



CONN. GEN. STAT. § 10a-55m(f) SEXUAL VIOLENCE REPORT 2023

Western Connecticut State University

Office of Diversity and Equity

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SECTION ONE

Narrative

I. *History of Institution*

Western Connecticut State University is a public, four-year university located in Danbury, Connecticut. WCSU consists of four schools and one division: the Ansell School of Business (which includes the Justice & Law Administration program), the Macricostas School of Arts and Sciences, the School of Visual and Performing Arts, the School of Professional Studies and the Division of Graduate Studies. Founded in 1903, WCSU is part of the Connecticut State Colleges & Universities system, and as of Fall 2022, total university enrollment has reached at about 4,802 full-time and part-time students in the undergraduate and graduate programs. The University has a workforce of 1,004 full and part-time employees. The University facilities includes six residence halls (hyperlink to: <https://www.wcsu.edu/housing/residencehalls/>), various classroom and administrative buildings throughout the two campuses, two athletic facilities, three parking garages, and several athletic fields/courts on the West Side Campus.

The Midtown Campus is the original campus, located on White Street near Downtown Danbury and the Main Street Historic District. The Midtown Campus is in the heart of Danbury, close to the City Center shops and restaurants. It is, in essence, the main campus, with the Haas Library, Warner Hall, White Hall, Higgins Hall and Berkshire Hall located around the University Quadrangle. The Midtown Campus also houses the Science Building, Midtown Student Center, WCSU Police Headquarters, the West Connect Card Office, Higgins Hall, Irfan Kathwari Honors House, University Hall and the Old Main Building. New students under the age of 19 should expect to live in the residence halls found on the Midtown campus. It is home to the Macricostas School of Arts and Sciences, School of Professional Studies, and most of the University's administrative offices and officials. The residence halls on this campus include Fairfield Hall, Litchfield Hall, and Newbury Hall.

Within these are "traditional" style residence halls, the rooms are shared between two or three students, and each floor (or section) shares common bathrooms and lounges. Each residence hall also has recreation areas and equipment such as ping-pong and billiards tables, as well as lounges for watching television or studying. Due to its central location, residence halls on the Midtown campus are close to almost everything students need on a daily basis. Most of the classrooms, adequate parking, the cafeteria(s) and snack bar(s), student life offices and organizations, administrative offices such as the Registrar Office, West Connect Card Office and the Office of Financial Aid and Student Employment are all easily accessible to residents of the Midtown campus. Shuttle service and student parking are available between the Midtown and West Side campuses on a regular basis.

The West Side Campus is located on land purchased in 1969 on the outskirts of Danbury. The Westside Campus is located approximately four miles from the Midtown Campus on Danbury's western end. It is the home of the School of Visual and Performing Arts ("VPAC") Building, the Westside Classroom building, the Ives Center for the Performing Arts, a nature trail, the Westside Athletic Complex ("WAC") and athletic fields, and the O'Neill Center, a multi-purpose athletic and performance center, complete with a pool, workout rooms and an all-purpose gymnasium. The Westside campus is also home to the Westside Campus Center. This three-

story, 49,000 square-foot building which provides a full-service cafeteria and dining area, game room, fitness center, multi-purpose meeting and conference room(s), student activity space, lounge areas, and related campus and student-life facilities. This 439-acre lot is home to the Westside Nature Preserve and the amphitheater. Residence halls on this campus include A. Searie Pinney Hall, Centennial Hall and Ella Grasso Hall. In 2015, gender neutral housing was availed to students upon request. The West Side campus also houses many of the athletic facilities, including the O'Neill Center.

For more information on the above-described Title IX updates at Western Connecticut State University, please visit: <https://www.wcsu.edu/diversity/what-is-title-ix-and-cart/>

II. Mission and Values

Western Connecticut State University changes lives by providing all students with a high-quality education that fosters their growth as individuals, scholars, professionals, and leaders in a global society.

To achieve this, we:

1. Offer undergraduate and graduate programs that weave together liberal arts and professional education and instill a desire for life-long learning.
2. Sustain a vibrant, inclusive campus that connects individuals through co-curricular programs, cultural events, and service to the community.
3. Attract student-centered faculty who are passionate teachers and accomplished scholars.
4. Establish partnerships that create opportunities for internships, research, and experiential learning.

University values are:

- ✓ **Excellence.** We value outstanding achievement realized through persistence, effort, honest feedback, and self-reflection.
- ✓ **Curiosity.** We value the questions that drive learning, innovation, and creativity, which serve as the beginning and the desired outcome of education.
- ✓ **Dialogue.** We value the conversations that explore diverse perspectives and encourage shared understanding.
- ✓ **Engagement.** We value the interactions with ideas, peers, and community that are essential to a vibrant university environment.
- ✓ **Opportunity.** We value the possibilities created by affordable, accessible educational environments in which students can grow into independent thinkers and confident leaders.
- ✓ **Respect.** We value the right of all people to be treated with dignity and fairness and expect this in our policies, classrooms, and community.

III. Policies and Rights of Students and Employees

The BOR/CSCU policies regarding sexual misconduct reporting are available at <https://www.ct.edu/regents/policies>. These 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 Office of Diversity and Equity website at Western includes confidential resources available to both Respondents and Complainants. For employees and students, the policies are available on the Western website and presented during orientation, and trainings throughout the academic year. <https://www.wcsu.edu/diversity/>

Western Connecticut State University asserts that all students have the right to be free from sexual misconduct, such as sexual assault/violence, sexual harassment, stalking, and intimate partner violence. The University policy prohibits any student from infringing upon these rights within the campus community. A set of guidelines and procedures have been designed to provide students with important information regarding the systems that are in place at the University to support any student whose rights have been violated. The University will take prompt action based on violations of the Student Code of Conduct while simultaneously supporting students who also wish to pursue formal legal action for crimes that may have been committed.

The university created two brochures entitled "WCSU Campus Safety Plan" and "What To Do If This Happens??" which concisely provides information about campus and local resources to the University community. Critical telephone numbers, instructions regarding physical, social and emotional safety as well as the preservation of physical evidence in a sexual assault, and options regarding reporting incidences of sexual assault or violence are all provided in these brochures, which are included in this report. In addition to the formal reporting process, if someone is victimized by crime and does not want to pursue action within the University system or the criminal justice system, he/she may still want to consider making a confidential report. With the victim's permission, the Chief of Police, a designee of the University Police Department, the WCSU Title IX Coordinator, or the WCSU Deputy Title IX Coordinator, can file a report on the details of the incident without revealing the identity of the reporter.

The purpose of a confidential report is to comply with the victim's wish to keep a matter confidential, while taking steps to ensure the future safety of the victim and others in the campus community. This information allows the University to keep an accurate record of the number of incidents involving our community and determine if there is a pattern of crime with regard to a particular location, method, or assailant so the campus community can be alerted to potential danger. Pastoral and professional counselors also may encourage clients to make voluntary, confidential crime reports.

IV. Sexual Violence Statistics and Data

During the reporting period (from January 1, 2023 to December 31, 2023), WCSU has recorded the following data:

Total Reported Incidences of Sexual Violence		
<i>Report Category</i>	<i>Number of Disclosures</i>	<i>Number of Reports</i>
Sexual Assault/Violence	7	1
Stalking	3	1
Intimate Partner Violence ("IPV")	13	1
	Total: 23	Total: 3

Twenty-six (26) documented incidents of sexual misconduct (sexual assault/violence, intimate partner violence, or stalking) were filed as reports/disclosures to either the Office of Judicial Affairs, WCSU Police Department, the Center of Empowerment and Education, and/or WCSU Title IX Office. A disclosure is defined as a communication of an incident to a responsible employee, or a confidential resource, that is not accompanied by a request for an investigation or adjudication. A report is defined as a disclosure with an immediate request for an investigation and adjudication. Both reports and disclosures may be accompanied by a request for accommodations and referrals for services/support.

Of the twenty-six (26) incidents, three (3) were reports (formal complaints under Title IX) and twenty-three (23) were identified as Title IX disclosures. Ten (10) of the twenty-three (23) disclosures were anonymously reported by confidential resources. The one (1) Sexual Assault/Violence report was later withdrawn by the Complainant upon discovering the Respondent had transferred to a different institution. The one (1) stalking report was investigated, and a Sexual Misconduct Judicial Hearing was conducted. The Respondent was found responsible and was suspended from the university. The one (1) Intimate Partner Violence report was investigated, and a Sexual Misconduct Judicial Hearing was conducted. The Respondent was found responsible and was suspended from the university. Neither of these outcomes were appealed. This data does not include the number of reports and disclosures that involve alleged sexual harassment, which is not gathered in this report.

