



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

CONN. GEN. STAT. § 10a-55m(f) SEXUAL VIOLENCE REPORT 2021

Eastern Connecticut State University

Office of Equity and Diversity

Institution Contact: Sara E. Madera, M.S.; Title IX Coordinator

September 2022



Connecticut State
Colleges & Universities

CHECKLIST FOR CONN. GEN. STAT. § 10a-55m(f)
SEXUAL VIOLENCE REPORT 2021 SUBMISSION

INSTITUTION INFORMATION

Eastern Connecticut State

Name:

University

Contact: Sara Madera

Reporting

Office/Department: Equity and Diversity

Report

Year: 2021

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 7/29/2020)

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

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EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

SECTION 1

Narrative



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

Founded in 1889, Eastern Connecticut State University is Connecticut's Public Liberal Arts University. In the fall of 2020, Eastern had an enrollment of slightly over 4,000 students. In addition, the University had 183 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 remain a top priority. The Board of Regents, which governs Eastern Connecticut State University and its other 16 affiliated colleges and universities, develops the system's policies that address issues of sexual assault, interpersonal violence, and domestic violence. 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. This report includes the narrative, reporting data, and supporting material for the year 2021.

Central to this approach is the inclusion of key offices throughout the University, such as the Women's Center, Public Safety, Housing, Student Affairs, Counseling and Psychological Services, Student Conduct, and the Office of Equity and Diversity. While the University provides training and prevention education 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 the Dean of Students, the director of the Women's Center serves as the University's 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 available resources. In addition, the University informs respondents that they may also have support persons, advisors, or advocates present. Over the last five years, the University added trained advocates for respondents and trained another person on staff in adjudication. The campus Student Conduct Officer serves as the adjudicating arm for the University in sexual assault cases. The Student Code of Conduct Policy details the Student Conduct Officer's role in the process and 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. Regarding 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, students' or employees' rights and options, sexual violence reports and data, and public awareness prevention and risk reduction.

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 procedures 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 Title IX 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 incidents of sexual assault, stalking, and intimate partner violence and disciplinary cases resulting from investigations. In 2021, the University received disclosures of eighteen incidences of potential sexual assault, one incident of potential stalking, and eight incidences of potential intimate partner violence. Of the incidences disclosed, eight sexual assaults and one stalking incident reportedly occurred in 2021. In six of the disclosed sexual assaults, the reporting party indicated that the respondent had a connection to the reporting institution. There was only one case of intimate partner violence where the respondent was identified as connected to a CSCU institution; there were no sexual assault or stalking incidences. As for confidential or anonymous reports, no reports of sexual assault, stalking, or intimate partner violence were reported anonymously or listed as confidential. In 2021, the University investigated four reports of sexual assault. Of those cases, three were investigated under the Title IX Grievance procedures and one under the Student Conduct procedures. In 2021, one report of intimate partner violence was investigated under the Student Code of Conduct procedures. All other disclosures did not progress to an investigation due to no formal complaints being filed, lack of cooperation from the complainant, or the respondent was not affiliated with the institution.

III. Public Awareness, Prevention, and Risk Reduction

The University has a "Tell Somebody" reporting system that allows campus community members to report if they believe someone needs help. In the fall of 2021, the University launched the Title IX: Sexual Misconduct, Interpersonal Violence, or Stalking report that allowed community members to submit reports on concerns involving sexual misconduct, sexual violence, intimate partner violence, and stalking.

In 2021, the University also provided online training and prevention education on sexual assault, stalking, and interpersonal violence through "Not Anymore." "Not Anymore" 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 platform 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.

The Title IX training spreadsheet includes a variety 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 awareness programs from previous years, such as the Red Flag Campaign and Bystander Intervention. University public safety officers have attended various certification trainings related to domestic violence and sexual assault response. Staff members have also consistently attended national Title IX and student conduct conferences.

The campus web pages for the Women's Center, Student Conduct, Equity and Diversity, Title IX, and other departments play a critical role in publicizing available 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 2021. Resources fliers, 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.

CONCLUSION

The short narrative above is an overview of the BOR/CSCU policies, reportable statistics, data, public awareness, prevention, and risk reduction for Eastern Connecticut State University for 2021. In addition, the narrative has information on the continued training efforts of staff members that organized the programs. It is important to note that during the Spring 2021 semester, concerns related to our Title IX processes were brought to light which resulted in the University contracting a nationally recognized consulting firm to complete a thorough and comprehensive review of our Title IX policies, protocols, and procedures. After several months of reviewing Eastern's Title IX practices, they submitted a report of their findings which also listed 20 recommendations for Eastern to consider. Critical to this process was the establishment of the TNG Oversight Committee. This team worked tirelessly throughout the Fall of 2021 and into Spring of 2022 to not only ensure that the recommendations from TNG were effectively implemented, but also to restore student trust, enhance campus confidence, and increase the visibility of Title IX resources.



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

SECTION 2

BOR/CSCU Sexual Misconduct Policies



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

Board of Regents. Connecticut State Colleges and Universities Policies

<u>BOR/ CSCU Policy</u>	<u>Link to Policy</u>
BOR/CSCU Sexual Misconduct Reporting, Support Services and Processes Policy (Effective 6/16/2016).	https://www.ct.edu/files/policies/5.2%20SexualMisconductReportingSuppMeasuresProcesses.pdf
BOR/CSCU Policy on Consensual Relationships (Effective 10/20/2016)	https://www.ct.edu/files/policies/4.3%20Consensual%20Relationships%20Policy.pdf
BOR/CSCU Policy Regarding Reporting Suspected Abuse or Neglect of a Child (Effective 1/10/2015)	https://www.ct.edu/files/policies/5.6%20Reporting%20Suspected%20Abuse%20or%20Neglect%20of%20a%20Child.pdf
BOR/CSCU Student Code of Conduct (Effective 7/29/2020)	https://www.ct.edu/files/policies/2.1%20StudentCodeofConduct.pdf

**Title IX Grievance Procedures
for Addressing Formal Complaints of Sexual Harassment
September 23, 2020
Updated 9/17/2021**

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://bit.ly/TitleIXReg>

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. 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.

CSCU and 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, 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/policies/5.2%20Sexual%20misconduct%20reporting%20support%20and%20processes.pdf> (need link to latest). Sanctions applicable to both Title IX and Sexual Misconduct violations are found in the Student Code of Conduct or through the applicable employee agreement.

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

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, "covered 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, an Eastern Connecticut State University's "education program or activity" includes:

- Any on-campus premises
- Any off-campus premises that ECSU 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 ECSU's programs and activities over which ECSU 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 Eastern 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:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - 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 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 ECSU 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. ECSU 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: Sara Madera

Title: Interim Title IX Coordinator Office

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

Email Address: maderas@easternct.edu Telephone Number: 860-465-5012

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:

**Sara E. Madera; Interim Title IX
Coordinator**

Gelsi- Young Hall, Room 253

Phone Number: 860-465-5012

Email: maderas@easternct.edu

**Starsheemar Byrum, University
Victim Advocate (UVA)**

Student Center, Room 109

Phone Number: 860-465-4314

Email: byrums@easternct.ed

The following Officials may provide confidentiality:

Counseling and Psychological Services

182 High Street

Phone: 860-465-0181

Student Health Services

Health Services, Room 102

Phone: 860-465-5263

Campus Ministry

Newman, 290 Prospect St.

Phone: 860-423-0856

**The United Service Domestic Violence
Program (Off-Campus)**

24/7 Hotline

Phone: 860-456-9476

**Sexual Assault Crisis Center of Eastern
Connecticut (Off-Campus)**

24/7 hotline

Phone: 860-465-2789

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 Connecticut State University retains the authority to remove a respondent from ECSU program or activity on an emergency basis, where ECSU (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 Eastern Connecticut State 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

ECSU 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 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.

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 Connecticut State University'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, ECSU will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies:

If the alleged conduct would constitute a Title IX sexual harassment policy violation as well as a violation of the Sexual Misconduct Policy, the Title IX Grievance Process will be applied to investigation and adjudication for the conduct. However, any conduct that is unrelated to the Title IX Policy or Sexual Misconduct Policy within the allegation or discovered during a Title IX investigation, will be adjudicated in accordance with the Student Code of Conduct or employee agreement, as applicable

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, ECSU 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 policy violated; 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 Connecticut State University will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

ECSU has a long-standing practice of requiring students 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 ECSU.

Eastern Connecticut State University 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 Connecticut State University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Grievance Procedure, and ECSU 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. ECSU 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 ECSU.

Notice of Meetings and Interviews

Eastern Connecticut State University 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 ECSU 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. ECSU 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 is contained in documents or evidence that is/are otherwise relevant.

Hearing

General Rules of Hearings

Eastern Connecticut State University 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, ECSU 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/Panel 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.
- Eastern Connecticut State University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation.
- The hearing body 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 Body

- The hearing body will consist of a single decision-maker
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have 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 hearing body 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.

- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf.
- If neither a party nor their advisor appear at the hearing, Eastern Connecticut State University 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.

Hearing Procedures

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

- The hearing body will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The hearing body 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 body to use statements made by the Party.
- The hearing body is allowed to consider statements made by parties or witnesses that are otherwise permitted under the regulations, even if those parties or witnesses do not participate in cross-examination at the live hearing, in reaching a determination regarding responsibility in a Title IX grievance process.

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 Regarding 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 determines 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.

The Final Rule requires that Eastern Connecticut State University allow parties to call character witnesses to testify. ECSU 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 non-academic 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 the Title IX/ Sexual Misconduct Policy/Code of Conduct, 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 Connecticut State University 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.

Sanctions

See the applicable employee policy/agreement or the Student Code of Conduct for applicable sanctions.



STATUTORY REFERENCES AND DEFINITIONS

SEXUAL ASSAULT

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

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

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

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

Sec. 53a-71. *Sexual assault in the second degree: Class C or B felony.* (a) A person is guilty of sexual assault in the second degree when such person engages in sexual intercourse with another person and: (1) Such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such other person; or (2) such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; or (3) such other person is physically helpless; or (4) such other person is less than eighteen years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; or (5) such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (6) the actor is a psychotherapist and such other person is (A) a patient of the actor and the sexual intercourse occurs during the psychotherapy session, (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C)

a patient or former patient of the actor and the sexual intercourse occurs by means of therapeutic deception; or (7) the actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a health care professional; or (8) the actor is a school employee and such other person is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (9) the actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (10) the actor is twenty years of age or older and stands in a position of power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and such other person is under eighteen years of age; or (11) such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

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

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

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

Sec. 53a-73a. *Sexual assault in the fourth degree: Class A misdemeanor or class D felony.* (a) A person is guilty of sexual assault in the fourth degree when: (1) Such person subjects another person to sexual contact who is (A) under thirteen years of age and the actor is more than two years older than such other person, or (B) thirteen years of age or older but under fifteen years of age and the actor is more than three years older than such other person, or (C) mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact, or (D) physically helpless, or (E) less than eighteen years old and the actor is such other person's guardian or otherwise responsible for the general supervision of such other person's welfare, or (F) in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; or (2) such person subjects another person to sexual contact without such other person's consent; or (3) such person engages in sexual contact with an animal or dead body; or (4) such person is a psychotherapist and subjects another person to sexual contact who is (A) a patient of the actor and the sexual contact occurs during the psychotherapy session, or (B) a patient or former patient of the actor and such patient or former patient is emotionally dependent upon the actor, or (C) a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception; or (5) such person subjects another person to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a health care professional; or (6) such person is a school employee and subjects another person to sexual contact who is a student enrolled in a school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor; or (7) such person is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects another person to sexual contact who is a recipient of coaching or instruction from the actor and (A) is a secondary school student and receives such coaching or instruction in a secondary school setting, or (B) is under eighteen years of age; or (8) such person subjects another person to sexual contact and (A) the actor is twenty years of age or older and stands in a position of

power, authority or supervision over such other person by virtue of the actor's professional, legal, occupational or volunteer status and such other person's participation in a program or activity, and (B) such other person is under eighteen years of age; or (9) such person subjects another person to sexual contact who is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.

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

SEXUAL ASSAULT/INTIMATE PARTNER VIOLENCE

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

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

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

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

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

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

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

STALKING

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

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

Sec. 53a-181d. *Stalking in the second degree: Class A misdemeanor.* (a) For the purposes of this section, "course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly or through a third party, by any action, method, device or means, (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.



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

SECTION 3

ECSU's Sexual Misconduct Policies & Procedures

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 LaMar Coleman, Vice President for Equity and Diversity: Gelsi-Young Hall, Room 255.
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: Gelsi-Young Hall, Room 220.

III. COMPLAINT PROCEDURES

To file a complaint, please use the Discrimination and 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 2021



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Office of Housing and Residential Life

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

This protocol applies to all disclosures of or witnessing of sexual misconduct, dating violence, domestic violence and stalking.

