



University of Connecticut  
*Office of Diversity and Equity*

January 25, 2012

TO: Members of the Board of Trustees

FROM: Elizabeth A. Conklin, Associate Vice President, Diversity and Equity (Interim)

RE: Proposed University Policy: *Sexual Assault Response Policy*

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RECOMMENDATION:

That the Board of Trustees approves the draft *Sexual Assault Response Policy*.

BACKGROUND:

The proposed policy is designed to assist University employees in responding to reports of sexual assault. It seeks to promote a timely and comprehensive response to known sexual assaults, including providing information to victims about medical treatment and support services. The policy also seeks to promote a safe campus environment and, where appropriate, to facilitate disciplinary processes and foster involvement of law enforcement officials in conformity with applicable laws and regulations.

Approval of the proposed policy is sought to ensure that the University's response to reported sexual assaults is consistent with state and federal law, particularly Title IX of the Education Amendments of 1972 (Title IX). On April 4, 2011, the United States Department of Education's Office of Civil Rights issued a "Dear Colleague Letter" to the education community as a "significant guidance document" for campus response to sexual assault under Title IX. The April 4<sup>th</sup> letter established and clarified schools' obligations to respond appropriately to reports of sexual harassment and sexual violence. The *Sexual Assault Response Policy* is directly responsive to the guidance provided by the Department of Education, and will assist in ensuring that the University's procedures in responding to reports of sexual assault are consistent with the applicable legal requirements.

*An Equal Opportunity Employer*

Wood Hall  
241 Glenbrook Road Unit 2175  
Storrs, Connecticut 06269-2175

Telephone: (860) 486-2943  
TDD: (860) 486-6435  
Facsimile: (860) 486-2437  
web: [www.guide.uconn.edu](http://www.guide.uconn.edu)

## Sexual Assault Response Policy

The safety of all members of the University Community is of the highest importance to all of us. Sexual assault<sup>1</sup> contravenes the mission and values of our academic community, and it is a violation of the law and of the University's Codes of Conduct. The University is committed to offering services to support and assist victims of sexual assault. Perpetrators may be subject to campus and/or employment discipline, up to and including dismissal, as well as law enforcement action. For more information related to this policy, contact the University's Title IX Coordinator, Elizabeth Conklin, at (860) 486-2943.

### Statement of Purpose

This policy is designed to assist University employees in responding to reports of sexual assault. It seeks to promote a timely and comprehensive response to known sexual assaults, including providing information to victims about medical treatment and support services. The policy also seeks to promote a safe campus environment and, where appropriate, to facilitate disciplinary processes and foster involvement of law enforcement officials in conformity with applicable laws and regulations.

### Reporting Requirements for All Employees<sup>2</sup>

*Any* employee, except those who are empowered by law to maintain confidentiality as set forth below (see "Confidential Reporting Options" below), who witnesses or receives a report of sexual assault, must report the incident (including the date, time, and location of the incident, the date the incident was reported to you, and the identities of the victim and, if disclosed, the alleged perpetrator) as soon as possible to at least one of the following offices: the Title IX Coordinator (860) 486-2943; the Office of Community Standards (860) 486-8402; or the Office of Diversity and Equity (860) 486-2943 (Storrs), (860) 679-3563 (UConn Health Center (UHC)).<sup>3</sup>

While it is your responsibility to report the information you receive, it is not your responsibility to investigate what is reported to you. University officials within the appropriate offices will determine the appropriate next steps, including ensuring that

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<sup>1</sup> For purposes of this policy, "sexual assault," in addition to rape, includes unwanted physical contact with the intimate parts of a person's body for purposes of sexual gratification, humiliation or degradation. The genders of the alleged victim and alleged perpetrator are irrelevant. (See Chapter 952, Connecticut General Statutes). This policy supplements, but does not replace, University policies on sexual harassment and state law governing mandated reporters of child abuse as codified in Connecticut General Statutes §17a-101, et seq.

<sup>2</sup> This requirement does not apply to students who are employed on the Student Payroll.

<sup>3</sup> Nothing in this policy prevents an employee from also reporting this information to the UConn Police: (860) 486-4800 (Storrs), (860) 679-2121 (UHC).

victims have been made aware of available on and off campus resources. While efforts will be made to protect the privacy of the victim, the University retains the discretion to disclose a victim's identity to the appropriate officials if it is determined that such disclosure is prudent to protect the safety of the University community. If the alleged perpetrator is an employee, the Department of Human Resources will be notified. As a result, you may inform the victim that your conversation is private, *but not confidential*.

### Confidential Reporting Options

A victim who wishes to discuss the assault confidentially may contact a designated Sexual Assault Counselor, including, for Storrs campus students, the Sexual Assault Crisis Center of Eastern Connecticut (24-hour hotline: 860-456-2789), and the Hartford Region Sexual Assault Crisis Program (24 hour Hotline: (860) 522-6666) (statewide list included in Attachment B).