V. Sexual Violence Prevention Awareness and Risk Reduction Programs

Campus Response and Resource Team ("CaRRT")

WCSU has established a Campus Response and Resource Team ("CaRRT") to provide preventive training and lectures on the response, policies and procedures related to sexual misconduct to the University community as well as provide resources to students, faculty, staff, and survivors of sexual assault, stalking, and intimate partner violence. CaRRT is charged with providing the university community with education, training/lectures on sexual violence prevention and by-

stander intervention as well as responding to all forms of sexual misconduct/violence on our two (2) campuses.

CaRRT meets at least once during academic semester to review policies and procedures as well as to discuss and develop risk reduction and prevention strategies and/or programming. Relevant data is also provided to CaRRT members regarding campus incidents, whenever needed. The goal of CaRRT is to inform and engage the university community, strengthen the delivery of services to victims, and ensure that perpetrators are held accountable for their actions.

The Office of Diversity and Equity

The Office of Diversity and Equity at WCSU includes Jesenia Minier, Chief Diversity Officer and Title IX Coordinator, Keisha Stokes, Administrative Assistant, and Scott A. Towers, Pride Center/Deputy Title IX Coordinator. ODE provides Trainings and Presentations for Title IX matters throughout the academic calendar for both students and employees. ODE also conducts all Title IX Investigations, which is substantiated by the Title IX Coordinator are forwarded to either Judicial Affairs or Human Resources. The WCSU Pride Center provides Safe Zone Trainings for both students and employees throughout the calendar year.

The Center for Empowerment and Education

In January of 2007, Western Connecticut State University and The Center for Empowerment and Education (CEE), formerly The Women's Center of Greater Danbury, solidified a partnership by signing an agreement for CEE to provide our comprehensive services to the WCSU community. CEE is the sole provider for domestic violence and sexual assault services in our 11-town catchment area and is a member center of both the Connecticut Coalition Against Domestic Violence and the Connecticut Alliance to End Sexual Violence.

CEE staff are a confidential, no-cost resource for individuals of any gender identity on and off campus who have experienced or are experiencing any form of interpersonal violence, including but not limited to dating abuse, domestic violence, sexual violence, stalking, or human trafficking. All CEE staff are state certified domestic violence and sexual assault counselors per C.G.S. 52-146k. CEE offers education programs, professional training, individual counseling, group counseling, advocacy, and crisis intervention services at WCSU.

WCSU Police Department

The WCSU Police Department's Crime Prevention Unit provides a variety of programs and services, including:

- **Rape Aggression Defense System ("RAD")**

Rape Aggression Defense Systems is a program of realistic, self-defense tactics and techniques. The RAD System is a comprehensive course for women that begins with

awareness/prevention, risk reduction and avoidance while progressing on to the basics of hands-on defensive training. RAD is NOT a martial arts program. The program is designed primarily for any interested individual and is suitable for all ages and abilities. The courses are free and are taught by certified RAD Instructors that provide each participant with a workbook/reference manual. This manual outlines the entire physical defense program for reference and continuous growth. For more information about the RAD System, please click here or visit the University Police Department webpage at <https://www.wcsu.edu/police/radsystems/>.

- **Community Oriented Police Services ("COPS")**

Community Policing is organized at the WCSU Police Department and is a full service of personalized policing, where the same Building and Patrol Officer patrols and works in the same area on a permanent basis, working in a proactive partnership with the University students, faculty and staff to identify and solve problems. Community Policing relies on foot and bike patrol, and encourages the community to interact with the assigned officers. For more information about COPS, please click here or visit the University Police Department webpage at <https://www.wcsu.edu/police/preventionCOPS/>.

- **Safety Escort Services**

This service is available to all students, faculty, staff and guests of the university. A safety escort is as close as the nearest telephone. To obtain a safety escort, simply dial the WCSU Police Department at (203) 837-9300 or activate any emergency or courtesy phone on campus. When the dispatcher answers, you are asked to let them know you wish to obtain an escort. The dispatcher will request your name, present location, and the location to which you wish to be escorted. The dispatcher will then dispatch an onsite police officer to meet you. Safety escorts are provided by uniformed police and buildings and grounds officers of the WCSU Police Department. A student safety patrol unit may also provide this service, when available.

The WCSU Police Department provides safety escorts twenty-four (24) hours a day, seven (7) days a week on (and around) our two campuses. Safety escorts may be provided by a foot patrol officer, a bike patrol officer or an officer in a marked police or buildings and grounds vehicle. Student safety escorts will normally operate in pairs and officer will carry two-way radios that place them in direct contact with the WCSU Police Department. The student safety patrols wear identifiable security jackets while on duty.

On and off campus safety tips are given to the University community to build a sense of awareness of your surrounding when traveling. For more information on the University and surrounding area safety tips, please click here or visit the University Police Department webpage at <https://www.wcsu.edu/police/safetytips/>.

WCSU Police Officers are also available to address the community and serve as knowledgeable lecturers. During this reporting period, sixty-five (65) safety escorts were provided on campus.

WCSU Human Resources

All new employees of Western Connecticut State University must complete a virtual training on Title IX Matters. WCSU Human Resources oversees this training which is provided through the training platform called NEOGOV Learn. There was a total of one hundred forty-nine (149) new hire employees in 2023 who completed the Title IX training.

VI. Sexual Misconduct Climate Assessment

As of the date of submission for this report, Western Connecticut State University is still in the process of conducting the required Sexual Misconduct Climate Assessment. Our assessment has been built, will be conducted through Qualtrics, and is awaiting approval from our Institutional Review Board (IRB).



SECTION TWO

BOR/CSCU Sexual Misconduct Policies

Board of Regents, Connecticut State Colleges and University Policies:

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>



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.

Please direct all inquiries concerning this handbook to
Mr. Angelo Simoni, Jr.,
Connecticut State Colleges and Universities,
at 860-723-0165/simonia@ct.edu



SECTION THREE

**WCSU's Sexual Misconduct
Policies and Procedures**



**Student Conduct Institute
Informal Resolution Procedure
August 14, 2020**

What is the purpose of this Procedure?

On May 19, 2020, the U.S. Department of Education issued a Final Rule governing the Title IX grievance process, effective August 14, 2020. The Final Rule requires that all colleges and universities hold a live hearing before making any determination regarding responsibility for covered reports of Title IX sexual harassment, including sexual violence. This hearing must provide for live cross-examination by the parties' advisors.

However, under § 106.45(b)(9) of the Final Rule, colleges and universities may offer and facilitate informal resolution processes, as long as each party voluntarily agrees to the process through an informed, written consent. This option is a change from long-standing Departmental guidance discouraging the use of informal procedures to address sexual harassment and prohibiting the use of mediation to address sexual assault. In the Preamble to the Final Rule, the Department states that it views informal resolutions as a way to resolve sexual harassment allegations in a less adversarial manner than the investigation and adjudication procedures that comprise the § 106.45 grievance process.

No college or university is required to adopt an informal procedure for addressing Title IX covered sexual assault, nor is there any obligation to create or put in place such a policy by the August 14, 2020 implementation date. Institutions should use caution in pursuing an informal resolution process to ensure that facilitators have significant training in the chosen methodology.

This Procedure, in turn, provides guidance regarding the contents of a Title IX-compliant process at Western Connecticut State University ("WCSU" or "University") and the types of informal resolution procedures you may consider adopting.

Elements of the WCSU Informal Resolution Process

Procedures for Entering and Exiting Informal Resolution Process

Parties who do not wish to proceed with an investigation and live hearing, and instead seek the assistance of the WCSU Office of Diversity and Equity to resolve allegations of Title IX-covered misconduct, may elect to enter the informal resolution process. Generally speaking, these resolution options are less time intensive than an investigation and live hearing, while still affording students an opportunity to actively participate in a process led by the WCSU Office of Diversity and Equity for resolution of their complaints.