1. When made aware of sexual assault, or any other sexual misconduct including, dating violence, domestic violence, or stalking, the Housing staff's (Resident Assistant (RA) or Hall Director (HD)) first responsibility is to ALWAYS ensure the immediate safety of the reporting party. (Regardless of when the assault or misconduct occurred).
 - If an RA is the first to receive the disclosure, they will notify the HD on call, or Central Housing (if the Hall Director is unreachable).
 - If RA is made aware of the assault or misconduct through a third party, they must contact the HD on call. The HD on call will conduct a wellness check and talk with the alleged victim to determine if they confirm the assault or harassment that was reported by the third party.
2. When speaking with the reporting party make sure to find an environment that is private, safe and supportive.
3. Consider any immediate physical and mental health emergency needs. Err on the side of caution. If medical assistance is needed contact the Police via 911.
4. Once the reporting party is safe: it is important to remember that your role is NOT to determine whether the assault occurred. Your primary responsibility is to remain supportive of the reporting party to ensure their immediate needs are known and met.
5. When speaking with the reporting party, RAs and HDs should:
 - Explain their level of privacy.
 - i. Resident Assistants and Hall Directors are **mandatory** reporters and are mandated by Title IX Regulations and Board of Regents for Higher Education's (BOR) Sexual Misconduct Reporting, Supportive Measures and Processes Policy to inform the university of all information they have of the incident involving sexual violence.
 - ii. Information provided to the University will not be shared outside of key team members of the SAIV-RT, including the Title IX Coordinator and the Director of Housing.
 - Ask questions that focus on the needs of the reporting party. Do not ask questions about the incident or attempt to conduct an investigation.
 - **ALWAYS** hand the reporting party (including third party reporters) the SAIV-RT resource brochure and card which goes over resources and their contact information and, reporting options.
6. The HD on call will notify the Director of Housing and Residential Life to inform them of the disclosure.
7. The HD on duty will give an overview of the resources and reporting options available:

Campus Non- Confidential Resources	Campus Confidential Resources
Title IX Coordinator Gelsi- Young Hall, Room 253 Office: 860-465-5012	Counseling and Psychological Services 182 High Street Office: 860-465-5578
University Victim Advocate (UVA) Student Center, Room 109 Office: 860-465-4314 Cell Phone: 860-567-5466	Student Health Services Health Services, Room 102 Office: 860-465-5263
Campus Police Public Safety Office: 860-465-5310	Campus Ministry Newman Hall, 290 Prospect St. Office: 860-423-0856
Off-Campus Confidential Resources	
The United Service Domestic Violence Program 24/7 Hotline Phone: 860-456-9476	Sexual Assault Crisis Center of Eastern Connecticut 24/7 hotline Phone: 860-465-2789

8. If a reporting party wishes to be connected with the University's Victims Advocate (UVA):
 - During Business hours (8 a.m. – 4 p.m.): Call the UVA office (Office: 860-465-4314; Cell: 860-576-5466) and connect the reporting party. If the UVA is unreachable you may call the Title IX Coordinator (860-465-5012).
 - If it's after hours (after 4 p.m.): Email the UVA and copy the Title IX Coordinator so that both are aware of the reporting party's potential outreach.
 - i. ***This is only if the reporting party does not want to speak to someone immediately and prefers to wait for the next business day.***
 - If the reporting party wishes to be connected with a Victim Advocate immediately and its after hours (after 4 p.m.):
 - i. For disclosures of sexual assault contact the Sexual Assault Crisis Center of Eastern Connecticut (860-465-2789).
 - ii. For disclosures of Interpersonal/ Domestic violence or stalking contact The United Service Domestic Violence Program (860-465-9476).
 - iii. Make sure the reporting party is in a safe and private space to have this conversation.
9. If the reporting party wishes to pursue a police investigation or discuss available options with the Police, the HD will assist in contacting the University Police at 860-465-5310.
 - For disclosures of sexual violence: It is important for the HD to explain to the reporting party that they have a right to have a Victim Advocate present if they wish to make a statement with Campus Police.
 - If it is during business hours (8 a.m. – 4 p.m.) you can connect the reporting party with the UVA so they can be present.
 - For disclosure of sexual violence after hours: Contact the Sexual Assault Crisis Center of Eastern Connecticut (860-465-2789) and connect the reporting party to speak with an advocate to meet them at the police station.
10. If the reporting party wishes not to speak to anyone about their disclosure, the HD must refer back to and review options as outlined in the SAIV-RT resource brochure and card. (***Reminder: The SAIV-RT brochure and card must be handed to the reporting party regardless if they wish to speak to resources or not.***)
11. Inform the reporting party that the Title IX Coordinator will reach out to them via email within 48 hours to check in.
12. The HD on duty should follow up with the RA, if appropriate, to see if there is additional information, or if any information suggests the possibility of threat to the reporting party or community.
 - The HD should also remind the RA to submit within 24 hours an Interpersonal Violence Report via Maxient.

13. Reporting Protocol:

- HD and RA should submit separate Interpersonal Violence Reports Via Maxient.
 - i. Reports should also be written independently and not together.
 - ii. Maxient reports should include:
 1. Initial information that was given to the RA.
 2. Whether or not the reporting party wants to be contacted by the Title IX Coordinator or UVA.
 3. Whether or not the reporting party wishes to meet with the Police.
 4. Whether or not the reporting party chose to go to the hospital.
- All Reports must be submitted within 24 hours.

Make a Report/Reporting Options

Reporting is both a right and an individual choice. You have different reporting options available to you. Please note you do not need to choose only one option. You may choose as many options you feel you need. It is completely up to you. It is, however, important to understand that each option has its own procedures and mandated processes. No two processes are the same nor will they produce the same outcome. If this is an emergency situation that requires medical, psychological, or police services, please call 911.

1. Contacting the Office of Equity and Diversity/Title IX and filing a formal complaint.

You have the right to file a formal complaint with the Office of Equity and Diversity/Title IX which initiates an administrative investigation of alleged behavior that violated our Sexual Misconduct Policy stated in the Student Code of Conduct. This process does not investigate violations of criminal law.

- a. All investigations of violations of Title IX and our Sexual Misconduct Policy are designed to be prompt, fair, impartial and to equitably protect the rights of individuals participating in the process. If you choose to submit a complaint, you have the right to have a support person present with you throughout the complaint, investigation, and hearing process.

- b. As the reporting party you do have the choice to participate or not in the investigation process.
 - It is important to know that in certain cases, the Title IX Coordinator may choose to move forward with the investigation even if the reporting party wishes to not participate. The reporting party will not be forced to participate but will be notified if an investigation will continue or not.
- c. For more information on filing a formal complaint, please contact the Title IX Coordinator at (860) 465-5012.

2. Third Party/Anonymous Reporting

Any individual has the right to file a report on the Title IX: Sexual Misconduct, Interpersonal Violence, or Stalking Form

- a. The Title IX Sexual Misconduct, Interpersonal Violence, or Stalking form gives the option to file anonymously without any identifying information.
- b. Note University employees are required to file a Title IX: Sexual Misconduct, Interpersonal Violence or Stalking form when made aware of an incident related to sexual assault, sexual harassment, stalking and intimate partner violence.
- c. For more information on anonymous reporting please contact the Title IX Coordinator at (860) 465-5012.

3. Contacting the University Police Department

Reporting an incident to police does not commit you to further legal action. The earlier you report any such incident, the easier it will be for police to investigate the crime and to prosecute the case successfully if that is your choice.

- a. Criminal Complaint. Students may make criminal complaints with the University Police Department. The police will inform the students of their rights and options. University police will investigate and will keep the student apprised about any decision to prosecute. Note: A criminal investigation will be done through the Police department with jurisdiction of the area that the crime was committed.
- b. The police will review all cases with the State's Attorney's office. The State's Attorney will make the final decision to prosecute under state law.

- c. If you wish to have the accused prosecuted, the police and district attorney's office will handle the legal proceedings without expense to you. You do not need to hire an attorney.
- d. If you wish, you may have a Victim's advocate present with you while making a complaint to the police.
- e. Protective and/or Restraining Orders
 - i. Campus police and advocates can help you explore safety options such as protective or restraining orders that can be requested and issued by a judge from the criminal courts related to any of the above incidents.
 - ii. A court issued protective or restraining order prohibits someone from communicating with a complainant, from entering the complainant's residence, workplace, school, or property and any place the complainant may frequent.
 - iii. When informed that a protective or restraining order has been issued, Eastern will take immediate steps to enforce the order as it relates to activities on the campus. It is important that students alert Eastern police that such an order has been issued (providing the police with a copy of the order is strongly encouraged).



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EASTERN CONNECTICUT STATE UNIVERSITY

Office of Equity & Diversity

Procedures for Reports Made to Faculty and Staff

Statement of Policy:

The Board of Regents for Higher Education (BOR) and each of its member colleges and universities are committed to ensuring that each member of the community has the opportunity to fully participate in the process of education and development. Eastern Connecticut State University strives to maintain a safe and welcoming environment free from acts of sexual misconduct, including, sexual harassment, sexual assault, intimate partner violence and stalking. It is also Eastern's goal to provide safety, privacy and support to survivors of sexual misconduct.

The BOR has established a policy concerning [Sexual Misconduct Reporting, Support Services and Processes](#). The policy strongly encourages and supports the reporting of sexual misconduct including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence. The BOR policy requires all CSCU employees to immediately communicate to the Institutions designated recipient (University's Title IX coordinator) any report or disclosure of sexual misconduct received from a student as well as disclosures or report of sexual misconduct received from another employee when misconduct is related to the business of the institution.

Please be aware that as faculty and Staff you may receive disclosures of sexual misconduct, dating/domestic violence, stalking, sexual harassment, and/or any other form of interpersonal violence from students. This protocol will review step by step how to respond and report those disclosures to the Office of Equity and Diversity/ Title IX office. It will also walk you through on how to best support the student and inform them of their options. It is important to know your role will be to educate, empathize and support our students during this time.

Procedures:

1. When made aware of sexual assault, or any other sexual misconduct including, dating violence, domestic violence, or stalking, your first responsibility is to ALWAYS ensure the immediate safety of the reporting party. (Regardless of when the assault or misconduct occurred).
 - a. In the case of an emergency contact Campus Police at 860-465-5310 or 911 immediately.
2. When speaking with the reporting party make sure to find an environment that is private, safe and supportive.
3. Once the reporting party is safe: it is important to remember that your role is NOT to determine whether the assault occurred. Your primary responsibility is to remain supportive of the reporting party to ensure their immediate needs are known and met.
4. When speaking with the reporting party, faculty and staff should:
 - a. Explain their level of privacy.
 - i. Faculty and Staff are mandatory reporters and are mandated by BOR's Sexual Misconduct Reporting, Supportive Measures and Processes Policy to inform the university of all information they have of the incident involving sexual misconduct.
 - ii. Information provided to the University will not be shared outside of the Title IX Coordinator.



EASTERN CONNECTICUT STATE UNIVERSITY

Office of Equity & Diversity

- iii. You can inform them there are confidential resources available for them to report if they prefer.
 5. If a student wishes to talk to someone immediately:
 - a. Contact the Title IX Coordinator at 860-465-5012. They will offer guidance and review information and procedures that can assist the student in getting the help they may need.
 - b. If they prefer to speak with the University Victims Advocate (UVA) immediately and it is during business hours (8a.m. – 4 p.m.), contact them at (860) 465-4314, or (860) 576-5466. ***(Please make the student aware that the UVA is NOT a confidential resource).***
 - i. If it is afterhours (after 4 p.m.) you may call the Title IX Coordinator at 860-377-1355. (Only if the student wishes to speak to someone immediately).
 6. Support the student's choices and provide ongoing support.
 7. Reporting procedures:
 - a. Faculty and Staff must submit the [Title IX: Sexual Misconduct, Interpersonal Violence or Stalking Form](#) **AFTER** the student has left. DO NOT use the form to guide your conversation with the student.
 - b. Please fill out form with the information you were provided by the student. Any information you do not know you may leave blank.
-

Resources/ Helpful Links

Below are additional support services available to the student as well as link with more information about the Office of Equity and Diversity and Title IX.

Campus Non- Confidential Resources	Campus Confidential Resources
Title IX Coordinator Gelsi- Young Hall, Room 253 Office: 860-465-5012	Counseling and Psychological Services 182 High Street Office: 860-465-5578
University Victim Advocate (UVA) Student Center, Room 109 Office: 860-465-4314 Cell Phone: 860-576-5466	Student Health Services Health Services, Room 102 Office: 860-465-5263
Campus Police Public Safety Office: 860-465-5310	Campus Ministry Newman Hall, 290 Prospect St. Office: 860-423-0856
Off-Campus Confidential Resources	
The United Service Domestic Violence Program 24/7 Hotline Phone: 860-456-9476	Sexual Assault Crisis Center of Eastern Connecticut 24/7 hotline Phone: 860-465-2789

Title IX Reporting form: https://cm.maxient.com/reportingform.php?EasternCTStateUniv&layout_id=1

Title IX Website: <https://www.easternct.edu/title-ix/>

Sexual Assault and Interpersonal Violence Response Team: <https://www.easternct.edu/sexual-assault-and-interpersonal-violence/index.html>

EASTERN CONNECTICUT STATE UNIVERSITY

Title IX

Incident Reporting Procedures for Faculty/Staff

Office of Equity & Diversity



Title IX of the Educational Amendments of 1972 is a federal law that 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. Title IX declares sexual harassment as a form of discrimination and requires educational institutions to respond promptly and effectively to reports of sexual misconduct that occur within the institution's education program or activity. Sexual misconduct can take many forms, including sexual harassment, sexual assault, intimate partner violence, or stalking, along with other forms of sex- or gender-based misconduct and/or discrimination.

Outlined below are the steps faculty/staff should take if a student discloses they may have been a victim of a Title IX/sexual misconduct incident.

STEP 1

Upon being made aware of a Title IX/Sexual Misconduct incident, your first priority is to ensure the safety and security of the reporting party (*i.e. medical, mental health, physical security, etc.*). In cases of emergency, call 911 or contact campus police at (860) 465-5310, option #3.

STEP 2

When speaking with the reporting party, be sure to explain that you are a mandated reporter and that their disclosure will be kept private except for the report you are required to submit to the Title IX Office which will initiate the appropriate follow-up.

STEP 3

If the student wishes to speak with someone immediately during business hours the Title IX Coordinator can be contacted at (860) 465-5012 (between 8 a.m. and 5 p.m.) or the University Victim Advocate can be contacted at (860) 567-5466 (between 8 a.m. and 4 p.m.). If it is after-hours and the student wishes to speak with someone immediately, the Title IX Office can be reached via cell phone at (860) 377-1355.

STEP 4

If the student does not express an immediate need to speak with someone, be sure to give the reporting party the SAIV-RT (*Sexual Assault & Interpersonal Violence Response Team*) information card and/or pamphlet. If you do not have them available, inform the reporting party that additional information can be found on Eastern's Title IX website.

STEP 5

When speaking with the reporting party, remember, it is not your role to determine if the incident occurred, but to report what has been disclosed to you. Reports should be submitted online at [Title IX Incident Reporting Form](#).

NOTE It is not necessary to complete the report in the presence of the student and it is only necessary for you to enter the information that the student freely disclosed to you (*some fields on the report may need to be left blank if you do not know the information*).