Confidential reporting is also available within Student Health Services (including Counseling & Mental Health Services).

The law extends to a limited number of University employees the privilege to offer confidentiality to the victim and not to disclose communications with the victim. Typically, these are clinical employees who work within the Office of Counseling and Mental Health Services within the Division of Student Affairs or the UConn Health Center and include: (1) licensed marital and family therapists; (2) licensed social workers; (3) licensed professional counselors; (4) licensed psychologists; (5) psychiatrists licensed as physicians and substantially acting as psychiatrists; and (6) physicians and other medical professionals acting within a medical professional/patient relationship, including those recognized by the Privacy Rule of the Health Insurance Portability and Accountability Act (HIPAA).<sup>4</sup>

### Additional Guidance

Many services, both on and off campus, are available to victims of sexual assault. One goal of this policy is to ensure that victims who report sexual assaults to any University employee are made aware of and receive necessary or desired services. If a sexual assault is reported to you in your role as a University employee, while you may advise

<sup>4</sup> Further, licensed medical professionals including nurses working in the Student Health Center who learn of a sexual assault in connection with the treatment of a victim are not required to identify the victim to the Title IX Coordinator, Office of Community Standards or the Office of Diversity and Equity if the victim wishes to remain anonymous, but are required to report their knowledge of the date, time and location of the sexual assault, if known. In addition, members of the UConn Police Department are not required to identify the victim if doing so would violate Connecticut General Statutes, section 54-86e. However, the professionals listed herein should remain cognizant of their legal and ethical responsibility to share information when necessary to prevent harm to the patient, client, or others within the University community.

the victim that any conversation you have will be private (will not be shared unnecessarily with others), in no event should the victim be told that the conversation will be confidential (will not be shared without the express consent of the parties to the conversation).<sup>5</sup>

#### Assisting Victims

For further guidance, Attachment A provides a non-exhaustive list of suggested assistance actions you may consider taking if a sexual assault is reported to you. In addition, Attachment B provides a list of resources for victims. You are encouraged to provide Attachment B to any victim who reports to you, as these resources include personnel who have been specifically trained to respond to victims of sexual assault.

#### Self-Reporting by the Victim

In addition to the resources available both on and off campus (listed in Attachment B), victims are encouraged to report sexual assaults to the UConn Police (860) 486-4800 (Storrs), (860) 679-2121 (UCHC); the Title IX Coordinator (860) 486-2943; the Office of Community Standards (860) 486-8402; or the Office of Diversity and Equity (860) 486-2943 (Storrs), (860) 679-3563 (UCHC). Victims can choose whether to identify themselves in making such reports. A victim who directly reports a sexual assault has the opportunity to be in control of the situation and may feel a greater sense of empowerment. Direct reporting also can be important for the safety of the entire University community. Victims have the right to report assaults to campus authorities without further participation in the process. A victim can choose to initiate action through law enforcement and/or the University disciplinary process. Victims should understand, however, that by choosing to not participate in the University disciplinary process, the response of the University may be limited.

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<sup>5</sup>As noted in this policy, a limited exception to this rule exists for certain categories of professionals who, by virtue of state law, are cloaked with the ability to promise confidentiality.

## Attachment A

### Non-Exhaustive List of Suggested Assistance Actions

- Assess the victim's need for immediate medical attention. Offer to accompany the victim to Student Health Services or to UConn Police, either of which can arrange transport to the Emergency Room if needed or desired.
- If immediate medical attention is not required or desired, provide the victim with a comfortable environment in which to discuss the situation (considering the victim's needs for safety and privacy).
- Explain as early as possible within your conversation that while your conversation will be private (will not be shared unnecessarily with others), it will not be confidential (will not be shared without the express consent of the parties to the conversation). Explain that *confidential* counseling is available through Student Health Services on campus and the Sexual Assault Crisis Center of Eastern Connecticut or other local sexual assault crisis centers off campus (Contact information attached on the following pages – Attachment B).
- Share the attached list of resources (Attachment B) with the victim and, if you are able, offer to accompany the victim to whatever resources the victim chooses to utilize.
- Do not suggest that the matter could be mediated between the victim and the alleged perpetrator.
- Offer to assist the victim in finding someone to accompany them to whatever resources the victim chooses to utilize.
- Offer to assist the victim in reporting the sexual assault to appropriate authorities on campus and in the community. The victim may report the sexual assault to the UConn Police (860) 486-4800 (Storrs), (860) 679-2121 (UCHC); the Title IX Coordinator (860) 486-2943; the Office of Community Standards (860) 486-8402; or the Office of Diversity and Equity (860) 486-2943(Storrs), (860) 679-3563 (UCHC).

