



Connecticut State  
Colleges & Universities

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

**INSTITUTION INFORMATION**

**Name:** Tunxis Community College **Contact:** Charles Cleary

**Reporting Office/Department:** Academic & 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

### **Narrative Explaining the Reported Sexual Violence Statistics and Data**

Tunxis Community College was chartered by the State of Connecticut in 1969 to serve the Bristol-New Britain and Farmington Valley areas. It first opened for classes in October 1970 with 494 students; today with an FTE of 1,194 full and part-time students attend the college each semester enrolled in credit and non-credit classes. Yet Tunxis is still small enough to offer students individual attentions. Since the first graduation in 1972, more than 12,000 people have received an associate's degree or certificate from the College.

As a publicly supported learning center, Tunxis provides an array of educational services designed to meet the training, occupational, intellectual, and cultural needs of the people of its region. The College seeks to serve all those who wish to develop their knowledge and skills; it does so by making its services easily accessible and supports these services through the quality of its faculty and staff. Tunxis bases its operations on the belief that learning is best accomplished through the evaluation of current skills and knowledge, the identification of educational objectives, the determination of a proper balance between study and other responsibilities, and involvement in the educational process that meets one's objectives.

### **Title IX Coordinator**

Angelo Simoni serves as the CSCU Title IX Coordinator. Dean of Student Affairs Charles Cleary also serves as the college's Deputy Title IX Coordinator. The Deputy Title IX Coordinator completed the 8-hour online Annual Compliance Training (certificate attached).

### **Policies**

5.2 Sexual Misconduct Reporting, Supportive Measures and Processes Policy

[RESOLUTION \(ct.edu\)](#)

4.3 Consensual Relationships Policy

[4.3 Consensual Relationships Policy.pdf \(ct.edu\)](#)

5.6 Reporting Suspected Abuse or Neglect of A Child

[5.6 Reporting Suspected Abuse or Neglect of a Child.pdf](#)

Student Code of Conduct

[BOR/CSCU Student Code of Conduct](#)

## **College Website Information**

Disclosure Form Submission and Definitions

[Sexual Assault, Harassment, Stalking, or Intimate Partner Violence Incident Form • Tunxis Community College](#)

Reporting or Disclosing Sexual Harassment, Dating or Intimate Partner Violence, or Stalking

[Reporting or Disclosing Sexual Assault • Tunxis Community College](#)

What You Need to Know About Sexual Assault, Sexual Harassment, Relationship Violence

[Sexual Assault and Interpersonal Violence • Tunxis Community College](#)

What is Sexual Assault? What is Stalking?

[What is Sexual Assault/Stalking? • Tunxis Community College](#)

Help Stop Sexual Assault

[How Can I Help Stop Sexual Assault Violence? • Tunxis Community College](#)

Title IX Flyer

[Title IX Flyer • Tunxis Community College](#)

Tunxis Takes A Stand Video

[Tunxis Takes A Stand - YouTube](#)

## **Sexual Violence Prevention for Community College Students Course**

The *Sexual Violence Prevention for Community College Students* course is an interactive online program designed to educate students in the prevention of sexual assault, dating violence and stalking. The program also covers consent and bystander intervention. All CSCU students are required to complete the initial training, then an annual refresher. Students are emailed reminders several times throughout the course of the semester. If students are triggered by the material, they may meet with the Deputy Title IX Coordinator. Some faculty assign this in FYE or Human Services classes. For academic year 21-22, Tunxis had 1,344 students complete the program.

## **Clothesline Project**

For 23 years the college has recognized Domestic Violence Month by having the Clothesline Project displayed. From October 25<sup>th</sup> through the 29<sup>th</sup> the college displayed the project in the library.

The Clothesline Project brings awareness to the issue of violence against women, men, and children. For those who have been affected by violence, it is a means of expressing their emotions by decorating a t-shirt. After the shirts have been decorated, they are hung on a clothesline display. The intention of the display is to honor survivors and act as a memorial for victims. It is also intended to aid in the healing process for those who were directly affected and those who have lost someone special to violence. Lastly, the clothesline display is to educate society and promote awareness, as well as to document violent crimes against women. [The Clothesline Project - Wikipedia](#).