OTHER RESOURCES FOR STUDENTS/ CONTACT INFORMATION

Campus Non-Confidential Resources	Campus Confidential Resources
<p><i>Title IX Coordinator</i> Gelsi Young Hall, Room 253 (860) 465-5012</p> <p><i>University Victim Advocate (UVA)</i> Student Center, Room 109 (860) 465-4314 • (860) 576-5466 cell</p> <p><i>Campus Police</i> Public Safety (860) 465-5310</p>	<p><i>Counseling & Psychological Services</i> 182 High Street (860) 465-5578</p> <p><i>Student Health Services</i> Health Services, Room 102 (860) 465-5263</p> <p><i>Campus Ministry</i> Newman Hall, 290 Prospect St. (860) 423-0856</p>

Off-Campus Confidential Resources	
<p><i>The United Service Domestic Violence Program</i> 24/7 hotline (860) 456-9476</p>	<p><i>Sexual Assault Crisis Center of Eastern Connecticut</i> 24/7 hotline (860) 465-2789</p>

Office of Equity & Diversity Staff
<p><i>LaMar Coleman, Ed.D.</i>, Vice President (860) 465-0072</p> <p><i>Sara Madera, M.S.</i>, Title IX Coordinator (860) 465-5012</p> <p><i>Indira Petoskey, Ph.D.</i>, Assistant Dean (860) 465-5066</p> <p><i>Sandra Rodriguez</i>, Administrative Assistant (860) 465-5112</p>



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Office of Equity & Diversity

SECTION 4

ECSU Resources



Your Rights & Resources as a Complainant

*A guide for students who experience sexual
misconduct, sexual assault, sexual harassment,
intimate partner violence and/or stalking.*

EASTERN CONNECTICUT STATE UNIVERSITY

Office of Equity & Diversity/Title IX

DEFINITIONS

Title IX

Title IX states no person in the United States shall, on the basis of sex, be excluded from participation in; be denied the benefits of; or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Title IX declares sexual harassment as a form of discrimination and requires educational institutions to respond promptly and effectively to reports of sexual misconduct.

Consent

Consent is the equal approval, given freely, willingly and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision — to engage in mutually accepted sexual contact. Consent cannot be assumed because there is no physical resistance or other negative response.

Sexual Harassment

Sexual harassment can include any unwanted 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 individuals' education or employment; submission to or rejection of such conduct by an individual is 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.

Sexual Assault

Sexual assault is any attempted or forcible sexual act (sexual contact or sexual intercourse) directed against another person without their consent (as defined herein) including instances when that person is not capable of giving consent.

Sexual Exploitation

Sexual exploitation occurs when a person takes a nonconsensual 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.

Intimate Partner Violence/ Domestic and/or Dating Violence

Intimate partner, domestic and/or dating violence means any emotional, physical or sexual harm against an individual by a current or former spouse or in a dating or cohabitating relationship. Intimate partner violence may also include physical abuse, threat of abuse and emotional abuse.

Stalking

Stalking is defined as repeatedly contacting another person when the contacting person knows or should know 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 when the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

WHAT CAN I DO IF AN INCIDENT OCCURS

1. **Go to a safe place.** Go to a friend's room, an RA's room or any open office you feel comfortable in. If you are not safe, call University Police at (860) 465-5310 or call 911.
2. **Contact someone you can trust.** A friend, a family member or a victim's advocate are good resources to call. In addition, there are 24-hour hotlines available for support.

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

United Services Domestic Violence Program (860) 456-2261
3. **Preserve evidence.** If you think you might want to report the crime to the police, do not shower, douche, eat, brush your teeth or

wash your clothes. If the incident involves any written or electronic evidence such as pictures, texts, emails, social media posts or videos, try to preserve copies.

4. **Seek medical attention as soon as possible.** You do not need to make a formal report to the University or press charges to receive medical attention and treatment. You will have options for prevention of pregnancy and sexually transmitted infections.
5. **Receive a forensic exam.** If you are unsure about whether you want to report the crime to the University or the police, you can have evidence collected at the local hospital and then decide about reporting at a later date.

RIGHTS OF THOSE WHO REPORT

1. All reports of sexual misconduct will be treated seriously and with dignity by the University.
2. Referrals are available to immediate and confidential off-campus counseling and medical services. These referrals are available whether or not those who report feel ready to make a decision about reporting to police, a University employee or the campus's Title IX coordinator.
3. Those who have been affected by sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
4. Those who seek confidentiality may contact: a University counseling center counselor, a University health center care provider, a clergy member(s), 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.
5. Any student, under the influence of alcohol at the time of an incident, or at the time of reporting, may not be subject to the Code of Conduct process related to alcohol violations. *It is never too late to seek help and support.*
6. As stated by the Board of Regents of Higher Education, retaliation against any person who made a complaint, testified, assisted, participated or refused to participate in an administrative or criminal process, is strictly prohibited and will not be tolerated.

REPORTING OPTIONS

Reporting is both a right and an individual choice. You have different reporting options available to you. *Please note you do not need to choose only one option.* You may choose as many options you feel you need. It is, however, important to understand that each option has its own procedures and mandated processes. No two processes are the same nor will they produce the same outcome.

1. Filing a formal complaint with the Office of Equity and Diversity/Title IX

You have the right to file a formal complaint with the Office of Equity and Diversity/Title IX which initiates an administrative investigation of alleged behavior that violated our Sexual Misconduct Policy stated in the Student Code of Conduct. *This process does not investigate violations of criminal law.*

- a. All investigations of violations of Title IX and our Sexual Misconduct Policy are designed to be prompt, fair, impartial and to equitably protect the rights of individuals participating in the process. If you choose to submit a complaint, you have the right to have a support person present with you throughout the complaint, investigation and hearing process.
- b. As the reporting party you have the choice to participate in the investigation process.
 - It is important to know that in certain cases, the Title IX coordinator may choose to move forward with the investigation even if the reporting party wishes to not participate. The reporting party will not be forced to participate but will be notified if an investigation will continue.
- c. For more information on filing a formal complaint, please contact the Title IX coordinator at (860) 465-5012 or (860) 576-1483.

2. Third party/anonymous reporting

Any individual has the right to file a report on the **Title IX: Sexual Misconduct, Interpersonal Violence or Stalking Form** which can be found on https://cm.maxient.com/reportingform.php?EasternCTStateUniv&layout_id=1

- a. The Title IX Sexual Misconduct, Interpersonal Violence or Stalking form gives

the option to file anonymously without any identifying information.

- b. University employees are required to file a *Title IX: Sexual Misconduct, Interpersonal Violence or Stalking Form* when made aware of an incident related to sexual assault, sexual harassment, stalking and intimate partner violence.
- c. For more information on anonymous reporting please contact the Title IX coordinator at (860) 465-5012 or (860) 576-1483.

3. Contacting the University police department

Reporting an incident to the police does not commit you to further legal action. The earlier you report any such incident, the easier it will be for the police to investigate the crime and to prosecute the case successfully, if that is your choice.

- a. *Criminal complaint* - Students may make criminal complaints with the University police department. The police will inform the students of their rights and options. University police will investigate and will keep the student apprised about any decision to prosecute.
Note: A criminal investigation will be done through the police department within the jurisdiction of the area that the crime was committed.
- b. *State's attorney* - The police will review all cases with the State's attorney's office. The State's attorney will make the final decision to prosecute under State law.
- c. If you wish to have the accused prosecuted, the police and district attorney's office will handle the legal proceedings without expense to you. *You do not need to hire an attorney.*
- d. You may have a victim's advocate present with you while making a complaint to the police.

REPORTING OPTIONS, CONT'D

e. *Protective and/or Restraining Orders*

- i. Campus police and advocates can help you explore safety options such as protective or restraining orders that can be requested and issued by a judge from the criminal courts related to any of the above incidents.
- ii. A court issued protective or restraining order prohibits someone from communicating with a complainant, from entering the complainant's residence, workplace, school or

property as well as any place the complainant may frequent.

- iii. When informed that a protective or restraining order has been issued, Eastern will take immediate steps to enforce the order as it relates to activities on the campus. It is important that students alert Eastern police that such an order has been issued (*providing the police with a copy of the order is strongly encouraged*).

SUPPORTIVE MEASURES

Supportive measures are non-disciplinary and non-punitive services offered to restore or preserve equal access to the University's educational program or activity without unreasonably burdening the other party. Students have the right to receive supportive measures from Eastern, regardless of whether they decide to file a complaint. Students should not hesitate to make these requests, which will be addressed in a timely manner by the Office of Equity and Diversity/Title IX. Some supportive measures include, but are not limited to:

1. Assistance in changing living arrangements, class schedules or on-campus work schedules
2. Campus escort services
3. No contact orders. Restrictions on contact between involved parties. (*Please note, this is not the same as a protective or restraining order*)
4. Leave of absence
5. Increased security and monitoring of certain areas of campus

OVERVIEW OF THE TITLE IX GRIEVANCE PROCESS

The time frame for the Title IX grievance process will be concluded within ninety (90) school calendar days after the filing of the formal complaint. The process may be extended for good reason. Any delays to the process, along with reason, will be directly communicated to all parties by the Title IX investigator and coordinator. *Any student who is going through the process has the right to have a support person present at any meeting. Students may choose their own support person or the University can provide one.*

1. **Filing a formal complaint** When a formal complaint is filed, the Title IX coordinator will meet with the complainant to review and better understand what occurred and what allegations are being reported. Once the allegations are determined, the person accused of alleged behavior (also referred to as the respondent) will receive a notice of allegations from the Title IX investigator and start the formal investigation process.

choose to move forward with the investigation even if the complainant wishes not to participate. The complainant will not be forced to participate but will be notified if an investigation will continue or not.

- a. It is important to know that in certain cases, the Title IX coordinator may

2. **Investigations** The investigator will set up interviews with both the complainant and respondent and any witnesses each party wants interviewed. During the interview the investigator will request each party to provide any relevant evidence to be reviewed. This

OVERVIEW OF THE TITLE IX GRIEVANCE PROCESS, CONT'D

may include, but is not limited to documents, emails, texts or social media communications. Any relevant and related evidence submitted will be included in the final report. *All parties have the right to have a support person present during the investigation interview.*

Once the investigations are concluded, the investigator will write up a report with all the facts gathered and relevant evidence. Both the complainant and respondent as well as their support persons will receive a copy of the report. Each party will be given 10 days to review the report and respond with any feedback.

3. Informal resolution If appropriate, a complainant who files a formal complaint may elect, at any time, to address the matter through the University'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 the different options within the informal resolution process will be discussed with the Title IX coordinator.

4. Hearing If a case is not resolved under an informal resolution, it will be taken to a hearing. If a hearing occurs, each party must have a support person who will orally ask questions of the other party and witnesses. There will be pre-hearing meetings with all parties (*individually with their support person*) with the assigned hearing officer to review the process and provide an overview of how the hearing will proceed.

Once the hearing is concluded, the hearing officer will write an outcome report explaining their findings and a rationale for their decision. This report will be sent out to both the complainant and respondent and their support people.

5. Possible sanctions/disciplinary actions If a respondent is found in violation for alleged behavior, sanctions for them can include: loss of privileges, an ongoing no contact order and/or disciplinary probation. For matters that go to a hearing, suspension and dismissal are also possible sanctions.

6. Appeals Each party has the right to appeal. Information on how to proceed with an appeal will be included in the hearing outcome report. You may submit an appeal if:

- a. You believe there is a procedural irregularity that affected the outcome of the matter (*i.e. a failure to follow institution's own procedures*).
- b. There is new evidence that was not reasonably available at the time of the hearing that could affect the outcome of the matter.
- c. 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 in general that affected the outcome of the case.
- d. The severity of sanctions are not commensurate with violations.

RESOURCES

If you are someone who experienced sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking, we want to make sure you are aware of the resources available to you. There are both confidential and non-confidential resources available to make a disclosure. These offices will be able to provide you with support and an overview of resources, options and supportive measures available.

Confidential Resources

Confidential resources are defined as “personnel who are bound by state law and professional ethics from disclosing information about reports/disclosures without written releases. These resources also serve as members to Eastern’s Sexual Assault and Interpersonal Violence Response Team. Confidential resources include:

Counseling and Psychological Services (CAPS)

182 High Street | (860) 465-0181

Student Health Services

185 Birch Street, Room 102 | (860) 465-5263

Campus Ministry

Newman Hall, 290 Prospect Street
(860) 423-0856

***The United Service Domestic Violence Program**

140 North Frontage Road
Mansfield Center, CT 06250 | (860) 456-2261
(860) 774-2900 (24/7 hotline)

***Sexual Assault Crisis Center of Eastern Connecticut**

90 South Park Street, Willimantic, CT 06226
(860) 465-2789 (24/7 hotline)

***Connecticut office of Victim Services**

225 Spring Street, Fourth Floor
Wethersfield, CT 06109
(800) 822-8428
(Monday - Friday, 8a.m. - 4:30 p.m.)

*(*Indicates off-campus confidential resources)*

Non-Confidential Resources

Non-confidential resources are staff members on campus who are considered mandated reporters and are required to inform the University of any disclosure of sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking. These resources also serve on Eastern’s Sexual Assault and Interpersonal Violence Response and Resource Team. These offices will be able to provide you with support and an overview of resources, options and supportive measures available

Vice President of Equity and Diversity, Chief Title IX officer

Gelsi Young Hall, Office Suite 254
(860) 465-0072

Title IX coordinator, co-chair of the Sexual Assault & Interpersonal Violence Response Team

Gelsi Young, Office Suite 254
(860) 465-5012 | (860) 576-1483

University Victims Advocate, co-chair of the Sexual Assault & Interpersonal Violence Resource Team

Student Center, Room 116
(860) 465-4314 | (860) 576-5466

Public Safety/Campus Police

Public Safety Building
44 Charter Oak Road, Room 205
(860) 465-5310

Dean of Students

Gelsi Young Hall, Room 222
(860) 465-5244

Director of Student Conduct

Woods Support Services, Room 207
(860) 465-0063

Director of AccessAbility Services (OAS)

Wood Support Services, Room 201
(860) 465-0189

Director of Housing and Residential Life

Wood Support Services, Room 245
(860) 465-0147

Associate Dean of Arts and Sciences

Webb Hall, Room 263
(860) 465-5383



**EASTERN
CONNECTICUT
STATE UNIVERSITY**

Office of Equity & Diversity/Title IX

A tall brick clock tower with a white clock face at the top, set against a clear blue sky with some light clouds. The tower has a central glass-enclosed section and is flanked by brick pillars. At the base, an American flag and a blue university flag are visible. The background shows green trees.

