

Sexual Violence Reporting Compliance
Narrative

CSCU INSTITUTION: NORTHWESTERN CONNECTICUT COMMUNITY COLLEGE

REPORTING OFFICE/DEPARTMENT: CENTER FOR STUDENT DEVELOPMENT/TITLE IX COORDINATOR

INSTITUTION CONTACT: RUTH E. GONZALEZ, PH.D., LPC
TITLE IX COORDINATOR AND SART CHAIR

YEAR: 2017-2018

- I. Brief introduction about the institution, its history, its population and its efforts to ensure a safe and comfortable learning environment with respect to sexual violence

The mission of Northwestern Connecticut Community College (NCCC) is to inspire learning through accessible, high quality education. Northwestern is devoted to enriching lives by meeting individual and community needs in a supportive environment, while facilitating access to lifelong learning opportunities. NCCC is located in Winsted, a bucolic small town, and serves primarily rural section of the state. Winsted is situated in the northwestern region of Connecticut, twenty-five miles west of Hartford and twenty-seven miles north of Waterbury. The student body is typically made up of people who come from about half of the 169 towns in Connecticut, the other New England states and New York. At NCCC, we are committed to meeting individual and community needs in a supportive environment, which includes issues of sexual/intimate partner violence.

NCCC joins the nation in its efforts to attend to the matter of sexual/intimate partner violence in our nation's higher education system. The White House and Congressional leaders, spurred by student activists on college and university campuses, convened various groups to discuss the issue. As a result, multiple federal guidelines have been published and enacted.

To this end, we continue to strengthen our collaborative efforts with the Susan B. Anthony Project, whose mission is to promotes safety, healing, and growth for all survivors of domestic and sexual abuse and advocates for the autonomy of women and the end of

interpersonal violence, for residents of Litchfield county. In addition, NCCC works closely with the Connecticut State Police, Troop B. An officer is on campus Monday – Thursday evenings during the academic semester. The Winchester Police Officers along with the Winsted Area Ambulance, who are always available to respond to campus emergency.

- II. Institution’s narrative explaining the reported sexual violence statistics and data, including: Concise and informative explanation of reportable sexual violence statistics and data, including clarification of number of incidents, reports, disclosures, discipline, and final outcomes

In the spring of 2014, NCCC established a representative Support and Resource Team (SART) of members from the campus and community. NCCC’s SART, a multidisciplinary team, that collaboratively responds when a sexual assault is reported, and seeks to improve community responses and services for survivors of sexual assault. The SART meets four (4) times during the semester. In addition, the Chair holds membership within CSCU system

The SART developed detailed informational resources, which include state and federal policies for the Student Handbook and hard copies can be accessed in the Information Center, Library, and Center for Student Development and the College’s website. A brochure and flyer were also developed for faculty and staff which are distributed at Adjunct Orientation and placed in faculty and staff mailboxes.

Awareness and resources are presented at New Student Orientation, approximately 100 new students and 70 parents attend yearly. The informational session is facilitated by a member of the SART and a representative from the Susan B Anthony project is always available in case someone needs to talk immediately. The SART participates in a variety of campus events such as, Club Council fair, Health and Wellness Fair, Welcome Fair and collaborates with clubs, i.e. Student Nursing Association, Criminal Justice club and the Student Senate. These events provide an opportunity for the campus community to meet and talk with members of the SART as well as gain awareness of the resources available to them both on campus and the community.

The SART, NCCC’s Women Center and the Susan B. Anthony Project worked in partnership to facilitate the following campaigns:

- **Sexual Assault Awareness Month Vigil**

Held in April at Coe Park in Torrington. The vigil supports and gives a voice to survivors of sexual violence. SBAP honors community members who have collaborated and supported their work throughout the year.

- **Faces of Survival**

A photo exhibition of survivors of sexual violence who have chosen to "break the silence" and tell the story of their journey as a survivor. Susan B. Anthony Project displayed this exhibit at the Northwestern Connecticut Community College library.