In addition, the college had Sexual Assault Crisis Services and The Prudence Crandall Center table in the Library on 1October 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>.

### **Denim Day**

In recognition that April is Sexual Assault Crisis Month, the college participated in Denim Day on April 28<sup>th</sup>. Students and employees were encouraged to wear denim on that day. The Sexual Assault Awareness Month Proclamation was distributed and everyone was encouraged to participate & sign the proclamation.

### **Red Flag Campaign**

For Domestic Violence Month (October) The college participated in the Red Flag Campaign in fall 2021. Posters were posted across campus ahead of campaign to educate students about what the Red Flag campaign was. Faculty also encouraged students in their classes to be aware of, and write a message on the flags. The college left flags and markers across campus for students to write messages/create artwork. The flags were then collected and displayed near the main entrance and in the college's courtyard – highly trafficked areas.

### **Purple Thursday**

The Connecticut Coalition Against Domestic Violence (CCADV) asked people to wear purple on October 21<sup>st</sup> to raise awareness about domestic violence. Students and employees across campus were happy to participate.

### **Sexual Assault Crisis Services**

Pre-COVID the Connecticut Alliance to End Sexual Violence was a regular presence on campus, being available to meet with students. With a larger population on campus in the fall 2021 semester, these regular visits were re-established.

### **Impact of COVID**

From March 2020 until late August 2021 the college operated primarily remotely. Except for science, dental, manufacturing and non-credit allied health programs, the overwhelming number of students were taking classes remotely. The Fall 2021 semester was when the college started to offer a larger number of on-ground classes since COVID. Tunxis has led the system with the most on-ground offerings of any community college.

Many of the college's efforts in sexual violence have focused heavily on in person interactions due to the sensitive nature of the topic. The college would have in person programming and hallway displays. Although the college tried to offer non-mandatory virtual activities, student participation was abysmal. Students do not want to attend virtual events unless required for classwork.

### **CT College Consortium to End Sexual Violence**

The college has been a member of the CT Alliance to End Sexual Violence's CT College Consortium to End Sexual Violence.

### **Discussion of Statistical Data**

Due to the overwhelming numbers of students being remote, numbers are very low. There were no reports and five disclosures during the reporting period.

### **Student Rights**

A link to the Student Code of Conduct [RESOLUTION \(ct.edu\)](#) is posted on the Consumer Information page on the college's webpage [Consumer Information • Tunxis Community College](#). Part E on page 11 details Hearing Procedures for Sexual Misconduct, Sexual Intimate Partner, Domestic Violence & Stalking Reports.

### **Campus Resource Team**

The college has a Campus Resource Team, membership below. Due to the impact of COVID described above, coupled with changes in team membership, the team did not meet during this period. The team met on September 28<sup>th</sup>. 2021 Team membership is listed below.

<b>Name</b>	<b>Title</b>	<b>Affiliation</b>
Bailey, Sean	Lieutenant	Farmington Police Department
Cleary, Charles*	Dean of Student Affairs, Deputy Title IX Coordinator	Tunxis Community College
Craven, Vivian	Counselor	Tunxis Community College
Jakubczyk, Jazzmyn	Prevention Coordinator	Prudence Crandall Center, Inc.
Mountassir, Mohamed	Chair	TCC, Health & Safety Committee
LaRue, Luke	Sergeant	CT State Police Sex Offender Registry
Lodovico, John	Director of Facilities	Tunxis Community College
Melanson, Paul	Chief of Police	Farmington Police Department
Vacancy	Student Advocate	Tunxis Community College
Vacancy	Campus Advocate	YWCA
Waterhouse, Jessica	Professor, Criminal Justice	Tunxis Community College

\*Chair, Campus Resource Team

## 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.

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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.