Your Rights & Resources as a Respondent

Foster Clock Tower

A guide for students who have been accused of sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking.

EASTERN CONNECTICUT STATE UNIVERSITY

Office of Equity & Diversity/Title IX

DEFINITIONS

Title IX

Title IX states no person in the United States shall, on the basis of sex, be excluded from participation in; be denied the benefits of; or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Title IX declares sexual harassment as a form of discrimination and requires educational institutions to respond promptly and effectively to reports of sexual misconduct.

Consent

Consent is the equal approval, given freely, willingly and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision — to engage in mutually accepted sexual contact. Consent cannot be assumed because there is no physical resistance or other negative response.

Sexual Harassment

Sexual harassment can include any unwanted 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 individuals' education or employment; submission to or rejection of such conduct by an individual is 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.

Sexual Assault

Sexual assault is any attempted or forcible sexual act (sexual contact or sexual intercourse) directed against another person without their consent (as defined herein) including instances when that person is not capable of giving consent.

Sexual Exploitation

Sexual exploitation occurs when a person takes a nonconsensual 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.

Intimate Partner Violence/ Domestic and/or Dating Violence

Intimate partner, domestic and/or dating violence means any emotional, physical or sexual harm against an individual by a current or former spouse or in a dating or cohabitating relationship. Intimate partner violence may also include physical abuse, threat of abuse and emotional abuse.

Stalking

Stalking is defined as repeatedly contacting another person when the contacting person knows or should know 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 when the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

TITLE IX GRIEVANCE PROCESS FLOW CHART

Notice or formal complaint to Title IX coordinator

Provisions of Supportive Measures

Review of allegations/ initial assessment of which policies/ procedures may be applicable

Provision of Supportive Measures/ Sanctions (if applicable)

Informal resolutions (If applicable)

Formal investigation

Appeal (if applicable)

Meeting held with Complainant and Respondent and their support persons

Notice to parties of alleged policy violations and formal investigation process

Notice of outcome, determination and remedies

Resolution determined and agreed upon by both parties

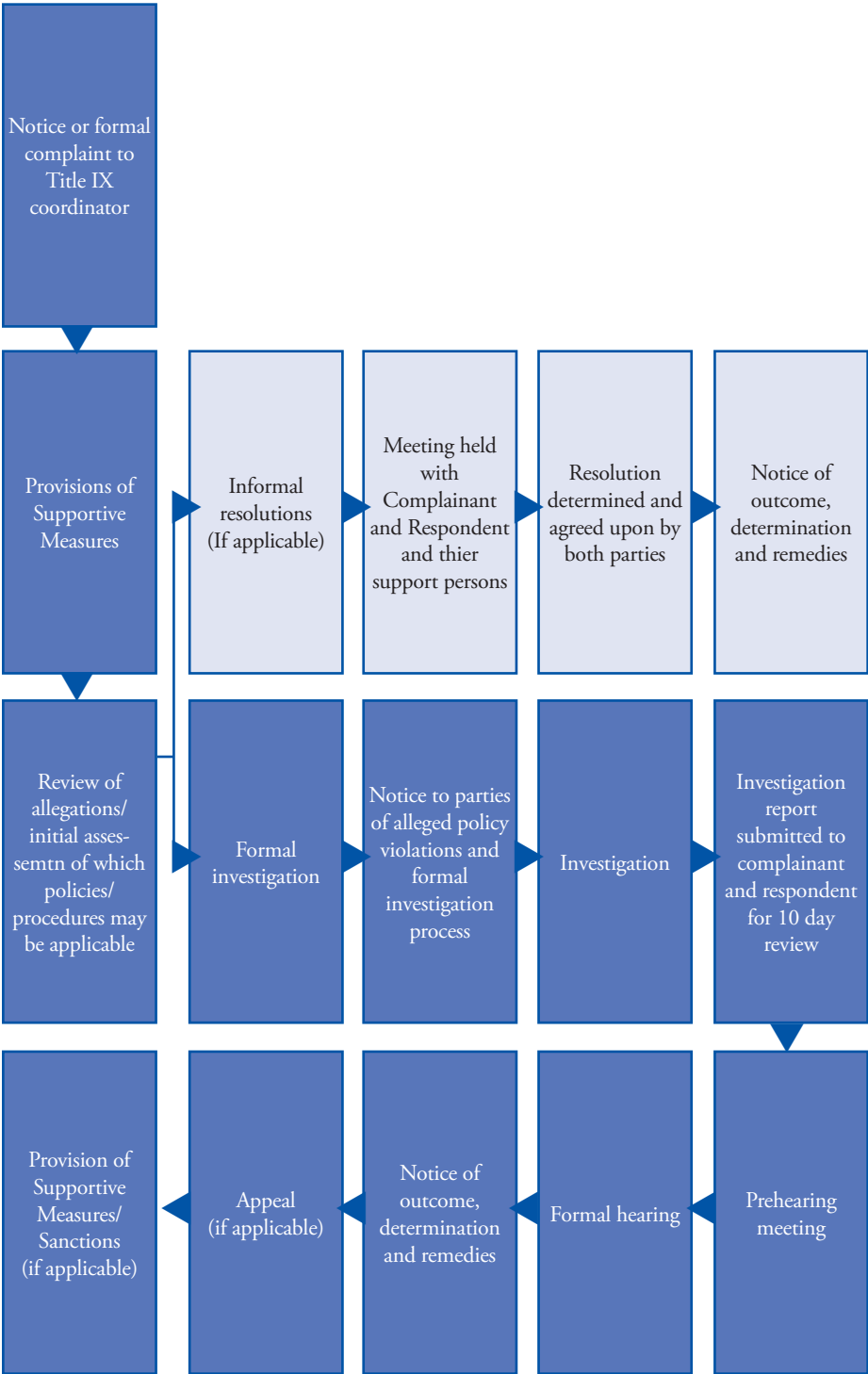
Investigation

Formal hearing

Notice of outcome, determination and remedies

Investigation report submitted to complainant and respondent for 10 day review

Prehearing meeting



WHAT YOU SHOULD KNOW

1. **Preserve Evidence** If a complaint has been filed, considering preserving evidence. Examples of evidence include but are not limited to the following: a list of witnesses with contact information, text messages, call history, social media posts, pictures of injuries. This is not an exhaustive list, but it can be beneficial to preserve evidence for the process. More information regarding Eastern Connecticut State University's Title IX process, please visit our website: <https://www.easternct.edu/title-ix/index.html>
2. **DO NOT** contact the complainant.
3. **DO NOT** ask anyone to intercede on your behalf and contact the complainant.
4. **DO** read Eastern Connecticut's Sexual Misconduct Policy and Title IX Grievance Process

RIGHTS OF THOSE REPORTED

1. All reports of sexual misconduct will be treated seriously and with dignity by the institution.
2. The right to a fair, prompt, and impartial investigation.
3. The right to preservation of privacy and to keep their identity confidential.
4. Equal access to any information that will be used during meetings and hearings.
5. Referrals to on campus resources for academic, medical, counseling, and other advisory services.
6. Respondents may respond to evidence presented by the reporting party and to provide additional evidence and/or witnesses.
7. Those who have been accused of sexual misconduct have the right to receive written notice of any investigative interviews, meetings, or hearings, including a written notice of the decision of the hearing body (if needed) within one (1) business day of the conclusion.
8. An opportunity to request for a review of findings.
9. Those who seek confidentiality may contact a clergy member(s), a University counseling center counselor, a University health center care provider – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.
10. As stated by the Board of Regents of Higher Education, retaliation against any person who made a complaint, testified, assisted, or refused to participate in an administrative or criminal process is strictly prohibited and will not be tolerated.

SUPPORT ADVISORS FOR RESPONDENTS

Respondents may have a support person/advisor present at all meetings/hearings. This person can be chosen by the respondent or provided by the University.

Respondents have the right/ability to have a support person/advisor throughout the investigation and hearing process. The support person/advisor can provide resources, guidance, and support to re-

spondents by reviewing evidence; being present for meetings, interviews, and hearings; and facilitating cross-examination on behalf of the respondent at the formal hearing. Respondents can either choose a support advisor on their own or they can request a list of University trained support advisors from the Title IX Coordinator. A support advisor can also be assigned upon request.

OVERVIEW OF THE TITLE IX GRIEVANCE PROCESS

The time frame for the Title IX grievance process will be concluded within ninety (90) school calendar days after the filing of the formal complaint. The process may be extended for good reason. Any delays to the process, along with reason, will be directly communicated to all parties by the Title IX investigator and coordinator. *Any student who is going through the process has the right to have a support person present at any meeting. Students may choose their own support person or the University can provide one.*

1. Filing a formal complaint When a formal complaint is filed, the Title IX coordinator will meet with the complainant to review and better understand what occurred and what allegations are being reported. Once the allegations are determined, the person accused of alleged behavior (also referred to as the respondent) will receive a notice of allegations from the Title IX investigator and start the formal investigation process.

- a. It is important to know that in certain cases, the Title IX coordinator may choose to move forward with the investigation even if the complainant wishes not to participate. The complainant will not be forced to participate but will be notified if an investigation will continue or not.

2. Investigations The investigator will set up interviews with both the complainant and respondent and any witnesses each party wants interviewed. During the interview the investigator will request each party to provide any relevant evidence to be reviewed. This may include, but is not limited to documents, emails, texts or social media communications. Any relevant and related evidence submitted will be included in the final report. *All parties have the right to have a support person present during the investigation interview.*

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agree to enter the informal resolution process through an informed written consent. Information about the different options within the informal resolution process will be discussed with the Title IX coordinator.

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5. Possible sanctions/disciplinary actions If a respondent is found in violation for alleged behavior, sanctions for them can include: loss of privileges, an ongoing no contact order and/or disciplinary probation. For matters that go to a hearing, suspension and dismissal are also possible sanctions.

6. Appeals Each party has the right to appeal. Information on how to proceed with an appeal will be included in the hearing outcome report. You may submit an appeal if:

- a. You believe there is a procedural irregularity that affected the outcome of the matter (*i.e. a failure to follow institution's own procedures*).
- b. There is new evidence that was not reasonably available at the time of the hearing that could affect the outcome of the matter.

OVERVIEW OF THE TITLE IX GRIEVANCE PROCESS, CONT'D

- c. 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 in general that affected the outcome of the case.
- d. The severity of sanctions is not commensurate with violations.

SUPPORTIVE MEASURES

Supportive measures are non-disciplinary and non-punitive services offered to restore or preserve equal access to the University's educational program or activity without unreasonably burdening the other party. Students have the right to receive supportive measures from Eastern, regardless of whether they decide to file a complaint. Students should not hesitate to make these requests, which will be addressed in a timely manner by the Office of Equity and Diversity/Title IX. Some supportive measures include, but are not limited to:

1. Assistance in changing living arrangements, class schedules or on-campus work schedules
2. Campus escort services
3. No contact orders. Restrictions on contact between involved parties. *(Please note, this is not the same as a protective or restraining order)*
4. Leave of absence
5. Increased security and monitoring of certain areas of campus

ACCOMMODATIONS

No Contact Order

A No Contact Order is a directive from the office of Student Conduct that limits contact with another student on campus. This includes but is not limited to personal contact, telephone contact, mail contact, electronic contact (including but not limited to email, text message, social network messaging, or instant messaging) and third-party contact. Failure to abide by this order may result in formal disciplinary charged being filed under the Student Code of Conduct.

Persona Non Grata (PNG) from Residence Halls

A PNG puts a student on notice that they are unwelcome in a specific building or area on campus. Failure to comply with a PNG may result in arrest for criminal trespassing.

Assistance in Changing Living Arrangements, Class Schedules or On-Campus Work Schedules

The university recognizes that it may be necessary for students to request an interim change to their on-campus living arrangements, class schedules, and on-campus workplace. Students should contact the Dean of Students. Students should not hesitate to make these requests, which will be addressed in a timely manner.

Support Person

A support person is someone who accompanies a complainant or respondent to a hearing (or a proceeding pertaining to a report of sexual misconduct) for the limited purpose of providing support and guidance. You are able to choose a support person to assist you throughout the process. A support person should be someone you feel comfortable with knowing the details of the incident and who you would feel comfortable having present at meetings or a hearing (if needed).

Please note: Interim accommodations are not meant to serve as sanctions. They are actions taken to better assist both parties through the investigation and to make sure both are safe.

RESOURCES

If you are someone who experienced sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking, we want to make sure you are aware of the resources available to you. There are both confidential and non-confidential resources available to make a disclosure. These offices will be able to provide you with support and an overview of resources, options and supportive measures available.

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***Connecticut office of Victim Services**

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Public Safety/Campus Police

Public Safety Building
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Dean of Students

Gelsi Young Hall, Room 222
(860) 465-5244

Director of Student Conduct

Woods Support Services, Room 207
(860) 465-0063

Director of AccessAbility Services (OAS)

Wood Support Services, Room 201
(860) 465-0189

Director of Housing and Residential Life

Wood Support Services, Room 245
(860) 465-0147

Associate Dean of Arts and Sciences

Webb Hall, Room 263
(860) 465-5383



**EASTERN
CONNECTICUT
STATE UNIVERSITY**

Office of Equity & Diversity/Title IX

Emergency numbers

Police Emergency Number
911 CT Safe
Connect
1.888.774.2900
www.ctsafeconnect.org

Telephone numbers in your area

Eastern Police Department 860.465.5310

Willimantic Police Department
860.465.3135 (Off campus incidents)

-Confidential Tipline

860.465.0242

Campus Health Center
860.465.5263

Office of Equity and Diversity
860.465.5112

Campus Counseling Center and
Psychological Services (Non Emergency)

860-465-0181

Dean of Students: 860.465.5247

Women's Center: 860.465.4314

Info Line: 211

Windham Hospital Emergency Room
860.465.6715

Office of Student Conduct
860.465.0063

United Services
860.456.9476
www.unitedservicesct.org

Sex Assault Crisis Center of Eastern
CT 860.456.3595
www.saccec.org

Title IX: 860.465.5012

STAYING SAFE ON CAMPUS

PERSONAL SAFETY PLAN

Take precautions and make a plan to
stay safe.