The Parties may elect to enter the WCSU informal resolution process at any time after the filing of the Formal Complaint through an informed written consent. This informed written consent will include all terms of the elected informal process, including a statement that any agreement reached through the process is binding on the Parties.

No Party may be required to participate in informal resolution, and the WCSU Office of Diversity and Equity may never condition enrollment, employment, or enjoyment of any other right or privilege upon agreeing to informal resolution.

The Parties may elect to leave the informal resolution process at any point until the informal resolution process is concluded. If a Party elects to leave the informal resolution process, the formal resolution process recommences. In participating in the informal resolution process, the Parties understand that the timeframes governing the formal process temporarily cease, and only recommence upon reentry into the formal process.

Determination to Approve Entry into Informal Resolution Process

Even where the Parties agree to submit a matter to informal resolution, the WCSU Title IX Coordinator (or an assigned designee) may approve the decision to move the matter to the informal resolution process and may determine that informal resolution is not appropriate under the circumstances.

Factors that the WCSU Title IX Coordinator (or an assigned designee) may weigh in considering the appropriateness of the informal resolution process include, but are not limited to, the gravity of the allegations, whether there is an ongoing threat of harm or safety to the campus, whether the respondent is a repeat offender, and whether the Parties are participating in good faith. This determination is not subject to appeal.

Informal resolution processes may never be applied where the allegations include sexual violence.

Informal resolution is only permitted to address allegations of student-on-student sexual harassment, and is never allowed as an option to resolve allegations that an employee sexually harassed a student.

At any time after the commencement of the informal resolution process, the WCSU Title IX Coordinator (or an assigned designee) may determine that the informal resolution process is not an appropriate method for resolving the matter, and may require that the matter be resolved through the formal process. This determination is not subject to appeal.

Role of the Facilitator

Informal resolution processes are managed by facilitators, who may not have a conflict of interest or bias in favor of or against complainants or respondents generally or regarding the specific Parties in the matter. The WCSU Title IX Coordinator may serve as the facilitator, subject to these restrictions.

All facilitators must have training in the definition of sexual harassment under 34 C.F.R. § 106.30(a), the scope of the institution's education program or activity, how to conduct informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, or bias.

Confidentiality

In entering the informal resolution process, the Parties agree that any testimony and evidence (including admissions of responsibility) they share or receive during the informal resolution process concerning the

allegations of the Formal Complaint is confidential while the parties are participating in the informal resolution process. No evidence concerning the allegations obtained within the informal resolution process may be disseminated to any person, provided that any Party to the informal resolution process may generally discuss the allegations under investigation with a parent, friend, advisor, or other source of emotional support, or with an advocacy organization. Should the Parties withdraw from the informal resolution process, information disclosed or obtained for purposes of the informal resolution process may be incorporated into the formal investigation and live hearing, provided that this information is disclosed and reviewed by the Parties under the investigatory and hearing procedures described in the Title IX Grievance Process.

Informal Resolution Options

The University offers the following informal resolution procedure for addressing Formal Complaints of sexual harassment covered under this Procedure:

Administrative Resolution

Should the Parties mutually determine to enter the informal resolution process, and the respondent elects to accept responsibility for the allegations of the Formal Complaint at any point during the informal resolution process, the institution may administratively resolve the Formal Complaint.

Where the respondent admits responsibility, the Parties will receive simultaneous written notification of the acceptance of responsibility, and {a decision-maker(s)} will convene to determine the respondent's sanction and other remedies, as appropriate and consistent with institutional policy. The Parties will be given an opportunity to be heard at the sanctions hearing, including but not limited to the submission of impact statements, and the Parties may be accompanied by their Advisor, but questioning of Parties or witnesses will not be permitted. The Parties will receive simultaneous written notification of the decision regarding sanctions and remedies, which may be appealed according to the process described within the Title IX Grievance Procedures.



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

1. Introduction

What is the purpose of the Title IX Grievance Procedures?

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

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

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

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://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. Only incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Procedures defined below.

CSCU and Western Connecticut State University (“WCSU” or “University”) remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our institutions have a

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

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

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

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

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

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

2. The Title IX Grievance Procedures

General Rules of Application

Effective Date

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, Western Connecticut State University (“WCSU” or “University”) “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that the WCSU 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 Western Connecticut State University (“WCSU” or “University”) programs and activities over which WCSU 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 a WCSU 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 Western Connecticut State University (“WCSU” or “University”) classes are in session.

Privacy vs. Confidentiality

Consistent with the Sexual Misconduct Policy, references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean WCSU 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. WCSU 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/Deputy Title IX Coordinator, or by any other means that results in the Title IX Coordinator/Deputy Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:

Name: Angelo Simoni Jr.

Title: Interim Title IX Coordinator

Office Address: 181 White Street, Old Main, Suite 302

Email Address: tixcoordinator@wcsu.edu

Telephone Number: (203) 837-8444

Contact Information for the Deputy Title IX Coordinator:

Name: Scott A. Towers

Title: Pride Center/Deputy Title IX Coordinator

Office Address: 181 White Street, Old Main, Suite 302

Email Address: towerss@wcsu.edu

Telephone Number: (203) 837-8811

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/Deputy Title IX Coordinator.

Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Angelo Simoni Jr., Interim Title IX Coordinator (or an assigned designee)
- Scott A. Towers, Pride Center / Deputy Title IX Coordinator
- Fred Cratty, Chief Human Resources Officer, WCSU Human Resources Department
- WCSU CaRRT Members
- Faculty position(s) that entails direct access to students
- Administrative position(s) that entails direct access to students

The following Officials may provide confidentiality:

- Office of Counseling Services
- Office of Health Services
- WCSU pastoral counseling staff members
- Members of the Center for Empowerment and Education as our local Sexual Assault Crisis Center and Domestic Violence Center.

Non-Investigatory Measures Available Under the Title IX Grievance Procedures

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Western Connecticut State University (“WCSU” or “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

Western Connecticut State University (“WCSU” or “University”) retains the authority to remove a respondent from WCSU’s program or activity on an emergency basis, where WCSU (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 WCSU 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

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

The Title IX Grievance Process

Filing a Formal Complaint

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

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Grievance Procedure if they are currently participating in, or attempting to participate in, the education programs or activities of Western Connecticut State University (“WCSU” or “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. WCSU will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Grievance Procedure.

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

Informal Resolution

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the Informal Resolution Process through an informed written consent. Information about this Process is available here: <https://www.wcsu.edu/diversity/wp-content/uploads/sites/37/2020/09/WCSU-Informal-Resolution-Procedure-compl.-9.04.2020.pdf>

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 WCSU'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, Western Connecticut State University ("WCSU" or "University") will investigate the allegations according to the Grievance Process.

Allegations Potentially Falling Under Two Policies:

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process

will be applied to investigation and adjudication of only the allegations that constitute covered sexual harassment.

Mandatory Dismissal

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

Discretionary Dismissal

The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Procedures, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by {the institution}; or,
- If specific circumstances prevent {the institution} from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

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

Notice of Dismissal

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

Notice of Removal

Upon dismissal for the purposes of Title IX, Western Connecticut State University (“WCSU” or “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, WCSU 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/Deputy Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

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

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

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

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution's Title IX Grievance Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Ongoing Notice

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

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

Advisor of Choice and Participation of Advisor of Choice

Western Connecticut State University ("WCSU" or "University") will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

WCSU 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 Western Connecticut State University.

Western Connecticut State University ("WCSU" or "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.

WCSU'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 WCSU 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. Western Connecticut State University ("WCSU" or "University") 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 WCSU.

Notice of Meetings and Interviews

Western Connecticut State University ("WCSU" or "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.

Western Connecticut State University (“WCSU” or “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 WCSU and does not indicate responsibility.

Western Connecticut State University (“WCSU” or “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. WCSU 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

Western Connecticut State University (“WCSU” or “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, WCSU 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

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

reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.

- The hearing 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 panel of four or five decision-makers.
- 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, Western Connecticut State University (“WCSU” or “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
- If a witness does not submit to cross-examination, as described below, the hearing body cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).

Hearing Procedures

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

- The hearing 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.

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

Western Connecticut State University (“WCSU” or “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. Western Connecticut State University (“WCSU” or “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 WCSU allow parties to call character witnesses to testify. WCSU 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 WCSU 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 policy, if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient’s education program or activity will be provided by the recipient to the complainant; and
6. The recipient’s procedures and the permitted reasons for the complainant and respondent to appeal (described below in “Appeal”).