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Connecticut State  
Colleges & Universities

### SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA

CSCU INSTITUTION: Tunxis Community College  
REPORTING OFFICE/DEPARTMENT: Academic & Student Affairs  
INSTITUTION CONTACT: Charles Cleary  
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>	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 &amp; Expulsion</i>	<i>Finding of Responsible &amp; Suspension</i>	<i>Finding of Responsible &amp; 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>

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STUDENT CONDUCT INSTITUTE

# CERTIFICATE OF COMPLETION



06/13/2021

THIS ACKNOWLEDGES THAT

**Charles Cleary**

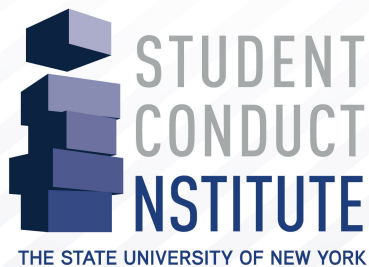
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HAS SUCCESSFULLY COMPLETED THE

**STUDENT CONDUCT INSTITUTE TRAINING  
Annual Compliance 2020-2021**

A handwritten signature in black ink, appearing to read "Joe Storch", written over a horizontal line.

*Joseph C. Storch*  
*Associate Counsel, The State University of New York*



A handwritten signature in black ink, appearing to read "Gemma Rinefierd", written over a horizontal line.

*Gemma Rinefierd, Ed.D.,*  
*Director of the Student Conduct Institute*

# UNDERSTANDING TITLE IX

No person in the United States, shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving federal financial assistance.

## **Title IX protects YOU from sex discrimination in:**

Academics  
Activities  
Admissions  
Athletics  
Employment  
Financial Assistance  
Housing  
Recruitment

## **NEED ASSISTANCE?**

Contact:  
Charles Cleary  
Deputy Title IX Coordinator Office:  
1-116• 860.773.1302  
ccleary@tunxis.edu

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CONNSACS  
24 Hour Free Confidential Hotline  
888.999.5545  
888.568.8332 (Spanish)

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Prudence Crandall  
24 Hour Domestic Violence Hotline  
860.225.6357 • 888.774.2900

**See back for more information.**

**Tunxis Community College does  
not tolerate sexual violence.  
REPORT IT PROMPTLY.**

## **SEXUAL ASSAULT**

Compelling by force or by threat of force the following: sexual penetration of the vagina or anus, including by an object; oral sex; or contact with a person's genital area, groin, anus, inner thighs, buttocks or breasts for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating the victim. Sexual assault is also intentionally subjecting another to such contact without consent.

## **RELATIONSHIP VIOLENCE**

This may be present in dating and domestic violence, sometimes also called intimate partner violence, is a pattern of behavior in which one partner uses fear and intimidation to establish power and control over the other partner, often including the threat or use of violence. This abuse happens when one person believes they are entitled to control another, and it may or may not include sexual assault.

## **SEXUAL HARASSMENT**

A form of unlawful gender-based discrimination. It may involve harassment of women by men, harassment of men by women, and harassment between persons of the same sex. Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from the college's educational program or activities or employment benefits or opportunities.

## **STALKING**

Any behaviors or activities occurring on more than one (1) occasion that collectively instill fear in the victim and/or threaten his/her safety, mental health and/or physical health. Such behaviors or activities may include, but are not limited to, whether on or off campus, non-consensual communications face-to-face, telephone, email, etc., threatening or obscene gestures, surveillance or being present outside the victim's classroom or workplace.

## **AFFIRMATIVE CONSENT LAW**

An active, clear and voluntary agreement to engage in sexual activity with another person.



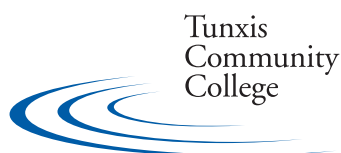
# If you experienced sexual assault (or aren't sure) there is support available for you at Tunxis.

## You have the right to...

- Be treated with respect and dignity
- Privacy. This means you can refuse to answer any questions about the sexual assault, your sexual orientation, your sexual history (including HIV status), and your medical history
- Be notified of existing campus and community based medical, counseling, mental health and victims of sexual assault resources whether or not the crime is formally reported to campus or civil authorities
- A timely disposition if reporting an incident to the College
- Be notified of the outcome of the College's sexual assault conduct proceedings against the accused
- Have conversations with one of the licensed counselors in the Tunxis Academic Advising Office
- Have access to a local sexual assault crisis service center
- Have access to a local domestic violence agency
- Have a counselor/advocate to accompany you to medical and legal proceedings
- Decide whether or not you want the police to investigate the assault
- Request that someone your are comfortable with stay with you in the medical examination room
- Ask questions and get answers regarding any tests, exams, medications, treatments or police reports
- Not be judged on your race, age, class, marital status, gender or sexual orientation
- Be considered a victim/survivor of sexual assault, regardless of the offender's relationship to you.