Staying Safe in the Dorms/Suites

I can seek assistance through equity and
diversity Title IX office of student conduct
along with campus police.

I can tell these people about what is going on
in my relationship.

When my dorm/suite mate is gone, I can have
people stay with me. If I feel unsafe, I can
ask:

The safest way for me to leave my dorm/suite
in an emergency is:

If I have to leave, this is where I can go:

Commuting Safely

I can use the emergency blue phones located
on campus and download and use the ECSU
"Live safe" app :

If I need to change my route, here is another
way I can travel to campus.

If I need a ride to campus, I can ask:

Name: _____

Number: _____

Name: _____

Number: _____

Why Do You Need a Safety Plan?

No one deserves to be hit or threatened. If
you are being hurt by someone you know,
make plans and take precautions to keep
yourself safe. Here are some suggestions that
have helped other people in situations like
yours.

Staying Safe on Campus

The safest way for me to get to class is:

These are places on campus where I often
run into my abusive partner/ex-partner:

If I need to go to one of those places, I will
ask a friend to escort me. I will ask:

If I feel threatened or unsafe, I can go to these
public areas where I feel safe:

I could talk to the following people if I need
help, need to arrange my schedule or transfer
to another dorm:

- Dean of Students
- Campus Police/Public Safety
- Counseling/Health Services
- Title IX Coordinator

• Other:

This project was supported by Grant No. 2015-X1406-CT-WA awarded by the
Office on Violence Against Women, U.S. Department of Justice. The opinions,
findings, conclusions, and recommendations expressed in this publication are
those of the author(s) and do not necessarily reflect the views of the
Department of Justice, Office on Violence Against Women.

Increase your support network

- I can talk to someone I trust. Tell a family member, friend, co-worker, professor, clergy member or your doctor.
- I can speak with an expert by contacting my local domestic violence agency at **888.774.2900**.
- I can call the campus police if I am afraid, I will be abused or have been abused.

If I have an order of protection

- I can give campus police a copy?
- I can keep a copy of my protective order with me at all times.
- I can tell my resident HD, my employer, my closest friend and _____ that I have an order of protection.
- If my partner violates the order, I can call the police and report the violation.

Staying Safe Emotionally

If I feel confused, scared, anxious or depressed, I can call the following friends or family members:

Name: _____

Number: _____

Name: _____

Number: _____

Name: _____

Number: _____

Things I can do to keep myself safe electronically and online

- I can set all my online profiles to the maximum privacy settings.
- I can save and track any abusive, threatening, or harassing comments, messages, posts, or texts.
- I can ask my friends and family not to let my partner know where I am or to alert him/her of changes in my contact information.
- I can change all of my passwords and can choose not to give new passwords to anyone. I can change or create a voicemail password.
- I will not answer calls from unknown, blocked, or private numbers.
- I can see if my phone company can block my partner’s phone number from calling or texting my phone.
- I can seek support from the university to end harassing communications that have been coming to me through any university email, or university phone systems.

What is safety planning?

Safety planning is a process to help reduce your risk based on your individual life and relationship. While you can’t control your partner’s behavior, you can still take steps to help keep yourself safe. You are most likely doing many of the things outlined in this guide already, and safety planning is a tool to help you gather your thoughts and prepare for how you might react in certain situations.

No one has control over their partner’s abuse and violence but there are ways to reduce your risk of harm.

Things I can do to keep myself safe in social situations

- I can ask my friends to keep their phones with them while they are with me in case we get separated and I need help.
- I can ask friends who are having gatherings if my partner has been invited or ask them not to invite us both.
- No matter where I go, I can be aware of how to leave safely in case of an emergency.
- I can leave if I feel uncomfortable, as I know I should trust my instincts.
- If I plan on drinking, I can be sure to have a sober driver who is not my partner or have the number for a safe ride.
- I can spend time with people who make me feel safe, supported, and good about myself.
- I can change my telephone number and my social media account passwords.

I will have a bag ready with the following items if I need to leave unexpectedly:

- Cell phone and charger
- Spare cash
- Keys
- Driver’s license and/or passport, student ID, birth certificate and/or social security card
- Immigration papers and other important documents,
- Change of clothes
- Medications
- Special and irreplaceable items

Things I can do to keep myself safe every day

- I can carry my cell phone and important numbers with me at all times.
- I can keep in touch with someone I trust about where I am or what I am doing.
- I can try to stay around people I trust and public places.
- If I feel comfortable, I will alert someone about what is happening in my relationship so they can help keep me safe on campus.
- I can go to different places where my partner or his/her friends are likely not to be or know about.
- I don’t have to wait for an emergency to ask for help, it’s okay to plan ahead if I’m concerned.
- If I am no longer with my partner and we must speak, I will make sure that others are around in case of danger.
- I can pursue an order of protection to have legal support in keeping my partner away.
- I can remember that his/her behavior is not my fault and that I deserve to be safe and healthy on campus and in my relationships.



EASTERN CONNECTICUT STATE UNIVERSITY

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

We provide trauma-informed and confidential support focused on ending all forms of gender-based violence. If you or someone you know has been a victim, the following services are available:

- Advocacy and Support
- Medical Assistance
- Counseling Services
- Resources and Options
- Reporting and Investigations
- Violence Prevention

You Have A Right To Confidentiality.

www.easternct.edu/title-ix

Campus Responders | Monday-Friday | 8 a.m.-5 p.m.

University Victim Advocate (860) 465-4314

Counseling and Psychological Services (860) 465-0181

Student Health Services (860) 465-5263

Office of Equity and Diversity & Title IX Coordinator (860) 465-5112



24 Hour Helplines

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

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

Office of Victim Services (800) 822-8428

Windham Hospital Emergency Room (860) 456-6715

112 Mansfield Ave., Willimantic, CT

Sexual Assault Crisis Services

(888) 999-5545

Domestic Violence Crisis Services

(888) 774-2900



+ 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](#)

[ADA ISSUES](#)

[EMERGENCY](#)

[JOBS AT EASTERN](#)

[DISCLAIMER](#)

[COOKIE POLICY](#)

[PRIVACY NOTICES](#)

[FREEDOM OF INFORMATION](#)

[NON-DISCRIMINATION NOTICE](#)

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83 Windham Street, Willimantic, Connecticut 06226



EASTERN
CONNECTICUT
STATE UNIVERSITY

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

Seek an Advocate

ECSU Victim Advocate
860-465-4314
Off-Campus Member:
The Sexual Assault Crisis
Center of Eastern
Connecticut *
860-456-2789

Off-Campus
Members: United
Services, Domestic
Violence Program *
860-456-9476

Connecticut Office of
Victim Services *
860-822-8428

Get Medical Assistance

Student Health Services *
860-465-5263

Windham Hospital *
860-456-6715

Contact Law Enforcement

Eastern Police Dept.
911 | 860-465-5310

Local Police Dept.
911 | 860-465-3135

Make a Report

Title IX Coordinator
860-465-5012

Student Conduct
860-465-0063

Request Accommodations

Title IX Coordinator
860-465-5012

ECSU Victim Advocate
860-465-4314

You can request for:

- a housing change
- a class reassignment
- a no-contact directive
- extensions on class assignments
- others changes

Recieve Counseling

Counseling and
Psychological Services *
860-465-0181

Campus Ministry *
860-423-0856

Eastern Connecticut State University Sexual Assault & Interpersonal Violence Response Team Members (On-Campus)

LaMar Coleman, Vice President of Equity and Diversity
Sara Madera, Title IX Coordinator
Kemesha Wilmot, Dean of Students
Dwayne Cameron, Director of Student Conduct
Starsheemar Byrum, ECSU Victim Advocate
Tim Viens, Detective, Eastern Police Dept.
Lisa Hamilton, Police Sergeant, Eastern Police Dept.
Amy Coffey, Associate Dean of Arts and Sciences
Chris Drewry, Associate Dean of Professional Studies
Bryce Crapser, Director of CAPS, *
Joe Breton, Dir. of Student Health Services *
Father Larry LaPointe, Campus Minister *

All members of the SAIV-RT will use discretion and honor confidentiality to the best of their ability. **Members with an asterisk* by their name or department are empowered by law to maintain confidentiality.** If you observe behavior that is of concern, tell somebody.



Title IX

+ Navigation

Title IX is a federal law that requires education institutions to respond promptly and effectively to reports of sexual misconduct that occur within the institution's education program or activity. Sexual misconduct can take many forms, including sexual harassment, sexual assault, intimate partner violence, or stalking, along with other forms of sex- or gender-based misconduct and/or discrimination.

Eastern's Title IX Office encourages students and other members of the campus community to report Title IX incidents and is committed to responding promptly, including making referrals to other services.



GET ASSISTANCE



SUPPORT & RESOURCES



Title IX Incident Reporting Form

Faculty, staff, and students can self-report if they have been the victim of sexual harassment or misconduct or they can report on behalf of another individual who has disclosed being a victim.

Title IX Incident Reporting Form



CONTACT INFORMATION

- Dr. LaMar Coleman, Vice President for Equity and Diversity
Gelsi Young 255
(860) 465-0072
colemanla@easternct.edu
- Dr. Indira Petoskey, Assistant Dean
Gelsi Young 252B
(860) 465-5066
petoskeyi@easternct.edu
- Sara Madera, Title IX Coordinator
Gelsi Young 253
(860) 465-5012
maderas@easternct.edu
- Sandra Rodriguez, Administrative Assistant
Gelsi Young 254
(860) 465-5112
rodriguezsar@easternct.edu



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+ Navigation

If you observe behavior that is of concern, tell somebody.

Please click to submit your Tell Somebody report

In an effort to enhance already existing processes, the University has created a Threat Assessment Team (TAT) to complement the existing Student Intervention Team (SIT) to deal with concerning, troubled, and/or at risk faculty, staff, and students.

The charge of these teams is to assess circumstances, enhance communication, and initiate appropriate responses to specific behavioral problems that may involve threats to the safety and security of the University community.

THE STUDENT INTERVENTION TEAM (SIT) INCLUDES THE FOLLOWING MEMBERS:

- **Brooks K. Scavone**, Director of AccessAbility Services
- **Angela Bazin**, Director of Housing and Residential Life
- **Kemesha Wilmot**, Interim Dean of Students
- **Lisa Hamilton**, Sergeant in University Police Department
- **Sandra Rose-Zak**, Coordinator of Wellness Education and Promotion
- **Dwayne Cameron**, Director of Student Conduct
- **Christi Craig**, Counselor in Counseling and Psychological Services

THE THREAT ASSESSMENT TEAM (TAT) INCLUDES THE FOLLOWING MEMBERS:

- **Michelle Delaney**, Interim Vice President for Student Affairs

- **Bryce Crapser**, Director of Counseling and Psychological Services
- **LaMar Coleman**, Vice President for Equity and Diversity
- **Stephen Tavares**, Director of Public Safety/Chief of Police
- **James Howarth**, Vice President for Finance and Administration
- **William Salka**, Provost and Vice President for Academic Affairs

If a member of the University community observes any behavior that is concerning and that needs to be brought to the attention of the above stated teams, individuals may report the behavior using the online report form which will then be forwarded to the appropriate team for review.

This is not a system to be used for emergencies!

If you are in an emergency situation that requires medical, psychological, or police services, please:

Call 911

Even when there is no threat to harm, it is recommended to involve others to discuss concerning behavior. Below is an additional list of contacts with whom you may consult:

- If you don't know whether to be concerned about a student's behavior, contact the Dean of Students at 860-465-5247 for guidance and support.
- If you need to consult with someone about a student in emotional distress, contact the Counseling and Psychological Services Office (CAPS) at 860-465-0181.
- If you need to consult with someone about a student's disruptive behavior and the University disciplinary system, contact Student Conduct at 860-465-0405.
- If you don't know whether to be concerned about a faculty or staff



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member's behavior, contact Human Resources at 860-465-4650 for guidance and support.



Title IX: Sexual Misconduct, Interpersonal Violence, or Stalking

If this is an emergency situation that requires medical, psychological, or police services, call 911. Do not use this reporting form if an immediate response is required.

This form may be used to report incidents of sexual misconduct (sexual harassment, sexual assault, intimate partner violence, sexual exploitation, or stalking), as well as possible discrimination related to sex, gender, or gender identity/expression. The report is submitted directly to the Title IX Coordinator, who will respond via email or phone within 48 hours when the University is open, in order to conduct additional inquiry and ensure the well being of the affected individual(s) and campus community.

Responsible employees (all University faculty/staff, and Advocates) are required to include their name and contact information when completing the form. Any other person may submit this form anonymously but should understand this may significantly limit the University's ability to respond.


Background Information

Provide your name and contact information so the appropriate staff can follow-up with you as needed.

Enable additional features by logging in. https://cm.maxient.com/reportingform.php?EasternCTStateUniv&layout_id=1&promptforauth=true

Reporter's full name:

Your Status:

 Learn more

Your phone number:

Your email address:

Your physical address:

Date of incident (Required):

mm / dd / yyyy

Time of incident:

Location of incident (Required):

Please select a location ...

Specific location:

Involved Parties

Involved parties: Please list the individuals or organization involved in the situation, including any witnesses or others with knowledge of the incident. Include as many of the listed fields as you can provide. Additional information may be provided during the follow up with the Title IX Coordinator.

