

Manchester Community College

2021 GENERAL ASSEMBLY REPORT ON SEXUAL MISCONDUCT

This report is submitted to the Joint Standing Committee of the General Assembly of the State of Connecticut as required under Public Act 14-11: An Act Concerning Sexual Assault, Stalking, and Intimate Partner Violence on Campus

JANUARY – DECEMBER 2021 | Published in 2022

Introduction

This report summarizes sexual assault, intimate partner violence and stalking disclosures and reports made to the college from January 1, 2021 – December 31, 2021. In March of 2020 Manchester Community College, along with the 16 other CT State Colleges and Universities, began operating remotely due to the COVID-19 pandemic. On-campus classes and operations resumed in fall 2020 however most classes and events were held virtually. In spring and fall, a large percentage of classes and events were still being held virtually. As a result, some statistics and information will be lower than in previous reports.

Since 1963, Manchester Community College has been serving the citizens and communities of eastern Connecticut as a leading provider of educational excellence in our region, and one of the largest community colleges in the State of Connecticut. MCC served 8000 students in 2021, including nearly 6,200 credit students. The class of 2021 had 708 graduates earning degrees and/or certificates. Academic excellence, technology-rich classrooms and learning spaces, flexible schedules, small class sizes and low tuition provide a quality education that's accessible to all who wish to learn. Programs are designed to fit the varying needs of students. Classes are held days, evenings, weekends and online — in both traditional and accelerated formats — and they prepare students for entry/ into a growing career field or transfer to a baccalaureate institution for further study.

MCC is recognized for excellence through the Harry S. Truman Scholarship Foundation, Aspen Institute Top 150 Community Colleges (2015) and a Top 150 National Workplaces for 2013.

Mission Statement, Shared Values

The Mission of Manchester Community College is to advance academic, economic, civic, personal and cultural growth by providing comprehensive, innovative and affordable learning opportunities to diverse populations. MCC is a learning-centered community committed to access, excellence and relevance.

MCC believes in: Shared Understanding — Shared Responsibility — Shared Leadership

Background and History of Organization

As one of the largest of the 12 Connecticut community colleges, all of which are part of the state system, Manchester Community College strives to continuously set and raise the expectations of a community college education.

Founded in 1963, Manchester Community College currently offers associate in art and associate in science degrees in more than 40 disciplines. The College also offers certificate programs that focus on developing and strengthening occupational skills.

Manchester Community College is accredited by the Board of Governors for Higher Education and by the New England Association of Schools and Colleges, Inc., which accredits schools and colleges in the six New England States. Eleven programs of study offered by MCC have been awarded national accreditation by their respective accrediting bodies. These include Culinary Arts, Foodservice Management, Occupational Therapy Assistant, Paralegal, Dental Assistant, Music Studies, Radiation Therapy, Radiography, Early Childhood Education, Respiratory Care and Surgical Technology.

Student Demographics

Manchester Community College served 8,000 students in 2021 and 33 percent of students are studying full-time. In 2021, 6,200 credit students were enrolled in the college for the year. The Continuing Education division served 1,800 credit-free students in 2021. The average age of full-time students is 21. 55 percent of the full-time students are female, and 45 percent are male. Approximately 50 percent of MCC credit students are from underrepresented racial and ethnic groups.

While the college's primary service area includes the towns of Andover, Bolton, Columbia, Coventry, East Hartford, Glastonbury, Hebron, Manchester, Mansfield/Storrs, Marlborough, South Windsor, Tolland, Union, Vernon/Rockville and Willington; 150 of Connecticut's 169 towns are represented in MCC's credit student body.

Statement Regarding Sexual Violence

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

Sexual Misconduct & Victims' Rights

Manchester Community College is committed to providing an environment free from discrimination on the basis of sex. Resources regarding, Title IX, how to report an incident, victims' rights, what you can do, and community resources can all be found on the MCC website.

- [Title IX & Sexual Misconduct](#)
- [Title IX Incident Report Form](#)
- [Victims' Rights](#)
- [Domestic & Family Violence](#)
- [Definitions of Terminology](#)
- [What You Can Do](#)
- [Statement Regarding Sexual Violence](#)
- [MCC & Community Resources](#)
- [Stalking](#)
- [Title IX Checklist](#)

Training

Additionally, all MCC students are provided with sexual misconduct and interpersonal violence training through online modules. MCC uses the Not Anymore program, which is a reality-driven course designed to educate students about consent, healthy relationships, bystander intervention, as well as the realities of sexual assault, dating violence, domestic violence, and more. The training has student presenters and survivors, the course includes scenarios, testimonials, and key advice for dealing with these crucial topics.

MCC policies regarding Sexual assault, Stalking, and Intimate Partner Violence

Copies of the following policies regarding sexual assault, stalking, and intimate partner violence are available in the below links. These policies include:

- [BOR/CSCU Sexual Misconduct Reporting, Support Services and Processes Policy](#) (Effective 1/15/15, revised 6/16/2016, 7/29/2020)
- [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)

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

INSTITUTION INFORMATION

Name: Manchester Community College **Contact:** Trent Barber

Reporting

Office/Department: Student Affairs

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

SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA

CSCU INSTITUTION: Manchester Community College
 REPORTING OFFICE/DEPARTMENT: Student Affairs
 INSTITUTION CONTACT: Trent Barber
 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 2020</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>	0	0	0	0	0
<i>Stalking</i>	0	0	0	0	0
<i>Intimate Partner Violence (IPV)</i>	0	0	0	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>	0	0	0	0	0	0	0
<i>Stalking</i>	0	0	0	0	0	0	0
<i>Intimate Partner Violence (IPV)</i>	0	0	0	0	0	0	0

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

[illegible]

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.