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by Western Connecticut State University (“WCSU” or “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

Western Connecticut State University (“WCSU” or “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.



OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: ____ / ____ / ____

COMPLAINT NO.: _____

INTAKE INITIALS: _____

DISCRIMINATION COMPLAINT FORM

INSTRUCTIONS: Please provide all of the information requested. It is highly encouraged that you be as specific as possible when discussing incident(s) by including date(s) the incident(s) occurred, the name(s) of the person(s) involved and the name(s) of those who may have witnessed the incident(s). To investigate your complaint, it will be necessary to interview you (Complainant), the alleged accused and any witnesses with direct knowledge of the allegations or defenses. The Office of Diversity and Equity will notify all persons involved in the investigation that all communications are confidential and that unauthorized disclosure of information concerning the investigation could result in disciplinary action. The complaint is not limited to the space provided. You are encouraged to attach additional materials which may assist in the investigation process. Please note that the information provided on this and/or any other form is not considered an official complaint unless it is signed by you and dated.

COMPLAINANT INFORMATION:

Complainant's Name: _____
First Name MI Last Name

Home Address: _____
City State Zip Code

Work Address: _____
City State Zip Code

Telephone: () _____ ☐ Home ☐ Work ☐ Mobile ☐ Other: _____
Telephone: () _____ ☐ Home ☐ Work ☐ Mobile ☐ Other: _____
Telephone: () _____ ☐ Home ☐ Work ☐ Mobile ☐ Other: _____

Email Address: _____ Alternate Email: _____

Please identify one (or more) preferred Mode(s) of Contact: ☐ Phone Call ☐ Email ☐ Letter

COMPLAINT DETAILS:

Complaint Status: ☐ Applicant ☐ Admin./Staff ☐ External (Non-Campus Related)
☐ Faculty ☐ Student/Student Employee ☐ Other: _____

Complaint Type: ☐ Discrimination ☐ Hostile Work/Academic Environment
☐ Harassment ☐ Retaliation
☐ Sexual Assault/Misconduct ☐ Interpersonal Violence/Domestic Violence

Basis: ☐ Age ☐ Marital Status
☐ Ancestry ☐ Mental Disorder
☐ Color ☐ National Origin
☐ Criminal Record (State Employment) ☐ Sex (Including Pregnancy or Sexual Harassment)
☐ Gender Identity (or Expression) ☐ Sexual Orientation
☐ Intellectual Disability ☐ Race
☐ Learning Disability ☐ Religious Creed
☐ Physical Disability

Terms and Conditions of Academic/Employment Status

☐ Assignments ☐ Performance Evaluation ☐ Transfer
☐ Benefits/Leave ☐ Promotion ☐ Salary/Compensation
☐ Demotion/Discharge ☐ Testing ☐ Working Conditions
☐ Employment/Hiring ☐ Training Opportunities ☐ Other

Under "Other", please specify: _____

Initial

181 WHITE STREET, DANBURY, CONNECTICUT, 06810

WWW.WCSU.EDU

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OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: ____ / ____ / ____

COMPLAINT NO.: _____

INTAKE INITIALS: _____

Name of person(s) (called the Respondent(s) you believe have subjected you to the conduct described in your complaint. When asking about affiliation/relationship, this is information as it relates to your contact (i.e., if the Respondent is a supervisor, co-worker, student, faculty, etc.). Timeframe is asking about the length of time you have known the Respondent(s).

Respondent's Name: _____
First Name MI Last Name

Respondent Status: ☐ Applicant ☐ Admin./Staff ☐ External (Non-Campus Related)
☐ Faculty ☐ Student/Student Employee ☐ Other: _____

Affiliation/Relationship: _____ Timeframe: _____

Respondent's Name: _____
First Name MI Last Name

Respondent Status: ☐ Applicant ☐ Admin./Staff ☐ External (Non-Campus Related)
☐ Faculty ☐ Student/Student Employee ☐ Other: _____

Affiliation/Relationship: _____ Timeframe: _____

Respondent's Name: _____
First Name MI Last Name

Respondent Status: ☐ Applicant ☐ Admin./Staff ☐ External (Non-Campus Related)
☐ Faculty ☐ Student/Student Employee ☐ Other: _____

Affiliation/Relationship: _____ Timeframe: _____

Respondent's Name: _____
First Name MI Last Name

Respondent Status: ☐ Applicant ☐ Admin./Staff ☐ External (Non-Campus Related)
☐ Faculty ☐ Student/Student Employee ☐ Other: _____

Affiliation/Relationship: _____ Timeframe: _____

Respondent's Name: _____
First Name MI Last Name

Respondent Status: ☐ Applicant ☐ Admin./Staff ☐ External (Non-Campus Related)
☐ Faculty ☐ Student/Student Employee ☐ Other: _____

Affiliation/Relationship: _____ Timeframe: _____

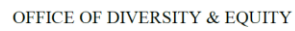
Add additional pages, as needed

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INTAKE INITIALS: _____

Please explain the specifics and/or situation(s) that resulted in your allegation(s):

[illegible]

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OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: ____ / ____ / ____

COMPLAINT NO.: _____

INTAKE INITIALS: _____

List and describe all documents, e-mails, records, materials and/or evidence pertaining to your complaint:

- ☐ Text Message
☐ Social Media
☐ Letters

- ☐ Phone Conversation/Voicemail
☐ Images/Photos
☐ Records

- ☐ Email
☐ Videos
☐ Memos/Notes

Describe the corrective action you are seeking:

Do you wish to receive referrals to

- ☐ Office of Health Services
☐ Center for Empowerment/Education
☐ Counseling Office
☐ Judicial Affairs
☐ Office of the Dean of Students
☐ Office of Housing and Residence Life

List the identified witnesses to the above described incident(s):

Witness 1.	_____	_____	_____
	Name	Relationship	Contact Information
Witness 2.	_____	_____	_____
	Name	Relationship	Contact Information
Witness 3.	_____	_____	_____
	Name	Relationship	Contact Information
Witness 4.	_____	_____	_____
	Name	Relationship	Contact Information
Witness 5.	_____	_____	_____
	Name	Relationship	Contact Information
Witness 6.	_____	_____	_____
	Name	Relationship	Contact Information

Add additional pages, as needed

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OFFICE OF DIVERSITY & EQUITY

ODE INTAKE CONFIRMATION (DO NOT FILL)

COMPLAINT DATE: ____ / ____ / ____

COMPLAINT NO.: _____

INTAKE INITIALS: _____

Complaint Acknowledgment

I, _____, understand that, regardless of any contact with the Office of Diversity and Equity, I also retain the right to file an external complaint of discrimination or discriminatory harassment with the Connecticut Commission on Human Rights and Opportunities (CHRO), United States Equal Employment Opportunity Commission (EEOC) and/or the United States Department of Education Office of Civil Rights (OCR). Furthermore, I understand the relevant timeline for filing with these agencies varies from 180 days to 300 days from the date of the alleged discriminatory act/actions, and is independent of any internal complaint filed with the Office of Diversity and Equity.

I, _____, understand that under state and federal law, as a Complainant, I may not be retaliated against with regards to my prospective or current employment status, for filing a discrimination complaint, participating in an investigation or opposing an unlawful discriminatory practice.

I, _____, hereby attest that the facts asserted in this complaint are true and accurate, and that I have been advised of the other avenues of appeal/redress:

Complainant Signature

Date

Please forward this form and any evidence pertaining to your complaint to the Office of Diversity and Equity upon completion to:

Office of Diversity and Equity
Western Connecticut State University
181 White Street
University Hall, Suite 202B
Danbury, Connecticut 06810
Phone: 203-837-8278

Counseling Center
Western Connecticut State University
181 White Street
Midtown Student Center, Room 222
Danbury, Connecticut 06810
Phone: 203-837-8690

Office of Health Services
Western Connecticut State University
181 White Street
Litchfield Hall
Danbury, Connecticut 06810
Phone: 203-837-8594

The Center for Empowerment/Education
Western Connecticut State University
181 White Street
White Hall 003A
Danbury, Connecticut 06810
Phone: 203-837-3939

If you have any additional questions or would like to schedule an appointment to submit this form, please contact a member of the Office of Diversity and Equity at (203) 837-8278.