Name or Organization

Select Gender

Select Role

ID Number

Email address

Hall/Address

Add another party

Incident Narrative

Fill out the information below:

Please Select the nature of the incident (choose as many as apply)

☐ Sex/Gender Based discrimination

- ☐ Sexual Harassment
- ☐ Unwanted Sexual Contact
- ☐ Sexual Assault
- ☐ Sexual Exploitation
- ☐ Interpersonal/Intimate Partner Violence
- ☐ Inappropriate Amorous Relationship
- ☐ Stalking
- ☐ Bullying/Cyber bullying
- ☐ Violation of No Contact
- ☐ Retaliation
- ☐ Unsure

Please provide a description of the incident or concern, including as much information as you know (i.e. timeline of events, description of where incident occurred, relevant context, etc.). (Required)

Did the Police respond to this incident? (Required)

- ☐ Yes
- ☐ No

List the Police report number, if known.

How did you become aware of the incident? (If you are reporting it on behalf of the alleged victim)

Please provide any information related to why you are submitting the report and the outcome you are hoping to achieve.

I understand by submitting this form the Office of Equity and Diversity/Title IX will initiate its follow-up process with the affected individuals. I also understand that submitting this form does not equate to filing a formal complaint with the the Title IX Office. Overview of the formal Title IX complaint and investigation process will be discussed with affected parties during the follow-up meeting. (Required)

☐ I hereby attest the facts asserted in this form are true and accurate to the best of my knowledge.

Supporting Documentation

Photos, video, email, and other supporting documents may be attached below. 5GB maximum total size.

Attachments require time to upload, so please be patient after submitting this form.

Choose files to upload

Choose Files

☐ Email me a copy of this report

Submit report

KNOW YOUR TITLE IX RIGHTS

Federal Title IX regulations declare that sexual harassment is a form of discrimination and requires educational institutions to respond promptly and effectively to reports of sexual misconduct.



For more information
or to submit an
online report:
Scan this code
to go to the
Title IX website.



TITLE IX RESOURCES

- Victim Advocates
- Support Advisors
- Academic Accommodations
- Interim Supportive Measures
- Connection to Law Enforcement

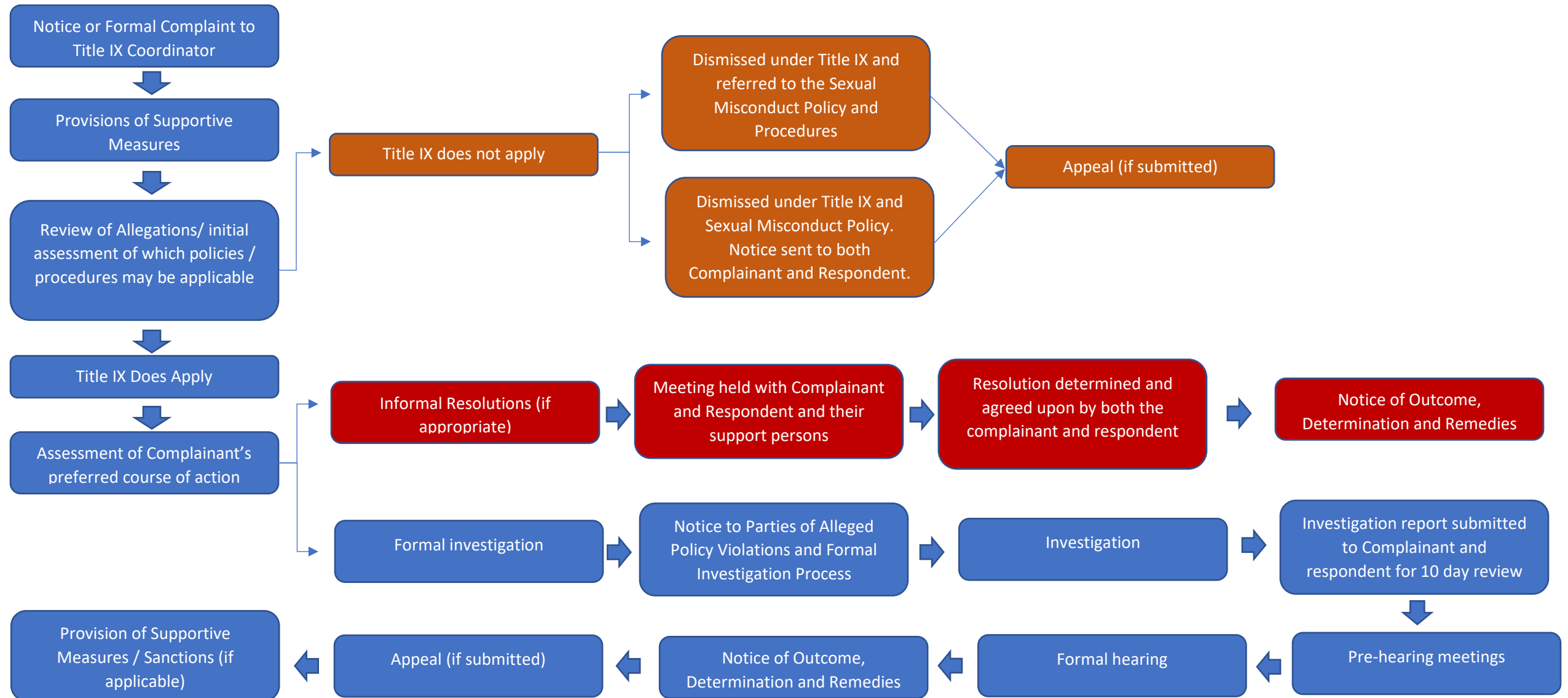


GELSI-YOUNG HALL
ROOM 254
(860) 465-5112



Eastern Connecticut State University

Title IX Grievance Process Flow for Students





EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

SECTION 5

ECSU Trainings

Connecticut State Colleges and Universities (CSCU)												
Title IX Related Training Provided by Eastern Connecticut Stat University, Office of Equity and Diversity												
January 1, 2021 - December 31, 2021												
*Domestic Violence (DoV), Dating Violence (DaV), 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
Housing	1/22/2021	Incident Role Plays for Staffs	Respective residenceh halls	various hall directors	Resident Assistants	65	yes	DoV and SA	**	student employees	How to respond to incidents of interpersonal violence and survivors of sexual assault.	
Housing	8/4/2021	ProStaff Title IX Training	Student Center 221	LaMar Coleman & Sara Madera	Housing Professional Staff	18	yes	DoV, DaV, SA, S	**	employees	To understand Title IX and incidents related to it, and how to respond to support students and the university in any Title IX related events.	
Housing	8/18/2021	CSA and Title IX Training	FAIC Concert Hall	LaMar Coleman and Sara Madera	Resident Assistants	72	yes	DoV, DaV, SA, S	**	student employees	RAs roles and responsibilities in relation to Title IX and Title IX related incidents.	
Housing	8/18/2021	Sexual Assault Response	FAIC Concert Hall	Sara Madera	Resident Assistants	72	yes	SA	**	student employees	RA protocol for responding to an incident of Sexual Assault.	
Housing	8/19/2021	Behind Closed Doors	Mead Hall	various hall directors	Resident Assistants	72	yes	DoV and SA	**	student employees	How to respond to incidents of interpersonal violence and survivors of sexual assault.	
Equity and Diversity	9/15/2021; 9/22/2021	Title IX Reporting Prcedures Information	Virtual	Sara Madera	Faculty and staff	64	yes	DoV , SA, Stalking	**			
Housing	10/7/2021	Let's chalk about it	Mead Hall	Michael Lawton	Students	105	yes	DaV	**	students	Students learned about the prevalence of dating violence on college campuses and how to prevent or intervene if it happens.	
Housing, Academic Affairs, Office of Equity and Diversity	10/13/2021	Alyssiah Wiley End Relationship Violence Basketball Tournament	Sports Center	Brenda Westberry	Students	118	yes	DaV	**	students	To educate students on Dating violence and how to intervene if they witness it.	
SAIV-RT/Women's Center	4/20/2021	Take Back the Night	On-Ground, Around Campus / By the Rock	Nikki Adams	Students, Faculty, Staff	50	yes	DoV, DaV, SA, S	**	Students	To bring awareness to issues of domestic violence, dating violence, sexual assault, and stalking. To give victims survivors a chance to break their silence and share their story to promote healing. To educate students about their resources on campus.	
Women's Center / SACCEC	4/28/2021	Denim Day	On-Ground, Student Center Patio	Women's Center / SACCEC	Students	40	yes	SA, S	**	Students	To bring awareness to issues of domestic violence, dating violence, sexual assault, and stalking. To speak out against victim shaming and blaming and educte students about the harm of victim shaming and blaming.	
Women's Center	5/4/2021	Yoga for Survivors with Nikki Adams	On-Ground, Gym	Nikki Adams	Students	10	yes	DoV, DaV, SA	**	Students	To work with victims survivors and allies to promote healing and self-love	

Women's Center	9/7/21-9/15/21	Red Flag Campaign	On- Ground, Student Center tables	Women's Center	Students	50	yes	DoV, DaV, SA, S	***	Students	A campaign to hilight the unhealthy and healthy signs we see in relationships. While also being able to demonstrate how we can step in when we see unhealthy signs of the relationships our friends might be in.	
Women's Center	9/27/2021	Bringing in the Bystander	On-Ground, Student Center Theater	Jess Petry, Wiley Hayes, Melody Ochoa	Student Athletes	38	yes	DoV, DaV, SA, S	***	Student Athletes	To educate students about the role they play as campus leaders when faced with problematic situations. Giving them knowledge on the topic of bystander intervention and engaging them in empathy building	
Women's Center	9/30/2021	Women's Self Defense Class	On-Ground, Sports Center Dance Studio	Dr. Brenton	Students	15	yes	DoV, DaV, SA, S	**	Students	To teach students simple self-defence moves they can do if they find themselves in dangerous situations	
Women's Center and SAIV-RT	10/4/2021	Brittany Piper: Rape Culture: A Survivors Perspective	On- Ground, Student Center Theater	Brittany Piper	Students	45	yes	DoV, DaV, SA, S	**	Students	To promote the affects of sexual assault on the survivor, and how survivors can be brave in their healing journey. This program also spoke to bystander intervention.	
Women's Center	10/7/2021	Bringing in the Bystnder	On-Ground, Student Center Theater	Jess Petry and Jessenia Gonzalez	Student Athletes	21	yes	DoV, DaV, SA, S	***	Student Athletes	To educate students about the role they play as campus leaders when faced with problematic situations. Giving them knowledge on the topic of bystander intervention and engaging them in empathy building	
Women's Center	10/13/2021	Bringing in the Bystnder	On-Ground, Student Center Theater	Jess Petry and Jessenia Gonzalez	Student Athletes	39		DoV, DaV, SA, S	***	Student Athletes	To educate students about the role they play as campus leaders when faced with problematic situations. Giving them knowledge on the topic of bystander intervention and engaging them in empathy building	
Women's Center	10/17/2021	Clothesline Project	On-Ground, Student Center Table	Women's Center	Students	15	yes	DoV,SA	**	Students	To honor victims of gender based violence and the ways in which we can support surviros in their healing	
Women's Center	11/1/2021	Bringing in the Bystnder	On-Ground, Student Center Theater	Jess Petry and Roland Glavez	Student Athletes	3		DoV, DaV, SA, S	***	Student Athletes	To educate students about the role they play as campus leaders when faced with problematic situations. Giving them knowledge on the topic of bystander intervention and engaging them in empathy building	

[illegible]



Overview of Title IX Regulations

Adapted from presentation created by Tanya DeSa, J.D., Ph.D.

Office of Equity & Diversity

LaMar Coleman, Ed.D., Vice President

Indira Petoskey, Ph.D., Assistant Dean

Sara Madera, M.S., Title IX Coordinator

Sandra Rodriguez, Administrative Assistant

Stephanie Lumbra, University Assistant

Kelly Jionzo, University Assistant

Overview of Presentation



**Historical
Overview**



**Summary of
9 Major Provisions**



**Challenges
&
Resources**



Questions?

History of Title IX

- Title IX of the Educational Amendments of 1972 – Passed June 23, 1972
 - Was a follow-up to the Civil Rights Act of 1964 (which did not mention gender discrimination)
 - Originally misunderstood to provide equity within athletics.
 - Supreme Court issued decisions in the 1980s and 1990s declaring sexual harassment & assault as a form of discrimination in educational settings.
 - In 2011 President Obama issued the “Dear Colleague” letter to provide guidance and obligate institutions to redress sexual assaults as a civil rights matter.
- Violence Against Women Act (VAWA) – Signed into law September 13, 1994
 - 1 in 6 women suffered some form of sexual violence in their lifetime.
 - Colleges identified as a major source of sexual violence.

The Swinging Pendulum



- Feminist Movement – Four Waves (1840s, 1960s, 1990s, and 2000s)
- Women’s Centers at Colleges & Universities
- Women as victims – “Me Too” Movement – 2000s
- Dear Colleague – 2011 (Victim-Centered)
- Equity Revisions in Title IX – 2016 (treating parties equitably)
- New Title IX Regulations Enacted – August 2020

1. Notice

**Mandatory
reporters vs.
Confidential
resources**

**Actual vs.
Constructive**

Mandatory vs. Confidential Resources

MANDATED REPORTERS

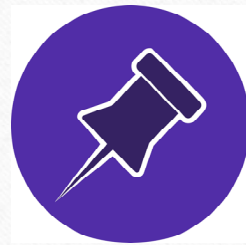
- University Victim Advocate
- Residential Life Staff (including student staff)
- University Staff (with exceptions)
- University Faculty
- University Police

CONFIDENTIAL RESOURCES

- Counseling Staff (CAPS)
- Health Services Staff
- Campus Ministry
- Sexual Assault Crisis Center
- United Services Domestic Violence Program

Actual vs. Constructive Notice

- Actual notice is when Eastern (via its personnel) has **REAL** knowledge of a potential Title IX situation.
- Constructive notice is when Eastern (via its personnel) should have known of a potential Title IX situation.