- **Ribbons**

In support of Domestic Violence and Sexual Assault Awareness months, ribbons were distributed on campus for the entire months of October and April.

- **The Clothes Line Project**

"The Clothes Line Project is a program started in 1990 to address the issue of violence against women. It is a vehicle of women affected by violence to express their emotions by decorating a shirt.

Sexual Violence Advocacy Training

- **Not Anymore-** is a suite of interactive online sexual assault prevention programs that features numerous true student testimonials to foster genuine empathy in viewers. Designed to prevent sexual assault, dating and domestic violence and stalking, *Not Anymore* helps institution meet Title IX education mandates. Made available to all CSCU institutions by the SAFE Grant and the Board of Regents. One Hundred and fifty-six (156) students participated.
- **"Intervene" Bystander/Discussion Campaign:** in collaboration Professor Emanuel - Criminal Justice. Two (2) sessions were facilitated which included a video of scenarios and discussion questions, 20 students participated in total of two sessions.
- **Bystander Training:** Nursing Students in collaboration with Nursing Professor Roberson and facilitated by Susan B. Anthony Project Staff, 25 students participated.
- **Empty Chairs:** The Empty Chairs campaign were displayed during the months of October and April. It aimed to create awareness about dating violence, stalking and sexual assault on campus and the services the SART provides. During the week purple and teal chairs were displayed in different spots around campus, each containing a sheet with several fictional accounts from victims of these forms of violence under the banner "Why I'm Not on Campus Today" as well as brochures in order to highlight the fact that this sort of violence impacts many facets of a person's life and can impede their participation in various activities.

In summary, the above noted narrative demonstrates Northwestern Connecticut Community Colleges' commitment to providing a learning environment free from sexual

harassment, sexual assault, domestic violence, dating and stalking. However, we acknowledge that while we are committed to making our campus safe, as a commuter college, our students may be experiencing said situations at home. Studies show that enrolling in college was often seen as a threat to partners who then sometimes used psychological violence in return. As a focus group participant said, "...sometimes, if he sees you studying, he might be like, 'Why are you studying for? You don't need that; you don't need school. That's not going to give you anything, I give you everything.' Commuter college students may experience related risks that are distinct from those of residential college students as a result of their movement between on- and off-campus social environments. Furthermore, students experience a wide range of forms of violence, not just sexual assault, the focus of recent action on college campuses.

Participants' report that in addition to creating stress, controlling relationships can directly impact grades and progress toward degree by interrupting the time required to study; which sometimes leads to dropping out of school entirely as a result of the shame from experiencing above referenced situations (Tsui & Santamaria, 2015). NCCC faculty and staff work with students who may be experiencing above noted situation and find solutions to aid in degree completion.

Research further indicates that commuter students often feel low levels of connectedness to their college campus, likely as a result of competing work and family responsibilities. At the same time, members of commuter students' support networks may be less familiar with college demands and stresses. Disclosure and help-seeking is often dependent on having access to relevant information and building trusting relationships. Therefore, disconnectedness from on-campus and off-campus social environments may generate perceptions of low social support, which can lead to trauma related stigma and social isolation, both known risk factors for interpersonal violence (Tsui & Santamaria, 2015). NCCC's faculty and staff work towards strengthening individual relationships with students and decrease levels of disconnectedness.

NCCC SART members have heeded the call to employ a Trauma-Informed Approach when interacting/responding to a disclosure and/or incident. Becoming "trauma-informed" means recognizing that people often have many different types of trauma in their lives. People who have been traumatized need support and understanding from those around them. Often,

trauma survivors can be re-traumatized by well-meaning caregivers and community service providers. Understanding the impact of trauma is an important first step in becoming a compassionate and supportive community.

