include in a statistical report the occurrence on campus of any major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

***3. Will my parents be told?***

Whether you are the Complainant or the Respondent, Connecticut College's primary relationship is to the student and not to the parent/guardian. In the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. However, College officials may directly inform parents when a student receives a sanction of disciplinary probation 2, loss of housing, suspension, or expulsion. The College may also contact a parent/guardian in emergency situations, when it is deemed necessary to protect the health or safety of the student or others, pursuant to federal law.

***4. Will I have to confront the accused?***

Not directly. If a formal complaint is filed, the College uses an investigation model in which complainants and respondents do not interact with each other.

***5. Do I have to name the accused?***

Yes, if you want formal action, including a contact limitation order, to be taken against the accused. No, if you choose not to file a formal complaint.

***6. What do I do if I am accused of sexual misconduct, intimate partner violence, or stalking?***

First, do not contact the reporting person. You may immediately want to contact someone whom you trust and who can provide information and support. The College has identified support persons trained in the College's process as well as outlined the role of the support person on p. 127. The Senior Associate Dean of Student Life can explain the College's procedures for dealing with these kinds of complaints. You may also want to consider seeking support from Student Counseling Services.

***7. Will I have to pay for counseling or medical care?***

No fee is charged for care that is provided through the Student Health Center or Counseling Services. Hospital and off-campus fees are covered according to your own insurance policy; however, any person who decides to pursue criminal charges will not have to pay to have the Physical Evidence Recovery Kit (PERK) procedure performed at the hospital in the case of a sexual assault. Emergency money may be available through the Office of the Dean of Students.

***8. What do I do about legal advice?***

The role of any legal advisor would be limited to giving you advice about your situation and is required during the Live Hearings. Connecticut College's procedures are internal and are only designed to determine whether College policies have been violated. Both the victim and the respondent may also use an attorney as their advisor during the investigation and panel process.

If you are pressing charges of criminal sexual assault, you need not retain a private attorney because legal issues will be handled through a representative from the State's Attorney's office. You may want to retain an attorney if you are accused or if you are considering filing a civil action against the accused. The College's legal counsel represents and advises the College and does not represent individual students.

***9. What about changing residence hall rooms and accessing the dining halls?***

If you want to move, or have the responding party moved, you may request a room change. Room changes under these circumstances are considered emergencies. It is the College's policy that in emergency room changes, the student is moved to the first available room. If the accused student is moved, the permanence of this action may be based upon the outcome of the Title IX Investigation process. Pending the outcome, the Senior Associate Dean of Student Life may also designate/restrict dining hall access. Again, the Director of Sexual Violence Prevention and Advocacy can help you with these arrangements.

***10. What do I do if I share a class/activity/athletic team with the accused individual?***

You will need to tell the Director of Sexual Violence Prevention and Advocacy, Title IX Coordinator, or the Senior Associate Dean of Student Life so that they may work with you and the appropriate person (i.e. academic dean or coach) to determine the most feasible solution. It is not necessary to disclose the nature of the incident to other offices to receive assistance.

***11. What do I do about preserving evidence of sexual assault?***

Physical evidence of a criminal sexual assault must be collected within 120 hours. However, students are also encouraged to seek medical attention after that time period. If you believe you have been a victim of criminal sexual assault, you may first go to Health Services. Staff there can provide support and can arrange for transportation and an escort to the Lawrence and Memorial (L & M) Emergency Room (365 Montauk Avenue, New London). If Health Services is closed, you may go directly to the hospital. It is important that you not wash yourself or your clothing before an examination. The Sexual Assault Nurse Examiner (a specially trained nurse) at L & M is on call 24 hours a day, 7 days a week (call the Emergency Room at 442-0711 if you want to speak to the nurse; ER will refer you). A Rape Crisis Counselor from the Sexual Assault Crisis Center of Eastern Connecticut (call their 24-hour Hotline at 888-999-5545) may also meet you at L & M Hospital.

***12. Will a student be punished when reporting a sexual misconduct policy violation if they have illegally used drugs or alcohol?***

No, the College offers amnesty in such situations. The seriousness of sexual misconduct and other forms of discrimination are a major concern, and the College does not want any of the circumstances, e.g. drug or alcohol use, to inhibit the reporting of sexual misconduct or other Title IX complaints.

***13. Will either party's prior use of drugs and/or alcohol be a factor during a sexual misconduct investigation?***

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present case.

***14. What should I do if I am uncertain about what happened?***

If you believe that you have experienced non-consensual sexual contact, intimate partner violence, or stalking, but are unsure of whether it was a violation of the College's policies, you should contact the staff who can maintain confidentiality (Director of Sexual Violence Prevention and Advocacy, Student Health Services, Student Counseling Services, and the



College chaplains). These individuals serve as advisers who can help you to define and clarify the event(s) and advise you of your options.

***15. What should I do if I am a student and I believe I have been the victim of sexual misconduct, stalking, or intimate partner violence by a member of the faculty or staff?***

The Director of Sexual Violence Prevention and Advocacy, Student Counseling Services, Student Health Services, and/or the College Chaplains are available regardless of the status of the accused. The Director of Sexual Violence Prevention and Advocacy or the Senior Associate Dean of Student Life can assist a student in reporting a violation by either a faculty or staff member. An individual may file charges with the police department as well.