2. Sexual Harassment

New definition

- Quid pro quo by a school's employee
- Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access
- Any instance of sexual assault (as defined by the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA)

Occurring in a school's "education program or activity"

In the United States

Sexual Harassment Cont.



- Sexual flirtation, touching, advances, or proposition
- Pressure to engage in sexual activity
- Graphic or suggestive comments about an individual's dress or appearance
- Use of sexually degrading words to describe an individual
- Display of sexually suggestive objects, pictures, or photographs
- Sexual jokes
- Stereotypic comments based on gender
- Threats, demands, or suggestions that retention of one's educational status is contingent upon toleration

Sexual Exploitation



- Prostituting another person
- Non-consensual visual or audio-recording of sexual activity
- Going beyond the bounds of consent
- Engaging in non-consensual voyeurism
- Knowingly transmitting an Sexually Transmissible Infection

Sexual Assault



- Shall include but is not limited to a sexual act directed against another person without the consent of the other person or when that person is not capable of giving such consent.

Intimate Partner/Domestic and/or Dating Violence

- Any physical or sexual harm against an individual by a current or former spouse of or a person in a dating or cohabitating relationship.

Stalking



- Repeatedly contacting another person when the 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 causes substantial impairment to perform the activities of daily life.

3. Accessible Reporting



Title IX Coordinator



School must notify applicants for admission/employment and all unions

Title IX Coordinator's:

- Name/title
- Office address
- E-mail address
- Telephone number



Website must prominently display required contact information



Alleged victim or a third-party can report



4. Mandatory Response Obligations

01

Deliberate
Indifference
Standard

02

Clear definitions

- Complainant
- Respondent
- Formal Complaint
- Supportive Measures

03

School must
investigate sexual
harassment
allegations in any
formal complaint

04

Formal complaint
can be filed by a
Complainant or
signed by a Title IX
Coordinator

05

School must follow
grievance process
before imposition
of any disciplinary
sanctions

5. Grievance Process

Consistent, transparent & equitable



Require objective evaluation of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness

5. Grievance Process

Training of Title IX personnel

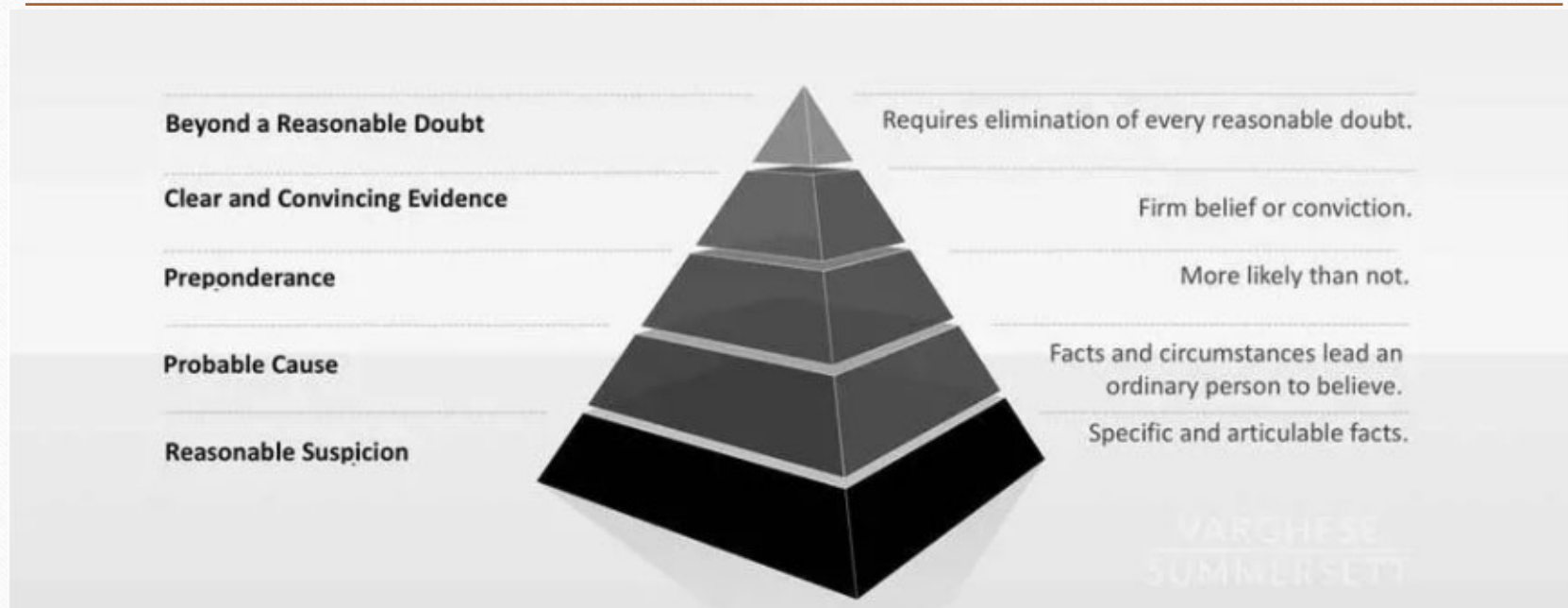
- Definition of sexual harassment
- Scope of school's education program or activity
- How to conduct an investigation and grievance process
- How to serve impartially
- Decision-makers must be trained on any technology to be used at a live hearing
- Investigators and decision-makers must receive training on issues of relevance
- Materials used to train Title IX personnel must be posted on school's website

Presumption of "not responsible"

Standard of proof

- Preponderance of the evidence vs. Clear and convincing evidence

Burdens of Proof



6. Investigations



- Schools *may* dismiss formal complaint:
 - Complainant desires to withdraw
 - Respondent no longer enrolled or employed by the school
 - School prevented from gathering sufficient evidence to make a determination
- Schools *must* dismiss formal complaint:
 - Definition of sexual harassment not met
 - Did not occur in school's education program or activity
 - Did not occur in the U.S.
- Other info for investigations:
 - Witnesses and evidence
 - Advisor of their choice – may be an attorney
 - No “gag orders” can be imposed

7. Hearings



- Postsecondary institutions *must* have a live hearing with cross-examination
- Cross-examination must be by the advisor
- Questions by the advisor must be posed to the decision-maker for a relevance determination before a party or witness answers
- School must provide an advisor for the hearing if party doesn't have one
- Can be either a Hearing Officer or Hearing Panel
- School must create an audio or audiovisual recording, or a transcript

8. Appeals



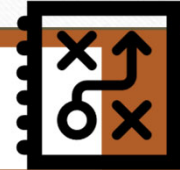
- Bases for appeal
 - Procedural irregularity that affected the outcome
 - Newly discovered evidence that could affect the outcome
 - Conflict of interest or bias by Title IX personnel that affected the outcome

9. Informal Resolution



- Mediation or restorative justice type resolutions permitted if:
 - Formal complaint filed
 - Both parties give voluntary, informed, written consent to attempt informal resolution
 - Both parties are students
- Prior to agreement to a resolution, either party has the right to withdraw from informal resolution and resume the grievance process

Affirmative Consent



- Must be affirmed and freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is a mutually affirmative, conscious decision – indicated clearly by words or action 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.

Resources



- Association of Title IX Administrators (ATIXA)
 - R³ website
 - Virtual training and certification events
- Form a "coalition" within CSU of trained personnel
- Outsourcing of certain components



Any Questions?

CAMPUS SECURITY AUTHORITY (CSA) & THE CLERY ACT



OFFICE OF EQUITY & DIVERSITY

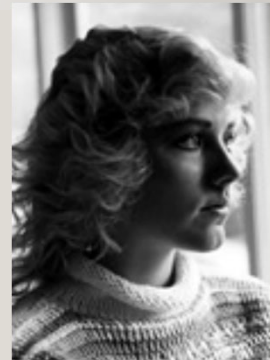
Presented by: LaMar Coleman &
Sara Madera



1

CLERY ACT HISTORY

- In 1986 Jeanne Clery was a freshman at Lehigh University
- She was murdered and sexually assaulted in her campus residence hall room by a student she did not know
- The University had not informed students about 38 violent crimes on campus in the three years preceding her murder
- This incident led to national awareness of campus crime



2

WHAT IS THE CLERY ACT?

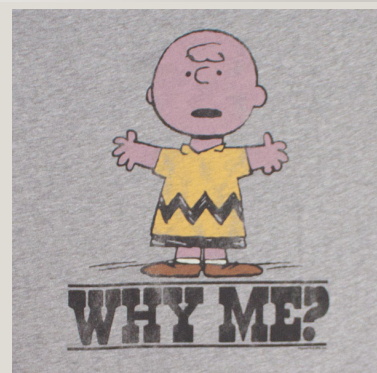
The “**Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**” is a federal law that requires institutions of higher education in the United States to disclose campus security information including crime statistics for the campus and surrounding areas.



3

WHY ME AS A CSA?

- You're a trusted person on campus
- You're in a role where someone may come to you for support
- The campus has an obligation to work to prevent and respond to crimes on campus
- **YOU HAVE BEEN IDENTIFIED AS A CAMPUS SECURITY AUTHORITY AND THEREFORE REQUIRED TO REPORT**



4

WHO IS A CSA

- Campus police department or campus security department of an institution
- Any individual or individuals who have responsibility for campus security
- Anyone designated by the institution to receive a crime report
- An official of an institution who has significant responsibility for student and campus activities



5

CAMPUS SECURITY AUTHORITIES

- Campus security authorities, according to the Clery Act, are employees who have “significant responsibility for student and campus activities.”
- These employees include:
 - University Public Safety Personnel
 - The Dean of Students
 - Student Activity Directors
 - Athletic Director and Team Coaches
 - Faculty Advisors to Student Groups
 - Student Affairs and Housing Professionals
 - Student Resident Advisors (RAs) and Residential Hall Access Monitors



6

WHO IS **NOT** A CSA?

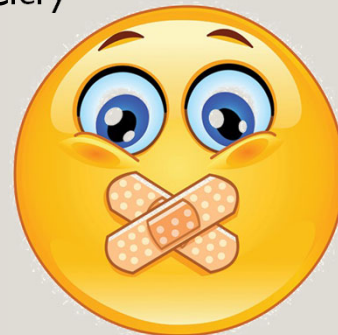
- A faculty member who does not have responsibility for student or campus activities beyond the classroom (unless designated by campus as a CSA)
- Clerical staff
- Cafeteria staff
- Facilities or maintenance staff



7

WHO IS EXEMPT FROM REPORTING?

- There are two types of individuals exempt from Clery Reporting obligations:
 - Pastoral Counselors
 - Professional Counselors



8

ROLE OF THE CSA

- Report to the official or office designated by the institution to collect crime report information allegations of Clery Act crimes
- The University Police Department is responsible for collecting Clery data from the CSAs.
- All CSA Reports are completed online and can be accessed at:
https://cm.maxient.com/reportingform.php?EasternCTStateUniv&layout_id=5



9

WHEN DO CRIMES NEED TO BE REPORTED?

- If a victim calls it to your attention
- If a witness or third party calls it to your attention



10

WHY DO I NEED TO REPORT?

- For Clery Act crime statistics
- For the Daily crime log
- For timely warnings that pose a serious or continuing threat to the campus community
- For emergency notification
- For information and support to victims



11

WHAT CRIMES SHOULD BE REPORTED?

- | | |
|-------------------------------------|-----------------------|
| • Murder/Non-negligent Manslaughter | • Robbery |
| • Manslaughter by Negligence | • Aggravated Assault |
| • Sex Offenses | • Burglary |
| • Rape | • Motor Vehicle Theft |
| • Fondling | • Arson |
| • Incest | |
| • Statutory Rape | |



12

WHAT CRIMES SHOULD BE REPORTED?

- Hate Crimes associated with:
 - Any of the previously listed crimes plus:
 - Larceny-theft
 - Simple Assault
 - Intimidation
 - Destruction/Damage/Vandalism of Property
- ...and based on
 - Race
 - Religion
 - Ethnicity
 - Gender
 - Sexual Orientation
 - Disability
- Arrests & Referrals
 - Liquor Law Violations
 - Drug Law Violations
 - Weapons Law Violations
- Dating Violence
- Domestic Violence
- Stalking



13

CRIME LOCATIONS THAT NEED REPORTING

- Those within the institutions Clery geography
 - On Campus-within the campus boundaries
 - Non-Campus-not on campus but controlled or used by the institution
 - Public Property-public streets or thoroughfares within or adjacent to campus
 - Residential Facility operated by the institution
- If you are unsure whether a crime took place within Clery geography, report it and the campus reporting office can make that determination



14

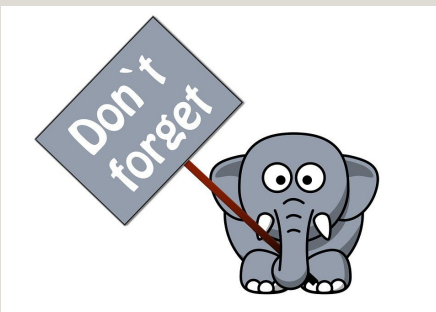
INFORMATION TO SHARE

- Date/time of the incident
- General location-the more specific the better
- Description (nature of the crime)
- May need to share more information based on other requirements and/or preference of person reporting



15

THINGS TO REMEMBER



- A CSA is not responsible for determining whether a crime took place
- File CSA reports as soon as possible after the disclosure to a CSA
- Provide victims of sexual assault, domestic violence, dating violence, and stalking with written notification related to Title IX resources on-campus.

16

HOW TO RESPOND

- Listen
- Inform (what you'll do, what they can expect)
- Refer
- Thank
- Report



17

CASE STUDY

A student mentions to her boyfriend that a number of rooms on her residence hall floor were broken into during the previous night's basketball game. She states that she does not know if the perpetrators are from her institution or members of another institution. Later that day, her boyfriend tells his soccer coach the story.

What is required of the soccer coach?

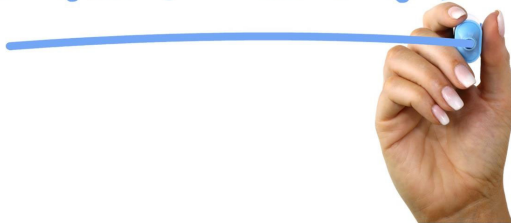


18

IF UNSURE

- If you are unsure whether or not a crime is a Clery crime ...