According to SAMHSA's concept of a trauma-informed approach, "A program, organization, or system that is trauma-informed:

- *Realizes* the widespread impact of trauma and understands potential paths for recovery;
- *Recognizes* the signs and symptoms of trauma in clients, families, staff, and others involved with the system;
- *Responds* by fully integrating knowledge about trauma into policies, procedures, and practices; and
- Seeks to actively resist *re-traumatization*."

A trauma-informed approach can be implemented in any type of service setting or organization and is distinct from trauma-specific interventions or treatments that are designed specifically to address the consequences of trauma and to facilitate healing. To this end, NCCC SART members receive training from the Susan B Anthony's executive director and the Campus Resource Team training calendar for academic year 2017-2018. All trainings are free and open to all campuses through the CSCU SAFE project, our system wide grant through the Office on Violence Against Women.

References:

Trauma-Informed Approach and Trauma-Specific Interventions

Retrieved on June 5, 2018 from <https://www.samhsa.gov/nctic/trauma-interventions>

Tsui, E.K. and Santamaria, E. K. (2015). Intimate Partner Violence Risk among Undergraduate Women from an Urban Commuter College: the Role of Navigating Off- and On-Campus Social Environments. *Journal of Urban Health*, 2015 Jun; 92(3): 513–526. Retrieved on June 6, 2018 from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4456483/> Published online 2015 Feb 3. doi: [10.1007/s11524-014-9933-0](https://doi.org/10.1007/s11524-014-9933-0)

**Northwestern Connecticut Community College
Sexual Assault/Domestic Violence Resource Team
Sexual Misconduct Report Form**

| REPORTER'S INFORMATION | |
|---|--|
| Reported By: (anonymous reports may be filed if preferred) _____ Reporter's Age: _____ Gender: Female <input type="checkbox"/> Male <input type="checkbox"/> Other <input type="checkbox"/> _____ | Reporter's Affiliation to NCCC (student, faculty, staff, unaffiliated) _____ |
| Reporter's Contact Information (if available): Telephone: _____ Email: _____ | |
| OFFENDER(S) INFORMATION | |
| Offender's Name (if known): _____ _____ Offender's Age: _____ Gender: Female <input type="checkbox"/> Male <input type="checkbox"/> Other <input type="checkbox"/> _____ | Offender's Affiliation to NCCC (student, faculty, staff, unaffiliated) _____ |
| INCIDENT INFORMATION | |
| Date and Time of Incident: _____ _____ | Location of Incident: _____ Was an arrest made? _____ Was a weapon used? _____ Were drugs and/or alcohol involved? _____ _____ |
| Brief Description of Incident (nature of misconduct, context or circumstances, such as on campus, off campus, etc.): | |

****FACULTY AND/OR ADJUNCT: PLEASE REPORT ALL INFORMATION TO YOUR IMMEDIATE SUPERVISOR ASAP.**

Statement of Policy

The Board of Regents for Higher Education (BOR) and the Connecticut State Colleges and Universities (CSCU) strive to maintain a safe and welcoming environment free from acts of sexual misconduct and relationship violence. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and relationship violence.

The BOR strongly encourages the reporting of sexual misconduct, including sexual harassment, sexual assault and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedies, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. Each and every BOR governed college or university shall provide those who report sexual misconduct with many supportive options, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual assault. Each and every BOR governed college or university will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law.

The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Consensual sexual relationships between staff, faculty and students are discouraged pursuant to BOR policy.

Mandated Reporting

The BOR requires that a report be made to the Connecticut Department of Children and Families **whenever a person under eighteen (18) years of age** may have been sexually assaulted. Further, pursuant to BOR Policy on Suspected Abuse or Neglect of a Child, any BOR or CSCU employee who has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required by Board policy to report the incident as soon as practicable to their immediate supervisor as well. Employees are required to report possible sexual assault of persons 18 years old or older and those CSCU employees who qualify as Campus Security Authorities under the Jeanne Clery Act have a duty to report possible sexual assault regardless of the age of the reported victim.