Initial _____

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WCSU's Title IX ONLINE Reporting Link:

<https://westconn.tfaforms.net/268>

Title IX Complaint Reporting



I am a *

Please select... ▼

Date & Time of Incident

If you are unsure, please describe below

Date

Time

Please include any additional information regarding the Date/Time

Location of Incident

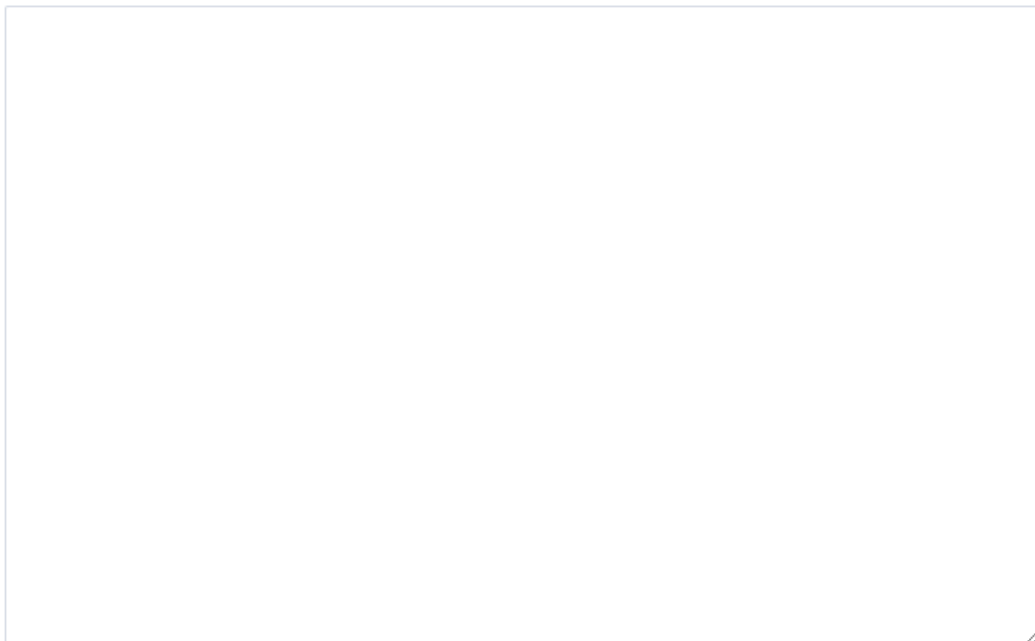
Incident Description

For the Incident Description:
If a student is involved, please provide the following information:
First and Last Name (e.x. John Smith)
Student ID (e.x. ID: 5024444)
Email Address (e.x. smithj004@wcsu.edu)

Explain your complaint in detail. Include the following information. Attach documents you believe may be helpful in investigating your complaint

1. Describe the specific incident(s) of discrimination/harassment/retaliation. List dates, times, locations, names, and titles of people involved.
2. Provide the names and titles of people you believe were treated more favorably due to their protected class status. List protected class status (race, age, sex, disability, etc) of each person.

Incident Description *



Attach a file

Choose File No file chosen

[Attach another file](#)

Please check all behaviors alleged to have occurred.

See below for detailed descriptions of each *

- ☐ Sexual Harassment
- ☐ Non-Consensual Sexual Conduct
- ☐ Non-Consensual Sexual Intercourse
- ☐ Sexual Exploitation
- ☐ Stalking
- ☐ Intimate Partner Violence
- ☐ Retaliation

Sexual Harassment:

A form of sexual misconduct; which can include any unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature. Examples: sexual flirtation, verbal abuse of sexual nature, pressure to engage in sexual activity, use of sexually degrading words to describe an individual, sexual jokes.

Non Consensual Sexual Conduct:

It includes, 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.

Sexual Harassment:

A form of sexual misconduct; which can include any unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature. Examples: sexual flirtation, verbal abuse of sexual nature, pressure to engage in sexual activity, use of sexually degrading words to describe an individual, sexual jokes.

Non Consensual Sexual Conduct:

It includes, 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. Examples: attempted rape, and/or intentional touching a person's body for sexual gratification without their consent.

Non Consensual Sexual Intercourse:

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. Examples: Rape.

Sexual Exploitation:

Occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses.

Examples: prostituting another person, non-consensual visual or audio-recording or sexual activity, non-consensual distribution of photos, other images, or information of an individual's sexual activity.

Stalking:

Obsessive or unwanted contact of another person. This contact may cause reasonable apprehension of imminent physical harm or affect one's ability to perform daily life functions. It is when someone repeatedly contacts you, follows you, talks to you when you do not want them to, or threatens you. Examples: unwanted communication (email, texting, instant messaging and other electronic forms), damaging personal property, showing up places you go, or sending unwanted gifts.

Intimate Partner Violence:

Acts of violence or threats of violence that occur between individuals who are family or household members, or persons are in a current or former dating or cohabitating relationship. Intimate partner violence may include physical abuse, emotional abuse and threats of abuse. Examples: assault, rape, domestic or family violence involving physical force, stalking, texting that contains obscene material, electronic communication that contain serious threats of physical violence, and violation of a protective or restraining order issued by a court.

Retaliation:

Subjecting a person to a materially adverse action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation under this policy. Examples: Spreading false rumors, transferring an employee/student to a less desirable position, increasing scrutiny of an employee/student, formal or informal reprimand.

Submit



SECTION FOUR

WCSU Trainings/Events

Title IX Related Training Provided by WCSU/ Office of Diversity, Equity and Inclusion												
January 1, 2023 - December 31, 2023												
<i>*Domestic Violence (DoV), Dating Violence (DaV), Sexual Assault (SA), Stalking (S) ** Primary= new employees/students ***Ongoing= throughout the year</i>												
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
CEE	February 10, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	23	Yes	DaV	Ongoing	Students		
CEE	February 10, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	30	Yes	DaV	Ongoing	Students		
CEE	February 21, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	13	Yes	DaV	Ongoing	Students		
CEE	March 3, 2023	Human Trafficking	Midtown Classroom	CEE	Students	20	Yes	SA	Ongoing	Students		
CEE	March 22, 2023	Human Trafficking	Midtown Classroom	CEE	Students	25	Yes	SA	Ongoing	Students		
CEE	March 23, 2023	Technology & Relationships	Midtown Classroom	CEE	Students	20	Yes	DaV, SA, S	Ongoing	Students		
CEE	April 10, 2023	Identifying Interpersonal Violence as Healthcare Professionals	Midtown Classroom	CEE	Students	16	Yes	DoV, SA	Ongoing	Students		
CEE	April 12, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	25	Yes	DaV	Ongoing	Students		
CEE	April 12, 2023	Trauma & Trauma-Informed Care	Midtown Classroom	CEE	Students	18	Yes	DoV, DaV, SA	Ongoing	Students		

CEE	April 13, 2023	Technology & Relationships	Midtown Classroom	CEE	Students	19	Yes	DaV, SA, S	Ongoing	Students		
CEE	April 13, 2023	Human Trafficking	Midtown Classroom	CEE	Students	12	Yes	SA	Ongoing	Students		
CEE	July 11, 2023	WCSU PD Training	WCSU PD	CEE	WCSU PD	15	Yes	DoV, DaV, SA, S	Ongoing	Employees		
CEE	August 17, 2023	IPV & Bystander Intervention	Westside	CEE	Athletics	140	Yes	DaV, SA, S	Ongoing	Students		
CEE	August 18, 2023	RA/ARM Training	Westside	CEE	RA/ARM/RDs	30	Yes	DoV, DaV, SA, S	Ongoing	Students/Employees		
ODE	August 23, 2023	RA?ARM Training	Midtown	Scott Towers	RA/ARM/RDs	35	YES	DoV, DaV, SA, S	Ongoing	Students/Employees		
CEE	September 18, 2023	Human Trafficking	Midtown	CEE	Social Work Club	25	Yes	SA	Ongoing	Students		
CEE	September 22, 2023	Identifying Interpersonal Violence as Healthcare Professionals	Midtown Classroom	CEE	Students	25	Yes	DoV, SA	Ongoing	Students		
CEE	September 25, 2023	Identifying Interpersonal Violence as Healthcare Professionals	Midtown Classroom	CEE	Students	55	Yes	DoV, SA	Ongoing	Students		
CEE	September 28, 2023	Trauma & Trauma-Informed Care	Midtown Classroom	CEE	Students	37	Yes	DoV, DaV, SA	Ongoing	Students		
CEE	October 6, 2023	Healthy Relationships & Dating Abuse	Midtown	CEE	Students	125	Yes	DaV	Primary	Students		
CEE	October 10, 2023	Healthy Relationships & Dating Abuse	Midtown	CEE	Students	12	Yes	DaV	Ongoing	Students		