REPORT



19

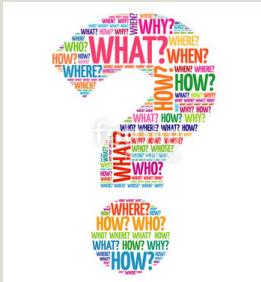
CRIME REPORTING

- In an emergency situation dial 911!
- Contact the University Police Department at 860-465-5310 (*Option #3*)

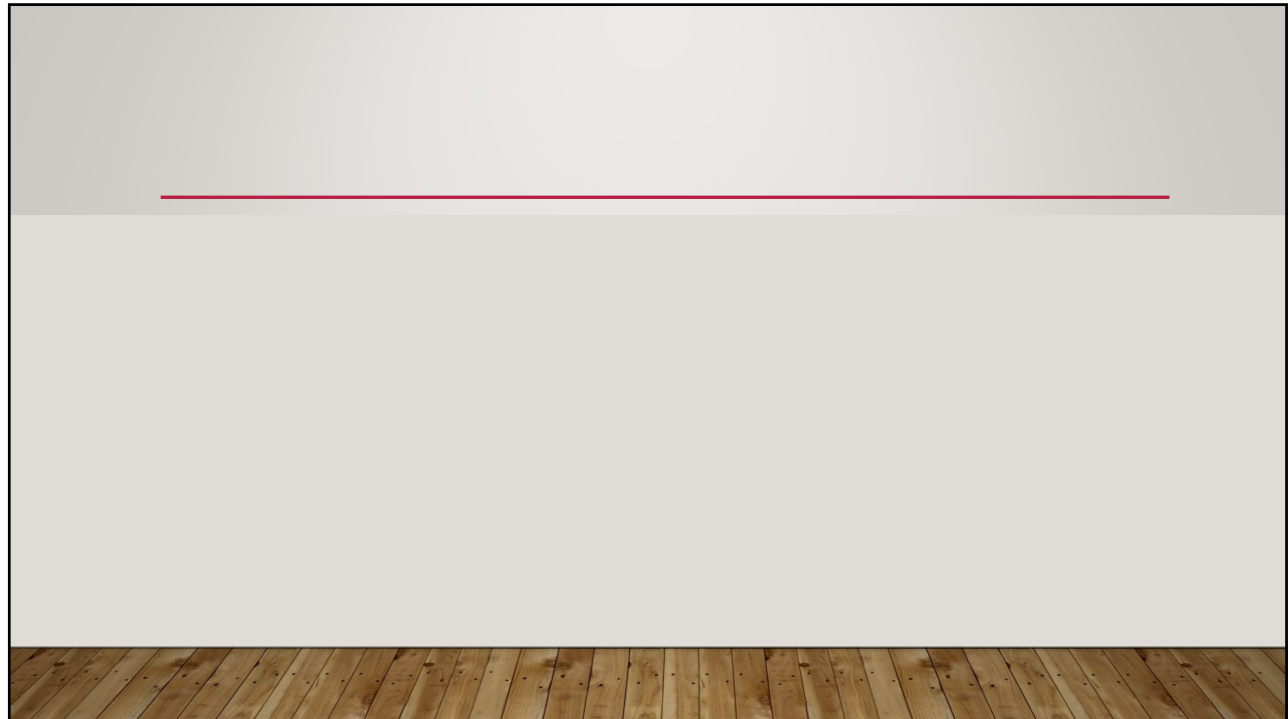


20

QUESTIONS



21



22



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

SECTION 6

Reporting Template 2021



Connecticut State
Colleges & Universities

SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA

CSCU INSTITUTION: Eastern Connecticut State University

REPORTING OFFICE/DEPARTMENT: Office of Equity and Diversity/ Title IX

INSTITUTION CONTACT: Sara Madera

YEAR: 2021

Incidents of Sexual Assault, Stalking and IPV Reported to CSCU in 2021					
Type of Incident					
	<i>Number of Incidents Reported</i>	<i>Incident Reported to Have Occurred in 2021</i>	<i>Respondent Identified as Connected to the Reporting Institution</i>	<i>Respondent Identified as Connected to CSCU Institution</i>	<i>Confidential or Anonymous Reports</i>
<i>Sexual Assault</i>	4	4	4	0	0
<i>Stalking</i>	0	0	0	0	0
<i>Intimate Partner Violence (IPV)</i>	1	1	1	0	0

Disciplinary Cases Resulting from Investigations of Sexual Assault, Stalking and Intimate Partner Violence							
Type of Incident							
	<i>Number of Investigations</i>	<i>Finding of No Violation or Not Responsible</i>	<i>Finding of Responsible & Expulsion</i>	<i>Finding of Responsible & Suspension</i>	<i>Finding of Responsible & Probation/Warning</i>	<i>Number of Findings Appealed</i>	<i>Appeal Outcome</i>
<i>Sexual Assault</i>	4	1	0	3	0	1	Appeal was denied.
<i>Stalking</i>	0	0	0	0	0	0	0
<i>Intimate Partner Violence (IPV)</i>	1	0	0	0	1	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>



EASTERN CONNECTICUT STATE UNIVERSITY
Office of Equity & Diversity

TITLE IX REPORT INFORMATION

INTAKE FORM

INCIDENT INFORMATION	
Reporting Individual Name:	Reporting Individual Status: <input type="checkbox"/> Student <input type="checkbox"/> Employee <input type="checkbox"/> Other
Reporting Individuals Local Address:	Telephone: Cell: Home:
Date of Incident:	Date the University became aware of incident:
Name of Accused:	Accused's Status: <input type="checkbox"/> Student <input type="checkbox"/> Employee <input type="checkbox"/> Other
Location where incident occurred:	Have criminal charges been filed? <input type="checkbox"/> Yes <input type="checkbox"/> No Was a Student Conduct complaint filed at time of notification? <input type="checkbox"/> Yes <input type="checkbox"/> No
Today's date and time:	University's Official Name (required):

Type of Alleged Harassment
Description of Alleged Harassment (including information on any witnesses):

Title IX Information Checklist

Reporting Individual Name: _____ Date of Incident: _____

Yes	No	N/A		Student Initials:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to receive medical services at Student Health Services located at 185 Birch Street, Willimantic, CT 06226?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to receive medical services at Windham Community Memorial Hospital located at 112 Mansfield Avenue, Willimantic, CT 06226?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to receive confidential counseling at the Counseling Center (CAPS) located at 185 High Street, Willimantic, CT 06226?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to receive services from the Sexual Assault Crisis Center of Eastern, CT located at 90 S. Park Street, Willimantic, CT 06226	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to file a report with the University's Police or the Willimantic Police Department or any other law enforcement agency?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to be connected to the University's Victim Advocate?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to receive a list of the University's Support Advisors?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Were you informed of where to find the Code of Students Conduct and a description of the conduct process?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Do you want to file a formal Title IX complaint, which will initiate an investigation?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Currently, are you undecided as to whether you want to pursue any of the reporting options available to you?	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (Describe):	

SUPPORTIVE MEASURES: WE DISCUSSED INFORMATION AND OPTIONS REGARDING THE FOLLOWING MEASURES. (CHECK ALL THAT APPLY AND INDICATE ACCOMMODATIONS THAT ARE REQUESTED OR IN PLACE AT THIS TIME).	
<input type="checkbox"/> Restriction from contact with accused student (i.e. mutual or one-way no contact order).	<input type="checkbox"/> Change of housing for either accused or reporting individual
<input type="checkbox"/> Reasonable safety accommodations (including security escort, or other accommodations).	<input type="checkbox"/> Academic accommodations (such as alternate classroom or schedule).
<input type="checkbox"/> Room lock change	<input type="checkbox"/> Academic Support Services
<input type="checkbox"/> Other:	

I attest that the contents of this disclosure/report intake form have been reviewed with me and I understand I can contact the Title XI Coordinator at any time if I have any questions.

Student name (printed): _____

Student Signature: _____

Date: _____

INFORMATION:

The initial meeting with the Office of Equity & Diversity/Title IX at Eastern Connecticut State University may not automatically initiate an investigation of your disclosure/report. To guarantee an investigation is launched, a formal complaint should be submitted to the Office of Equity & Diversity/Title IX. The University can act on your disclosure/report if you decide to pursue it later by submitting a formal complaint. Accordingly, you may request further action at any future time, consistent with the institution's policy. Be advised, however, the longer the lapse from the time of the incident, the more difficult it may be to obtain information.

If you elect to file a report with law enforcement (University Police/Public Safety, local police department or another law enforcement agency) an officer may investigate based on potential criminal activity related to the incident you reported. You may also choose to consult a private attorney to explore legal options.

If you elect not to pursue or participate in disciplinary actions (as applicable) with the Title IX/Student Conduct Office, the University may determine it is necessary to pursue the complaint process without your involvement. You will be notified if such an action is being taken. In addition, the University may be required to document this report for Clery Act statistics. The Clery Act requires all colleges and universities that participate in Federal financial aid programs to keep and disclose information about crime on and near their respective campuses. No personally identifiable information about you is disclosed in the preparation and publishing of Clery Act reports.

You may have protections under Title IX and the Violence Against Woman Act (VAWA)/Clery Act. Sexual Harassment, sexual assault, and sexual violence are forms of sex discrimination and therefore, violate law and policy. Retaliation against anyone who participates in the complaint process will result in appropriate sanctions or other disciplinary action as covered by applicable policies, laws and/or collective bargaining agreements.

You are encouraged to meet with the Title IX Coordinator at any time to discuss your options, concerns and questions. Please contact Sara E. Madera, Title IX Coordinator at 860-465-5012 (confidential voicemail) or email her at maderas@easternct.edu. The Title IX Office is in Gelsi-Young, room 254. The webpage is <https://www.easternct.edu/title-ix/index.html>, which outlines available resources and your rights.

Student Signature _____ Date: _____



EASTERN CONNECTICUT STATE UNIVERSITY

Office of Equity & Diversity

Discrimination, Harassment, Violence and/or Retaliatory Conduct Complaint Form

This form may be completed by any member of the Eastern Connecticut State University community who has experienced or otherwise become aware of an incident that may constitute a violation of the Student Code of Conduct. Please complete the form to the best of your ability.

Today's Date: _____

Name: _____

Eastern ID: _____

Phone Number: _____

E-mail: _____

Preferred Method of Contact: ☐ Phone ☐ E-mail ☐ Text Message ☐ Other: _____

Eastern Affiliation: ☐ Undergraduate Student ☐ Graduate Student ☐ Faculty ☐ Staff ☐ Alumni ☐ Guest

Incident Date: _____

Incident Time: _____

Incident Location:

- ☐ Campus Building
- ☐ Campus Outdoors
- ☐ Organization House
- ☐ Off Campus
- ☐ Eastern Sponsored Event

Type of Incident:

- ☐ Discrimination
- ☐ Harassment
- ☐ Violence
- ☐ Retaliation

Protected Class(es) Basis for Report:

- ☐ Sex
- ☐ Gender
- ☐ Gender Identity
- ☐ Gender Expression
- ☐ Sexual Orientation
- ☐ Pregnancy/Parenting
- ☐ Race
- ☐ Color
- ☐ Religion
- ☐ Veteran Status
- ☐ Disability
- ☐ Age
- ☐ Genetic Information
- ☐ Marital Status
- ☐ National Origin

Specific Location: _____

Respondent: _____

Eastern ID: _____

Eastern Affiliation: ☐ Student ☐ Faculty ☐ Staff ☐ Alumni ☐ Guest ☐ Other _____

Phone Number: _____

E-mail: _____

Social Media Accounts:

☐ Facebook ☐ Twitter ☐ Instagram ☐ Snapchat ☐ Tik Tok ☐ YouTube ☐ Other

Witness 1: _____

Eastern ID: _____

Eastern Affiliation:

☐ Undergraduate Student ☐ Graduate Student ☐ Faculty ☐ Staff ☐ Alumni ☐ Guest

Phone Number: _____

E-mail: _____

Witness 2: _____

Eastern ID: _____

Eastern Affiliation:

☐ Undergraduate Student ☐ Graduate Student ☐ Faculty ☐ Staff ☐ Alumni ☐ Guest

Phone Number: _____

E-mail: _____

Witness 3: _____

Eastern ID: _____

Eastern Affiliation:

☐ Undergraduate Student ☐ Graduate Student ☐ Faculty ☐ Staff ☐ Alumni ☐ Guest

Phone Number: _____

E-mail: _____

Incident Narrative (this can be brief; a full statement will be taken by the investigator): _____

Supportive Measures Requested:

- | | | | |
|---|--|--|---------------------------------------|
| <input type="checkbox"/> No Contact Order | <input type="checkbox"/> Residence Hall Relocation | <input type="checkbox"/> Assistance Reporting to Law Enforcement | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Faculty Notification | <input type="checkbox"/> Facility Access Plan | <input type="checkbox"/> Academic Withdrawal/LOA | _____ |
| <input type="checkbox"/> On-Campus Counseling | <input type="checkbox"/> Campus Police Escort | <input type="checkbox"/> Academic Withdrawal (full) | _____ |
| <input type="checkbox"/> Off-Campus Counseling | <input type="checkbox"/> On-Campus Medical Care | <input type="checkbox"/> Legal Support Information | _____ |
| <input type="checkbox"/> Work Schedule Adjustment | <input type="checkbox"/> Off-Campus Medical Care | <input type="checkbox"/> Visa/Immigration Information | _____ |
| <input type="checkbox"/> Academic Adjustment | <input type="checkbox"/> Victim Advocate Outreach | | |
-

Accommodations:

- ☐ I request an interpreter Language: _____
- ☐ I request accommodation(s) for a qualified disability ☐ I do not request accommodation(s) for a registered disability
-

Resolution Requested:

- ☐ No Action ☐ Informal Resolution ☐ Formal Resolution (Investigation and Hearing)

Signature: _____

Date: _____

Received By: _____

Date: _____