*BOR/CSCU SEXUAL MISCONDUCT, SEXUAL ASSAULT AND INTIMATE PARTNER VIOLENCE POLICY
(01/17)*

Publication name:

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SEXUAL VIOLENCE REPORTABLE STATISTICS AND DATA

CSCU INSTITUTION: Northwestern Connecticut Community College
REPORTING OFFICE/DEPARTMENT: Center for Student Development & Title IX
INSTITUTION CONTACT: Ruth E. Gonzalez, Ph.D. Director of Center for Student Development and Title IX Coordinator
YEAR: 2018

| I. SEXUAL VIOLENCE* PREVENTION, AWARENESS, AND RISK REDUCTION PROGRAMS: | | | |
|--|----------------------------|-------------------|------------------------|
| Program Category | Number of Programs: | | |
| | <i>Prevention:</i> | <i>Awareness:</i> | <i>Risk Reduction:</i> |
| <i>Sexual Assault</i> | 3 | 3 | 3 |
| <i>Stalking</i> | 3 | 3 | 3 |
| <i>Intimate Partner Violence</i> | 3 | 3 | 3 |
| Program Types: <i>(List and Describe Each Program Type)</i> | | | |
| <p>Not Anymore: Online instructional program 156 students participated.</p> <p>"Intervene" Bystander/Discussion Campaign: in collaboration Professor Emanuel - Criminal Justice. Two (2) sessions were facilitated which included a video of scenarios and discussion questions, 20 students participated in total of two sessions.</p> <p>Bystander Training: Nursing Students in collaboration with Nursing Professor Roberson and facilitated by Susan B. Anthony Project Staff, 25 students participated.</p> | | | |

| II. SEXUAL VIOLENCE PREVENTION AND AWARENESS CAMPAIGNS: | | |
|---|-----------------------------|-------------------|
| Campaign Category | Number of Campaigns: | |
| | <i>Prevention:</i> | <i>Awareness:</i> |
| <i>Sexual Assault</i> | 5 | 5 |
| <i>Stalking</i> | 5 | 5 |
| <i>Intimate Partner Violence</i> | 5 | 5 |
| Campaign Types: <i>(List and Describe Each Campaign Type)</i> | | |

Ribbons: In support of Domestic Violence and Sexual Assault Awareness months, ribbons were distributed on campus for the entire months of October and April.

Empty Chairs: The Empty Chairs campaign were displayed during the months of October and April. It aimed to create awareness about dating violence, stalking and sexual assault on campus and the services the SART provides. Purple and teal chairs were displayed in different spots around campus, each containing a sheet with several fictional accounts from victims of these forms of violence under the banner "Why I'm Not on Campus Today" as well as brochures in order to highlight the fact that this sort of violence impacts many facets of a person's life and can impede their participation in various activities.

Hosted by The Susan B Anthony Project:

The Clothes Line Project: "The Clothes Line Project is a program started in 1990 to address the issue of violence against women. It is a vehicle of women affected by violence to express their emotions by decorating a shirt. In collaboration with the Susan B. Anthony Project and The Student Senate. Clothes Line was displayed in the Arts and Science Building Atrium.

Sexual Assault Awareness Month Vigil: The vigil shows support for survivors, celebrates collaborative community members, shares survivor stories, "and looks forward to the end of sexual violence," project members said in a release.

Faces of Survival is a photo exhibition of survivors of sexual violence who have chosen to "break the silence" and tell the story of their journey as a survivor. Susan B. Anthony Project displayed this exhibit at the Northwestern Connecticut Community College library.