CEE	October 18, 2023	Healthy Relationships & Dating Abuse	Midtown	CEE	Students	10	Yes	DaV	Ongoing	Students		
CEE	October 27, 2023	Consent and Sexual Violence	Midtown	CEE	Students	16	Yes	SA	Ongoing	Students		
ODE	September - October	Not Anymore	Virtual	Vector Solution	Returning Students	49.82%	Yes	DoV, DaV, SA, S	Ongoing	Students		
ODE	September - October	Not Anymore	Virtual	Vector Solution	New Students	54.85%	Yes	DoV, DaV, SA, S	Ongoing	Students		
CEE	November 1, 2023	Consent and Sexual Violence	Midtown	CEE	Students	4	Yes	SA	Ongoing	Students		
CEE	November 2, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	47	Yes	DaV	Ongoing	Students		
CEE	November 6, 2023	Trauma & Trauma-Informed Care	Midtown Classroom	CEE	Students	37	Yes	DoV, DaV, SA	Ongoing	Students		
CEE	November 7, 2023	Human Trafficking	Midtown Classroom	CEE	Students	45	Yes	SA	Ongoing	Students		
CEE	November 8, 2023	Trauma & Trauma-Informed Care	Midtown Classroom	CEE	Students	37	Yes	DoV, DaV, SA	Ongoing	Students		
CEE	November 13, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	33	Yes	DaV	Ongoing	Students		
CEE	November 13, 2023	Human Trafficking	Midtown Classroom	CEE	Students	33	Yes	SA	Ongoing	Students		
CEE	November 16, 2023	Healthy Relationships & Dating Abuse	Midtown Classroom	CEE	Students	23	Yes	DaV	Ongoing	Students		
HR	All 2023	Title IX	Virtual	NeoGov	New Employees	149	Yes	DaV, DoV, SA, S	Ongoing	Employees		

The logo for Western Connecticut State University features a stylized shield shape. The top left corner is a dark blue rectangle, and the top right corner is an orange L-shaped line. The rest of the shield is defined by a thick orange line that curves down and then back up to the right. Inside the shield, the text "WESTERN CONNECTICUT STATE UNIVERSITY" is written in a dark blue, sans-serif, all-caps font, stacked in four lines.

**WESTERN
CONNECTICUT
STATE
UNIVERSITY**

SECTION FIVE

WCSU Materials

KNOW YOUR RIGHTS

You have the **right** to feel **safe** and **accepted** here!

Title IX (9) is a federal law that prohibits the following:

Sexual Harassment

A form of sexual misconduct, which can include any unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature. Examples: sexual flirtation, verbal abuse of sexual nature, pressure to engage in sexual activity, use of sexually degrading words to describe an individual, sexual jokes.



Non Consensual Sexual Conduct

It includes, 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. Examples: attempted rape, and/or intentionally touching a person's body for sexual gratification without their consent.

Only
YES
Means
YES

Non Consensual Sexual Intercourse

It includes, 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. Examples: Rape.

#MeToo

Sexual Exploitation

Occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples: prostituting another person, non-consensual visual or audio-recording or sexual activity, non-consensual distribution of photos, other images, or information of an individual's sexual activity.



Stalking

Obsessive or unwanted contact of another person. This contact may cause reasonable apprehension of imminent physical harm or affect one's ability to perform daily life functions. It is when someone repeatedly contacts you, follows you, talks to you when you do not want them to, or threatens you. Examples: unwanted communication (email, texting, instant messaging and other electronic forms), damaging personal property, showing up places you go, or sending unwanted gifts.



Intimate Partner Violence

Acts of violence or threats of violence that occur between individuals who are family or household members, or persons are in a current or former dating or cohabitating relationship. Intimate partner violence may include physical abuse, emotional abuse and threats of abuse. Examples: assault, rape, domestic or family violence involving physical force, stalking, texting that contains obscene material, electronic communication that contain serious threats of physical violence, and violation of a protective or restraining order issued by a court.



Retaliation

Subjecting a person to a materially adverse action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation under this policy. Examples: Spreading false rumors, transferring an employee/student to a less desirable position, increasing scrutiny of an employee/student, formal or informal reprimand.



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Make a Report

Reports can be submitted anonymously
Scan the QR code or go to: westconn.tfaforms.net/268
Questions? Email tixcoordinator@wcsu.edu



Learn more at: wcsu.edu/diversity/what-is-title-ix-and-cart/



Federal and state laws ensure survivors are protected.

What are your rights as a survivor of sexual assault on campus?

Your school is responsible for preventing and responding to sexual violence

- Once a school has “actual knowledge” of an instance of sexual violence, they are legally obligated to respond. Once the Title IX office or an employee designated by the school is made aware of an offense then they must respond. There is no excuse.
- Annual awareness and prevention programming must take place on all Connecticut campuses.*

You have the right to support from your school

- Title IX and other designated staff must respond to survivors in a trauma-informed manner.
- Schools should offer survivors a variety of supportive measures to ensure they can continue to access their education (housing, work, and class changes, counseling, no contact orders, etc.).
- All cases will be decided by the “preponderance of the evidence” standard in Title IX hearings, meaning more than 50% of the evidence is or is not credible.*
- Individuals being investigated for sexual misconduct have a “presumption of innocence”; however, the school must never presume that a survivor is lying.
- Whether there was affirmative consent must be considered in all investigations and programming.*

You have a right to additional protections from your school

- Most Connecticut schools have additional institutional misconduct policies to address gaps in the 2020 Title IX regulations, including
 - incidents of sexual violence that take place off-campus or involve parties not currently enrolled at the institution, and
 - sexual harassment that falls outside of the Department of Education’s definition.

You have the right to be treated fairly

- Survivors have a right
 - to an advisor through all Title IX proceedings which may include access to free and confidential legal assistance
 - to assistance from an advocate from a community-based sexual assault crisis center
 - to receive written notification of their rights and options upon reporting
 - to receive written notification of the outcome of the case*
 - to ongoing support if not pursuing a formal report or if the person being investigated is found “not responsible”



You have a right to a timely investigation

- Investigations are conducted in a fair and appropriate timeframe and can never be put on hold indefinitely.
- Criminal investigations or the Covid-19 pandemic cannot cause a delay with the school's investigative process. They can happen simultaneously.

You have a right to a fair hearing

- Survivors' and witnesses' statements must be part of the process. Survivors are not required to submit to cross-examination during a formal Title IX hearing.
- Schools should prevent needless traumatization and include standards of behavior for advisors.
- All questions for cross-examination must be relevant to the incident and ensure non-relevant sexual history is not used against the survivor.

You have recourse if you believe your rights were violated

- If you feel that your school has failed to protect your rights under Title IX, you can file a complaint with the Office for Civil Rights. A sexual assault crisis advocate or attorney, the numbers below, can assist you.

Need Help?

Specialized campus advocates can help you anywhere in Connecticut. Your local sexual assault crisis services center can provide short-term counseling, be with you during events, help with safety planning, and offer other free and confidential services. Call the numbers below anytime, 24/7, and someone will be there to help or just listen to you.

- **Statewide Hotline (English): 888-999-5545 (call or text)**
- **Statewide Hotline (Spanish): 888-568-8332 (call)**

Victims Rights Center of Connecticut

The Victim Rights Center of Connecticut offers free-of-charge legal services for victims of crime, including survivors in Title IX cases, in most regions of Connecticut.

- Office: 203-350-3515
- Email: vrcctreferrals@endsexualviolencect.org

Additional Resources

- [Questions and Answers on the Title IX Regulations on Sexual Harassment \(July 2021\)](#)
- [Know Your IX](#)
- [Connecticut Alliance to End Sexual Violence - Campus Services](#)

*Connecticut state law

02/2022

Connecticut Alliance to End Sexual Violence | 860-828-9881 | www.endsexualviolencect.org



Everyone Deserves a Healthy Relationship

Relationships exist on a spectrum.