## Attachment B –Resources for Victims

### I. Campus-Based Resources

**University of Connecticut Police**  
126 North Eagleville Road, Storrs, CT 06268  
Phone: 860-486-4800  
Website: [www.police.uconn.edu/](http://www.police.uconn.edu/)

*The UConn Police Department is responsible for all criminal investigations and apprehensions. In cases of sexual assault, an officer is assigned to be the primary contact with the victim throughout the investigation and is available 24 hours a day. Regardless of whether charges are filed, the police are available to answer questions about the legal process and legal options regarding an incident.*

**Student Health Services**  
234 Glenbrook Rd, Unit 2011, Storrs, CT 06269  
Phone: 860-486-4837 (Appointment Desk) / 860-486-3427 (24-Hour Advice Nurse)  
Website: [www.shs.uconn.edu/womens\\_clinic.html](http://www.shs.uconn.edu/womens_clinic.html)

*Student Health Services provides crisis and follow-up care for victims of sexual assault. Offers free medical examinations, medications, STD testing and crisis counseling and will assist in arranging referral services for evidence collection.*

**Emergency Department at the UConn Health Center**  
263 Farmington Avenue, Farmington, CT 06030  
Phone: 860-679-2588  
Website: <http://health.uhc.edu/clinicalservices/emergency/index.htm>  
*24/7 full-service Emergency Department.*

**Student Health Services - Counseling & Mental Health Services**  
234 Glenbrook Rd, Unit 2011, Storrs, CT, 06269  
Phone: 860-486-4705  
Website: [www.counseling.uconn.edu](http://www.counseling.uconn.edu)  
*Counseling and Mental Health Services provides both immediate crisis intervention and therapy to recent or past victims of sexual violence. Therapists can be accessed by appointment, walk-in, or after-hours emergency.*

**Office of Community Standards**  
Wilbur Cross Building, Room 301  
233 Glenbrook Rd, Unit 4119, Storrs, CT 06269  
Phone: 860-486-8402  
Website: [www.community.uconn.edu](http://www.community.uconn.edu)  
*The Office of Community Standards handles campus student conduct cases when violations of the Student Code are reported.*

**Office of Diversity and Equity (including the Title IX Coordinator)**  
Wood Hall, Room 137  
241 Glenbrook Road, Unit 2175, Storrs, CT 06269  
Phone: 860-486-2943  
Website: [www.ode.uconn.edu/](http://www.ode.uconn.edu/)  
*ODE is the University's neutral investigatory unit charged with investigating and resolving internal complaints of discrimination and discriminatory harassment (including sexual harassment) by individuals who are injured by the discriminatory behavior of a University employee or University vendor.*

*Complaints may be filed by reporting the incident to ODE at (860)486-2943 or filed in writing by completing and submitting the University's Complaint In-Take Form.*

**UConn Women's Center**

Student Union, 4<sup>th</sup> Floor

2110 Hillside Rd., Unit 3118, Storrs, CT 06269

Phone: 860-486-4738

Website: [www.womenscenter.uconn.edu/](http://www.womenscenter.uconn.edu/)

*The Women's Center provides advocacy, support services, information and referral services to individuals who have, or think they might have, experienced sexual assault, dating/domestic violence, and stalking.*

**Office of Student Services and Advocacy**

Wilbur Cross Building, 2<sup>nd</sup> Floor

233 Glenbrook Rd, Unit 4062, Storrs, CT 06269

Phone: 860-486-3426

Website: [www.ossa.uconn.edu](http://www.ossa.uconn.edu)

*The Office of Student Services and Advocacy assists victims with academic and personal concerns that arise after an assault.*

**Department of Residential Life**

Wilbur Cross Building, Room 204, Storrs, CT 06269

Phone: 860-486-3430

Website: [www.reslife.uconn.edu/index.html](http://www.reslife.uconn.edu/index.html)

*Department of Residential Life staff are knowledgeable about campus services and can help victims receive assistance, including expediting the campus judicial process or changes in housing.*

**Community Response Team**

Website: [http://www.community.uconn.edu/community\\_response\\_team.html](http://www.community.uconn.edu/community_response_team.html)

*The Community Response Team (CRT) provides assistance to victims of sexual assault, stalking, sexual harassment and dating or domestic violence. Assistance may include counseling, advocacy, medical care, academic interventions as well as referrals to the University's Police and campus student conduct system. Members of the CRT include (but are not limited to) UConn Police, Community Standards, Counseling and Mental Health Services, Residential Life, Women's Center, Student Services and Advocacy, and the Sexual Assault Crisis Center of Eastern Connecticut.*

**II. Confidential Off-Campus Resources**

**Connecticut Sexual Assault Crisis Services, Inc. - All services are FREE and CONFIDENTIAL**

**Each Center Provides:**

- Hotline Services 24 hours/day 7 days/week
- 24 hour crisis counseling
- Information & referral
- Advocacy for children and non-abusing parent
- Short-term counseling for victims and their family and/or friends
- Support groups and more
- Community education programs dealing with sexual assault issues
- Community prevention programs dealing with safety concerns, etc.