| III. TOTAL REPORTED INCIDENTS OF SEXUAL VIOLENCE: | | |
|---|-------------------------------|--------------------------------|
| Incident Category | Number of Incidents Reported: | Number of Incidents Disclosed: |
| <i>Sexual Assault</i> | 0 | 0 |
| <i>Stalking</i> | 0 | 0 |
| <i>Intimate Partner Violence</i> | 1 | 1 |

| IV.a. DISCIPLINARY CASES AND FINAL OUTCOMES OF DISCIPLINARY CASES RELATING TO SEXUAL VIOLENCE (STUDENTS): | | | | | | | | |
|---|------------------------|----------------|------------|-------------|------------|--------------------------|---|------|
| Case Category | Total Number of Cases: | Final Outcome: | | | | | | Othr |
| | | Warning: | Probation: | Suspension: | Expulsion: | Persona Non Grata (PNG): | Sanctions/ Sexual Violence Remediation: | |
| <i>Sexual Assault</i> | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| <i>Stalking</i> | 1 | 1 | 0 | 0 | 0 | 0 | 0 | |

| | | | | | | | | |
|----------------------------------|---|---|---|---|---|---|---|---|
| <i>Intimate Partner Violence</i> | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
|----------------------------------|---|---|---|---|---|---|---|---|

| IV.b. FINAL OUTCOMES OF APPEALS OF ORIGINAL OUTCOMES OF CASES RELATING TO SEXUAL VIOLENCE (STUDENTS): | | | |
|---|------------------------|-----------------------------|--------------------|
| Appeal Category | Total Number of Cases: | Outcome of Appeal Decision: | |
| | | <i>Upheld:</i> | <i>Overturned:</i> |
| <i>Sexual Assault</i> | 0 | 0 | 0 |
| <i>Stalking</i> | 0 | 0 | 0 |
| <i>Intimate Partner Violence</i> | 0 | 0 | 0 |

| V.a. DISCIPLINARY CASES AND FINAL OUTCOMES OF DISCIPLINARY CASES RELATING TO SEXUAL VIOLENCE (EMPLOYEES): | | | | | | |
|---|------------------------|-------------------|-----------------------------|------------------------------|---------------------|---------------|
| Case Category | Total Number of Cases: | Final Outcome: | | | | |
| | | <i>Reprimand:</i> | <i>Education/ Training:</i> | <i>Administrative Leave:</i> | <i>Termination:</i> | <i>Other:</i> |
| <i>Sexual Assault</i> | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Stalking</i> | 0 | 0 | 0 | 0 | 0 | 0 |
| <i>Intimate Partner Violence</i> | 0 | 0 | 0 | 0 | 0 | 0 |

| V.b. FINAL OUTCOMES OF APPEALS OF ORIGINAL OUTCOMES OF CASES RELATING TO SEXUAL VIOLENCE (EMPLOYEES): | | |
|---|-----------------------------|--------------------|
| Appeal Category | Outcome of Appeal Decision: | |
| | <i>Upheld:</i> | <i>Overturned:</i> |
| <i>Sexual Assault</i> | 0 | 0 |
| <i>Stalking</i> | 0 | 0 |
| <i>Intimate Partner Violence</i> | 0 | 0 |

| VI. TOTAL ANONYMOUS OR CONFIDENTIAL SEXUAL VIOLENCE REPORTS OR DISCLOSURES TO THE INSTITUTION: | | | | |
|--|--------------------|----------------------|------------------------|----------------------|
| Category | Number of Reports: | | Number of Disclosures: | |
| | <i>Anonymous:</i> | <i>Confidential:</i> | <i>Anonymous:</i> | <i>Confidential:</i> |
| <i>Sexual Assault</i> | 0 | 0 | 0 | 0 |
| <i>Stalking</i> | 0 | 1 | 0 | 1 |
| <i>Intimate Partner Violence</i> | 0 | 1 | 0 | 1 |

"Sexual Violence" was used aggregately to encompass sexual assault, stalking, and intimate partner violence, as defined by C.G.S. The full text of each of the above reportables is as follows:

- I. A copy of its most recent policies regarding sexual assault, stalking and intimate partner violence;
- II. A copy of its most recent concise written notification of the rights and options of a student or employee who reports or discloses an alleged violation of its sexual assault, stalking and intimate partner violence policy or policies;
- III. The number and type of sexual assault, stalking and intimate partner violence prevention, awareness and risk reduction programs at the institution;
- IV. The type of sexual assault, stalking and intimate partner violence prevention and awareness campaigns held by the institution;
- V. The number of incidences of sexual assault, stalking and intimate partner violence reported or disclosed to such institution;
- VI. The number of confidential or anonymous reports or disclosures to the institution of sexual assault, stalking and intimate partner violence;
- VII. The number of disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence; and
- VIII. The final outcome of all disciplinary cases at the institution related to sexual assault, stalking and intimate partner violence, including, but not limited to, the outcome of any appeals of such final outcome, to the extent reporting on such outcomes does not conflict with federal law.

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 wilfully 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.

CONCERNING "REPORTS" vs. "DISCLOSURES" IN PART IV OF THE AFOREMENTIONED:

A *disclosure* is a communication of an incident of sexual violence not accompanied with a request for an investigation or adjudication, although there may be a request for accommodations and referral to services.

A *report* is a disclosure accompanied by an immediate request for an investigation and adjudication.

Please direct all inquiries concerning this handbook to
Gregory F. Daniels, Assistant Counsel,
Connecticut State Colleges and Universities,
at 860-723-0018 or DanielsG@ct.edu.

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| 5.2 | Sexual Misconduct Reporting, Support Services and Processes | 16-067 | 2016-06-16 |
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5.2 Sexual Misconduct Reporting, Support Services and Processes Policy

Statement of Policy

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct, intimate partner violence and stalking. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

The BOR strongly encourages victims to report any instance of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedies, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. Each and every BOR governed college and university shall provide those who report sexual misconduct with many supportive options, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual misconduct. Each and every BOR governed college and university will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. All BOR and CSCU employees, victim support persons and community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place. Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all BOR and CSCU employees are required to immediately communicate to the institution's designated recipient any disclosure or report of sexual misconduct received from a student as well as communicate any disclosure or report of sexual misconduct the employee received from another employee when misconduct is related to the business of the institution.

Affirmative consent must be given by all parties before engaging in sexual activity. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff/faculty and students are discouraged pursuant to BOR policy.

The Board of Regents for Higher Education hereby directs the Connecticut State Colleges and Universities to implement the Policy stated above pursuant to the following provisions:

Terms, Usage and Standards

Sexual Misconduct Reporting
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Consent must be affirmed and given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is a mutually affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent may be revoked at any time during the sexual activity by any person engaged in the activity.

Affirmative consent may never be assumed because there is no physical resistance or other negative response. A person who initially consents to sexual activity shall be deemed not to have affirmatively consented to any such activity which occurs after that consent is withdrawn. It is the responsibility of each person to assure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that affirmative consent is sustained throughout the sexual activity. It shall not be a valid excuse to an alleged lack of affirmative consent that the student or employee responding to the alleged violation believed that the student reporting or disclosing the alleged violation consented to the activity (i) because the responding student or employee was intoxicated or reckless or failed to take reasonable steps to ascertain whether the student or employee reporting or disclosing the alleged violation affirmatively consented, or (ii) if the responding student or employee knew or should have known that the student or employee reporting or disclosing the alleged violation was unable to consent because the student or employee was unconscious, asleep, unable to communicate due to a mental or physical condition, or incapacitated due to the influence of drugs, alcohol or medication. The existence of a past or current dating or sexual relationship between the persons involved in the alleged violation shall not be determinative of a finding of affirmative consent.

Report of sexual misconduct is the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation or adjudication by the institution.

Disclosure is the receipt of any communication of an incident of sexual misconduct that is not accompanied by a request for an investigation or adjudication by the institution.