Let's take a look at some qualities that make a relationship healthy, and unhealthy in a relationship.

Take some time to reflect on your values and deal-breakers and do your best to stick to them. We are here to help you navigate it.

If you find yourself in a relationship that is becoming unhealthy, talk to someone in your life that you trust. Help and support is available, you deserve to feel supported.

At The Center for Empowerment and Education, you can receive free and confidential individual counseling, advocacy, or join support groups.

If you are unsure if something in your relationship is unhealthy or not, we're here to talk



Newbury Hall Student Health and Wellness Center

(203) 837-3939

Rachel.K@TheCenterCT.org

IG: @TheCenterEEcampus
wcsu.edu/thecenteree

24/7 Domestic Violence Hotline

(203) 731-5206

24/7 Sexual Assault Hotline

(203) 731-5204



Health Services



**WESTERN CONNECTICUT
STATE UNIVERSITY**

Healthy VS Unhealthy Relationships



What are signs of a healthy relationship?

1

RESPECT. Partners should value each other's boundaries or beliefs and opinions, even in times of conflict. They should be able to confront issues and disagreements non-judgmentally.

2

ENCOURAGEMENT. Your partner should be someone who encourages you to try new things, meet new people, and have space to be yourself outside of the relationship.

3

KINDNESS. Your partner should provide comfort and support. You should be caring and empathetic towards each other.

4

TRUST. The foundation to every healthy relationship is trust. Trust means having each other's backs knowing that this person will be honest with you and you can rely on one another.

Some warning signs that your relationship might not be healthy

1

Does your partner pressure you to use drugs or alcohol? To do things sexually that you don't like or want to do?

2

Does your partner act controlling or possessive of you? Try to keep you from having other friends, or control how you spend your time?

3

Does your partner put you down or say things to purposefully hurt your feelings?

4

Is your partner tracking your location, reading your text messages or DMs, or constantly "checking in" on you?



Navigating relationships in college can be challenging

1

Communicate with your partner about your relationship goals. It is important that you are both on the same page about expectations and boundaries.

2

Spend time apart developing as individual people. Maintain that sense of independence. A healthy relationship will encourage independence, not discourage it or make you feel guilty about it.

3

If you are having trouble talking to your partner about important topics, take time to self-reflect try and think about why

4

Disagreements are normal. No relationship is perfect and no relationship is without conflict, but there should always be underlying respect for one another.

Remember: No one deserves to experience abuse or violence in any capacity. Every type of abuse is serious.

RELATIONSHIPS EXIST ON A SPECTRUM

HEALTHY

UNHEALTHY

ABUSIVE

A healthy relationship looks like partners who are:

- Communicating well
- Respectful
- Trusting
- Honest
- Equal
- Enjoying personal time away from each other
- Making mutual choices
- Honoring personal boundaries

An unhealthy relationship can look like partners who are:

- Not communicating well or effectively
- Disrespectful
- Not trusting
- Dishonest
- Struggling for control
- Only focusing on their own needs
- Only spending time together
- Inconsiderate

Abuse is occurring in a relationship when a partner is:

- Communicating in a hurtful or threatening way
- Mistreating
- Accusing
- Denying their actions are abusive
- Controlling
- Isolating their partner from others
- Hurting their partner physically or sexually
- Threatening their partner

know the signs...

Emergency numbers

Police Emergency Number

911

Statewide Helpline

(888) 774-2900

Telephone numbers in your area

WCSU Police Department

(203) 837-9700

WCSU Health Services

(203) 837-8594

WCSU Office of Diversity & Equity

(203) 837-8444

Women's Center on Campus

(203) 837-3939

WCSU Counseling Center

(203) 837-8690

24-Hour Hotlines

Domestic Violence Hotline

(203) 731-5206

Sexual Assault Hotline

(203) 731-5204

Women's Center of Greater Danbury

Community Line

(203) 731-5200

Resident Director

List of RD's can be found here:

wcsu.edu/housing/staff.asp

Family and Friends



Western Connecticut State University adapted this document with permission/resources from: This project was supported by Grant No. 2015-X1408-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.

Western Connecticut State University
Campus Response and Resource Team (CaRRT)

STAYING SAFE ON CAMPUS

PERSONAL SAFETY PLAN

Take precautions and make a plan
to stay safe

Staying safe in the dorms/suites

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 commute to campus by this new route:

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

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

Name: _____

Number: _____

Name: _____

Number: _____

Name: _____

Number: _____

Why do you need a safety plan?

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

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 one of the following people
If I need help, need to rearrange my
schedule or transfer to another dorm:**

Dean of Students: _____

Campus Police/Public Safety: _____

Counseling/Health Services: _____

Title IX Coordinator: _____

Women's Center: _____

Other: _____

Increase your support network

- I can talk to someone I trust. Tell a family member, co-worker, professor, clergy member or doctor.
- I can speak with an expert by contacting: **the Women's Center on Campus at (203) 837-3939 and/or WCSU's Counseling Center at (203) 837-8690. (An advocate from the Women's Center can accompany you to the police or hospital)**
- I can call the police if I am afraid I will be abused or have been abused.
- If I have a protective order or restraining order, do campus police or security have a copy?
- I can keep a copy of my protective order with me at all times.
- I can tell my resident advisor, my employer, my closest friend and _____ that I have an order of protection.
- If my partner violates the protective 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 the new passwords to anyone. I can change or create a voice mail 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.
- I will back up my cell phone, laptop or other electronics to the cloud.

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.

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. Creating free alternate contacts on the following social/mobile apps:

Circle of 6: www.circleof6app.com
Guardly: www.guardly.com
BSafe: www.getbsafe.com
OnWatch: www.onwatchoncampus.com

- I can go to different places that my partner doesn't go to or know about.
- 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 put my trust in 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 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 number 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 in public places.
- If I feel uncomfortable, I will alert someone about what is happening in my relationship so they can keep me safe on campus.
- I can avoid places where my partner or his/her friends are likely to be.
- 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.

Definitions

Sexual Assault: any sexual act directed against another person forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent (e.g., ingestion of alcohol or drugs or if the person is unconscious or otherwise unable to communicate consent). A lack of physical resistance or other negative response is not consent. Sexual assault includes rape, molestation, incest, exposure and unwanted touch.

Sexual Harassment: any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when made as a term or condition of employment, used as a basis for employment decisions, or has the purpose of interfering with an individual's work or academic performance, or creates a hostile, intimidating or offensive working environment.

Stalking: repeatedly contacting another person when the contacting person knows or should know that the contact is unwanted by the other person, including cyber stalking or any use of electronic media.

Intimate Partner Violence (also known as dating violence, domestic violence, or interpersonal violence) any abusive behavior, including acts of violence or threats of violence, by an individual against a person. It may involve a single act or an ongoing pattern of behavior. This can include: intimidation, manipulation, threats, violence, assault, property damage, and physical, emotional, economic, technological, or sexual abuse.

Campus Response and Resource Team (CaRRT)

Director of Counseling Center, Dr. Rae Guste-Gonzalez
Phone: (202) 837-8550

The Western Center of Western Title IX
Renee Henshaw & Brenda Truza
Phone: (202) 837-3539

University Police
Phone: (202) 837-4000 or 911

Director of University Health Services, Nancy Henshaw-COARZ
Phone: (202) 837-8594

Director of Judicial Affairs, Charles Parnas
Phone: (202) 837-8770

Dean of Students, Dr. Walter Goren
Phone: (202) 837-1700

Director of Residential Programs & Staff
Housing and Residence Life, Margaret Crain
Phone: (202) 837-8537

CHOCIES Substance Abuse Program
Sharon Galt
Phone: (202) 837-1808

Tisha L. Coordinator, Joanna Mann, Dayana
Phone: (202) 837-8217

Dorothy Police (202) 797-4611

Campus & Community Resource Directory

Police Department (202) 857-7700
University Police (202) 797-4611
Emergency & Ambulance 911

Hospitals (202) 739-7100
Hennepin Hospital

Crisis Intervention & Counseling
Western Counseling Center (202) 837-8550
Western Center of Western Title IX (202) 837-3539
Women's Center in Residence (202) 739-3539
Sexual Assault Hotline (202) 731-3204
Domestic Violence Hotline (202) 731-5216
National Domestic Violence Hotline (800) 799-7233

Other Western Resources
Board of Students (202) 837-3700
Housing & Residence Life (202) 837-8537
Campus Coordinator (202) 837-8539
Supportive Agency Office (202) 837-8539

Culture of Respect
Ending Campus Sexual Violence
CaRRT Title IX

What to do if this happens?