Additional information regarding sexual misconduct and campus policies is available at [tunxis.edu](http://tunxis.edu) and on postings throughout the campus.

1. Seek Safety
2. Get Medical Attention
3. Seek Support
4. Report Promptly



*Education That Works For a Lifetime*



271 Scott Swamp Road • Farmington, CT 06032 • 860.773.1300 • [Tunxis.edu](http://Tunxis.edu)

## NEED ASSISTANCE?

Contact:

Charles Cleary  
Deputy Title IX Coordinator  
Office: 1-116 • 860.773.1302  
[ccleary@tunxis.edu](mailto:ccleary@tunxis.edu)

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CONNSACS  
24 Hour Free Confidential Hotline  
888.999.5545  
888.568.8332 (Spanish)

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Prudence Crandall  
24 Hour Domestic Violence Hotline  
860.225.6357 • 888.774.2900

**See back for more information.**

# Sexual Assault Awareness Month

## *Proclamation*

**APRIL 2021**

April is Sexual Assault Awareness Month – a time to draw attention to the prevalence of sexual assault and educate individuals and communities about how to prevent it. Sexual harassment, abuse, and assault are widespread problems. We know that, in the United States alone, nearly one in five women and one in 67 men have been raped at some time in their lives (Smith et al., 2017), and that one in six boys and one in four girls is sexually abused before the age of 18 (Dube et al., 2005).

Sexual harassment, assault, and abuse happen in all communities – and that includes online spaces. We are spending more and more of our lives online – whether that’s for work, school, or entertainment. Unfortunately, with this increase in virtual connection comes an increase in online abuse and harassment. Consent and boundaries can be violated online in a number of ways, and the trauma of online abuse is all too real for many survivors.

But each of us has the power to change that. We can all make a difference to ensure that our online communities are safe and respectful for everyone.

2021 marks the twentieth anniversary of SAAM, and the theme of this year’s campaign is “We Can Build Safe Online Spaces.” The campaign calls on us to create online spaces that are built on the foundational values of practicing consent, keeping kids safe, and supporting survivors

**I join advocates and communities across the country in preventing online abuse. Together, we can build safe online spaces now and into the future.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dube, S. R., Anda, R. F., Whitfield, C. L., Brown, D. W., Felitti, V. J., Dong, M., & Giles, W. H. (2005). Long-term consequences of childhood sexual abuse by gender of victim. *American Journal of Preventive Medicine*, 28(5), 430-438. <https://doi.org/10.1016/j.amepre.2005.01.015>

Smith, S. G., Chen, J., Basile, K. C., Gilbert, L. K., Merrick, M. T., Patel, N., Walling, M., & Jain, A. (2017). *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010-2012 state report*. U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportBook.pdf>



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# CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE



Support. Advocate. Prevent.

After a prolonged and controversial review process, the US Department of Education announced the final Title IX rules on May 6th. Once published in the Federal Register they are the law. As part of the federal civil rights law passed as part of the Education Amendments of 1972 Title IX protects people from discrimination based on sex in education programs or activities that receive federal financial assistance.

The rule changes are significantly slanted to protect the perpetrators of sexual harassment and abuse creating an unsafe environment for survivors at our colleges and universities. Now is not the time to reverse the gains made acknowledging the prevalence of sexual violence and the harm it causes. Below is a brief outline of the rule changes to Title IX.