Sexual misconduct includes engaging in any of the following behaviors:

- (a) **Sexual harassment**, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment; submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive educational or employment environment. Examples of conduct which may constitute sexual harassment include but are not limited to:

- sexual flirtation, touching, advances or propositions
- verbal abuse of a sexual nature
- pressure to engage in sexual activity
- graphic or suggestive comments about an individual's dress or appearance
- use of sexually degrading words to describe an individual
- display of sexually suggestive objects, pictures or photographs

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- sexual jokes
- stereotypic comments based upon gender
- threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

Retaliation is prohibited and occurs when a person is subjected to an adverse employment or educational action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation.

- (b) ***Sexual assault*** shall include but is not limited to a sexual act directed against another person without the consent (as defined herein) of the other person or when that person is not capable of giving such consent.

Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

- (c) ***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 of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- Going beyond the bounds of consent (for example, an individual who allows friends to hide in the closet to watch him or her having consensual sex);
- Engaging in non-consensual voyeurism;
- Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

Sexual exploitation is further defined as a crime in Connecticut State Law.

- (d) ***Intimate partner, domestic and/or dating violence means*** any physical or sexual harm against an individual by a current or former spouse of or person in a dating or cohabitating 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 of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic or family violence as designated under section 46b-38h of the general statutes. This includes any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault (2)

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sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

Offenses that are designated as “domestic violence” are against family or household members or persons in dating or cohabiting relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Intimate partner violence may also include physical abuse, threat of abuse, and emotional abuse.

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
- Emotional abuse includes but is not limited to, damage to one’s property, driving recklessly to scare someone, name calling, threatening to hurt one’s family members or pets and humiliating another person.
- Cohabitation occurs when two individuals dwell together in the same place as if married.
- The determination of whether a “dating relationship” existed is to be based upon the following factors: the reporting victim’s statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.

(e) ***Stalking***, which is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person; and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person’s ability to perform the activities of daily life.

As used in this definition, the term “contacting” includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

Confidentiality

When a BOR governed college or university receives a report of sexual misconduct all reasonable steps will be taken by the appropriate CSCU officials to preserve the privacy of the reported victim while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of personally identifiable student information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the campus community.

Confidential resources are defined as follows: For the Universities, entities with statutory privilege, which include campus based counseling center, health center and pastoral counseling staff members whose official responsibilities include providing mental health counseling to members of the University community as well as off campus counseling and psychological services, health service providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. For the Colleges, confidential resources are limited to entities with statutory

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privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.

Information provided to a confidential resource by a victim of a sexual misconduct or the person reported to have been the victim of sexual misconduct cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, she/he must speak with a confidential resource. Each BOR governed college and university will provide a list of such confidential resources in the College or University's geographic region to victims of sexual misconduct as well as publish these resources on-line and in various publications.

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of sexual misconduct to the extent reasonably possible.

Mandated Reporting by College and University Employees

Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all employees are required to immediately communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from a student regardless of the age of the reported victim. All employees are also required to communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from an employee that impacts employment with the institution or is otherwise related to the business of the institution.

Upon receiving a disclosure or a report of sexual misconduct, employees are expected to supportively, compassionately and professionally offer academic and other accommodations and to provide a referral for support and other services.

Further, in accordance with Connecticut State law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer who, in the ordinary course of their employment, has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required by law and Board policy to report the incident within twelve hours to their immediate supervisor and to the Department of Children and Families.

Rights of Parties

Those who report any type of sexual misconduct to any BOR governed college or university employee will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcomes of each option. When choosing a reporting resource the following information should be considered:

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- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidentially, whether or not those who report feel ready to make any decisions about reporting to police, a college or university employee or the campus's Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s), a University counseling center psychologist, a University health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

Right to Notify Law Enforcement & Seek Protective and Other Orders

Those who report being subjected to sexual misconduct shall be provided written information about her/his right to:

- (1) notify law enforcement and receive assistance from campus authorities in making the notification; and,
- (2) obtain a protective order, apply for a temporary restraining order or seek enforcement of an existing order. Such orders include:
 - standing criminal protective orders;
 - protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;
 - temporary restraining orders or protective orders prohibiting the harassment of a witness;
 - family violence protective orders.