To All WCSU Students:

Sexual assault and Interpersonal Violence (IPV) among students on college campuses nationwide is a serious problem. At Western we have a zero-tolerance policy for these types of behaviors. Sexual assault and interpersonal violence are violations of Federal and State laws and our Student Code of Conduct. Individuals who violate the law are subject to harsh penalties through a court of law and/or the campus judicial system. Western is committed to preventing the occurrence of sexual assault and interpersonal violence and is prepared to respond to any report of such acts brought to our attention. It is important to report such acts to the University can respond with support for the victim/survivor and with the appropriate legal action.

We strongly believe that all students have a right to a healthy and safe learning environment free of any violence and fear. In order to achieve this goal, the University collaborates with community resources to educate students, prevent such violence, and to provide the needed support to victims of such crimes.

We conduct many educational programs and campus events. In addition, an online educational program is available. These educational initiatives provide students with an opportunity to learn about interpersonal violence, how to protect themselves and others, and how to take an active role in preventing sexual assault and interpersonal violence on our campus. We seek to empower you so you can contribute to creating a safe environment for everyone.

Twice these pages you will find university and community resources for victims, survivors and their friends and families. Western, in cooperation with local advocates and law enforcement, has a Campus Resource and Response Team (CaRRT) which is charged with educating, training, and responding to sexual assault and interpersonal violence on campus. Please read through the Victim's Bill of Rights located at www.edu.western.edu/CaRRT_VictimsBill to learn understand all that is available on campus and required by law. We have also listed members of the CaRRT team who work together to ensure an effective response that prioritizes support and the needs of the victim. Our goal is to inform and engage our students, strengthen the delivery of services to victims, and ensure that perpetrators are held accountable for their actions.

Joyelle Allen, Director, ASPP
University Title IX Coordinator

Revised June 2019

Western.edu/CaRRT

(202) 837-2777

What Can You Do if an Incident Happens...

After any incident, you may feel confused, scared, guilty, ashamed, or isolated. It is important to talk with someone about these feelings. WCSU has a Campus Response and Resource Team (CaRRT) who are prepared to help. The University will not be particularly sensitive to meeting the needs of each individual. *See CaRRT contact.*

Find a safe place and call someone you trust

The police will help you whether or not you choose to prosecute the assailant. For an incident on campus, call the WCSU Police Department at (203) 837-8300. For an off-campus incident, you may call WCSU Police at (203) 837-9300 or the local police department at (203) 737-4611 or 911.

Call the Women's Center 24-hour Helpline:

- Sexual Assault: (203) 731-5204
- Domestic Violence: (203) 731-5206

Call a friend, family member, someone whom you trust, or contact a member of CaRRT to help you through this process.

Get medical attention if needed

It is important that you seek medical attention immediately to assess and treat physical injuries you may have sustained, and other health related risks.

To get to the hospital you can drive your self, it is safe to do so, or ask a friend. If you are unsure of what to do, call University Police at (203) 837-9300.

You can call the Women's Center's 24-hour confidential helpline to ask for information about going to the hospital or if you do not wish to go to the hospital at all.

Sexual Assault Helpline: (203) 731-5204
Domestic Violence Helpline: (203) 731-5206

Note: If you do not want to go through your insurance, you are not required to provide it at the hospital. Contact the Women's Center the following day for financial assistance relating to the hospital visit.

Try to preserve all physical evidence of the assault

If a sexual assault has occurred, some forensic evidence should be collected within 120 hours following the assault.

Do not drink, bathe, douche, brush your teeth, change your clothes, or comb your hair. It is only helpful to wear to do these things, but you may be compromising evidence that could be helpful in an investigation. In the course of your medical examination, this evidence will be collected by a specially trained nurse. If changing clothes is necessary, clothing worn during the assault should be placed in a paper bag.

Legal Medical Evaluation: When medical attention is preferred, delayed medical evaluation & forensic examination.

Seek emotional care

After any such incident, it may be beneficial to seek professional counseling in order to explore and address the impact of such an occurrence on your life.

Crisis Intervention & Counseling Services

WCSU Counseling Center

The Counseling Center at Western provides free and confidential support to students. The center is staffed with professionals trained to provide support and counseling to those who have experienced sexual assault, sexual harassment, stalking and intimate partner violence. The Counseling Center can also provide referrals to other local agencies.

Women's Center at WCSU

The Women's Center is available to individuals of any gender identity. Advocates are staffed and specialize in crisis intervention services for survivors of sexual assault, sexual harassment, stalking, dating/domestic violence. Services include accompanying individuals to the hospital, police, criminal proceedings, safety planning, and follow-up counseling on campus at White Hall 003A. All services are free and confidential.

The Women's Center also operates two 24-hour confidential helplines:
Sexual Assault: (203) 731-5204
Domestic Violence: (203) 731-5206

Options for Reporting the Incident

Western's Campus Response and Recovery Team (CaRRT) are available to assist and support any student who has experienced sexual assault, sexual harassment, stalking and intimate partner violence on or off campus (see also CaRRT resources). Students' confidentiality will be strictly protected in accordance with the law. For a detailed explanation of these options visit www.western.edu/CaRRT.asp

1. University/Judicial Action

Students may wish to contact the University Office of Judicial Affairs after a sexual assault, sexual harassment, stalking and intimate partner violence to pursue university disciplinary action. A complete and detailed description of the judicial process may be found in the Student Code of Conduct: <http://www.wcsu.edu/students/handbook/>

- If the alleged perpetrator is a student at Western, you must file a report to the Judicial Affairs through the University's disciplinary system (see the Student Handbook). A University representative will be available to assist you through the process. Authorized personnel may issue a no contact order prohibiting contact between students where there exists a reasonable concern that physical or psychological harm may result from such contact. All of the relevant facts and circumstances will be included prior to issuing a no contact order.

- If the alleged perpetrator is a non-student member of the Western community, you have the option to file a complaint with the University's Title IX coordinator (see CaRRT Contact) and

2. Assistance in Changing Living Arrangements, Class Schedules or On-campus Work Schedules

The University recognizes that it may be necessary for students to change their on-campus living arrangements, class schedules and on-campus work arrangements. Students requesting these changes should contact Director of Housing (203) 837-8706 and/or the Dean of Students (203) 837-9100. Students should not hesitate to make these requests, which will be addressed in a timely manner. A no contact order shall be provided so that neither student may contact the other.

3. Anonymous Reporting

Any individual has the right to file a report on the Anonymous Incident Reporting system which can be found on <http://www.wcsu.edu/policies/anonymous-incident-report/>. This form does not include any personal identifying information (e.g., name, age, address). The purpose of this form is for statistical data collection, as well as to determine possible patterns that may exist. Even with anonymous reporting, the University may investigate an incident to determine if the community is in unimpaired danger.

Note: University employees are required to file a report on the Anonymous Incident Reporting system when made aware of an incident related to sexual assault, sexual harassment, stalking and intimate partner violence.

4. Contacting the University Police Department

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

Criminal Complaint

Students may make criminal complaints with the WCSU University Police Department. The Police will inform the students of their rights and options. University Police will conduct an investigation and will keep the student apprised about any decision to prosecute.

Note: A criminal investigation will be done through the department with jurisdiction of the area that the crime was committed.

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.

If you wish to have the assailant 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. If you wish, the police will contact the Women's Center and an advocate will meet you at the police station.

5. Protective and/or Restraining Orders

- Women's Center Court Advocates can help you explore viable 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.
- A court issued protective or restraining order prohibits someone from communicating with an alleged victim, from entering the victim's residence, workplace, school, or property and any place the victim may frequent.
- When informed that a protective or restraining order has been issued, WCSU will take immediate steps to enforce the order as it relates to students on the campus. It is important that students meet WCSU Police that such an order has been issued (contacting the Police with a copy of the order is strongly encouraged).

For more information about protective or restraining orders, students may contact University Police at (203) 837-9300 or the Women's Center at (203) 837-3600.