- **A harmful definition of sexual harassment.** This definition *requires harassment to be so severe, pervasive, and objectively offensive that a student must be denied access to their education before they can proceed with a Title IX complaint.* Not only is it a much higher standard to meet but it requires the survivor to alter their education irrevocably in order to be able to take action while the perpetrator has no boundaries placed on them. Affirmative consent is the measure by which Connecticut's laws define sexual conduct on campuses.
- **Supports a higher standard of proof.** Many institutions will be required to adopt the "clear and convincing" standard of evidence for grievance procedures, rather than the less demanding, more reasonable, and more equitable "preponderance of the evidence" standard. Survivors and their advocates will have a greater burden than the offender and their representation as they attempt to achieve safety and justice in these procedures. Connecticut's statutes define that the "preponderance of the evidence" standard is used for campus sexual harassment and assault cases.
- **A stricter standard for reporting.** Under current rules college and university Title IX responsibilities are based on what the school *should reasonably know* of an incident. With this new rule, only the school's Title IX coordinator or an official with authority to institute corrective measures on a recipient's behalf triggers action by the school. Residential hall staff, coaches, teachers, or administrators are no longer responsible for reporting sexual harassment to their institutions, creating a barrier to holding their communities accountable and protecting students and staff.
- **Lowering the bar for schools to take action.** While current recommendations admonish institutions unless they act "reasonably" (most people would find the complained action offensive) in a case of sexual violence, the new rules would initiate the lower standard of "deliberately indifferent" or "clearly unreasonable" (the sexual harassment or assault needs to be pervasive or cause the complainant to be "subject to" harassment, regardless of past actions of the respondent). This standard reduces the accountability of these institutions and reduces the rights of student survivors by not looking at the consequences or the entirety of the event.
- **Presumption of innocence over neutrality.** These rules would mandate that all grievance procedures are established with a presumption that the perpetrator is not responsible and the violence did not occur, rather than establishing a procedure with neutrality toward both parties. This presumption grossly ignores the realities of the prevalence of sexual violence and sends the message that survivors are not to be believed.

- **Redefining harm by geography rather than by impact.** The new rules focus on where an assault takes place and *schools will be mandated to dismiss formal complaints that did not take place within their program or activity, or where the institution did not have “substantial control”*. Prior guidance focused on the impact of the harassment on the school’s students or employees and not location. Student survivors would potentially lose the ability to pursue recourse against a respondent who they see every day on campus, only because the incident occurred online, off-campus, or at a school-sponsored study abroad program.
- **Forcing live cross-examinations.** In a considerable deviation from current recommendations, these rules require formal grievance procedures to include a live cross-examination at a hearing, putting survivors and their witnesses in a situation where they will be confronted and cross-examined by an advisor chosen by the perpetrator. If a survivor or witness does not agree to cross-examination at the live hearing, the decision-maker(s) must disregard that person’s statement in reaching a determination regarding responsibility. This rule would inhibit student reporting, and punish survivors who report by needlessly re-traumatizing them.
- **Implementation of “informal resolutions”.** “Informal resolution” without a full investigation can be employed at any time prior to reaching a determination in the case. Based on the other rules listed and encouragement from other students, survivors may feel pressured into selecting this option. A mediation such as this has the propensity to further traumatize or harm survivors, while further reducing the accountability of perpetrators and institutions.
- **Limiting appeal options.** Student survivors would not be entitled to an appeal; the institution would have to choose to offer one to both parties in order to initiate any appeals process. Furthermore, if an appeal is offered, survivors cannot argue for a specific sanction.
- **Relaxing standards for religious exemptions.** Institutions may be exempt from Title IX regulations due to religious tenets. With no timeline, specified institutions that are already being investigated by the Department can suddenly invoke the religious exemption reducing the accountability of institutions and reducing the rights students have to be protected.

In 2019 the Connecticut Legislature passed [Special Act No. 19-23](#) to convene a task force that would assess Connecticut’s laws with the new regulations. Though the task force will formally address the impact of these rules on Connecticut, based on our understanding of these rules, we *anticipate the following to remain the same in Connecticut* as a result of our formerly established state legislation:

- **Utilizing the “affirmative consent” standard** in prevention programming and investigations;
- **Provision of resources and information to students and employees** who report sexual violence (such as available services, law enforcement options, and accommodations);
- The necessity of **Campus Resource Teams**;
- Establishing **MOU’s with community-based sexual violence and domestic violence programs** to ensure that students continue to have support and advocacy; and
- **Trauma-informed response training** and other awareness/prevention programming provided to the Title IX coordinator and campus police.

For more information contact Bridget Koestner at [Bridget@endsexualviolencect.org](mailto:Bridget@endsexualviolencect.org) or 860-282-9881; [www.endsexualviolencect.org](http://www.endsexualviolencect.org)