Options for Changing Academic, Housing, Transportation and Working Arrangements

The colleges and universities will provide assistance to those involved in a report of sexual misconduct, including but not limited to, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders. Each and every BOR governed college and university shall create and provide information specific to its campus detailing the procedures to follow after the commission of such violence, including people or agencies to contact for reporting purposes or to request assistance, and information on the importance of preserving physical evidence.

Support Services Contact Information

It is BOR policy that whenever a college or university Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, the Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for and, if requested, professional assistance in accessing and using any appropriate campus resources, or local advocacy, counseling, health, and mental health services. All

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CSCU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

Employee Conduct Procedures

Employees who are reported to have engaged in sexual misconduct are subject to discipline in accordance with the procedures applicable to the employee's classification of employment.

Student Conduct Procedures

The **Student Code of Conduct** provides the procedures for the investigation, definitions of terms, and resolution of complaints regarding student conduct, including those involving sexual misconduct, as defined herein.

The Title IX Coordinator can assist in explaining the student conduct process. The Student Code of Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for reported victims and accused students.

Reported victims of sexual misconduct shall have the opportunity to request that an investigation or disciplinary proceedings begin promptly; that such disciplinary proceedings shall be conducted by an official trained annually in issues relating to sexual misconduct and shall use the preponderance of the evidence (more likely than not) standard in making a determination concerning the alleged sexual misconduct.

Both the reported victim of sexual misconduct and the accused student are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled and provided such an advisor or support person may not directly address the Hearing Body, question witnesses or otherwise actively participate in the hearing process or other meeting pertaining to a report of sexual misconduct and each student shall have the opportunity to present evidence and witnesses on her/his behalf during any disciplinary proceeding.

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s). The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

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In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential.

Dissemination of this Policy

Upon adoption by the Board all CSCU institutions shall, upon receipt, immediately post and maintain this policy at all times in an easily accessible manner on each institution's website. This policy shall thereafter be annually provided to all Title IX Coordinators, campus law enforcement officers and security personnel, and other campus personnel. Further, this policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. The policy shall be expanded upon by each institution to provide resources and contact information specific to their institution and geographic area as set forth above.

**Board of Regents for Higher Education
Connecticut State Colleges and Universities**

**Policy Regarding
Sexual Misconduct Reporting, Support Services and Processes Policy**

Statement of Policy

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct, intimate partner violence and stalking. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

The BOR strongly encourages victims to report any instance of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedies, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. Each and every BOR governed college and university shall provide those who report sexual misconduct with many supportive options, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual misconduct. Each and every BOR governed college and university will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. All BOR and CSCU employees, victim support persons and community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place. Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all BOR and CSCU employees are required to immediately communicate to the institution's designated recipient any disclosure or report of sexual misconduct received from a student as well as communicate any disclosure or report of sexual misconduct the employee received from another employee when misconduct is related to the business of the institution.

Affirmative consent must be given by all parties before engaging in sexual activity. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff/faculty and students are discouraged pursuant to BOR policy.

The Board of Regents for Higher Education hereby directs the Connecticut State Colleges and Universities to implement the Policy stated above pursuant to the following provisions:

Sexual Misconduct Reporting
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Terms, Usage and Standards

Consent must be affirmed and given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is a mutually affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent may be revoked at any time during the sexual activity by any person engaged in the activity.

Affirmative consent may never be assumed because there is no physical resistance or other negative response. A person who initially consents to sexual activity shall be deemed not to have affirmatively consented to any such activity which occurs after that consent is withdrawn. It is the responsibility of each person to assure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that affirmative consent is sustained throughout the sexual activity. It shall not be a valid excuse to an alleged lack of affirmative consent that the student or employee responding to the alleged violation believed that the student reporting or disclosing the alleged violation consented to the activity (i) because the responding student or employee was intoxicated or reckless or failed to take reasonable steps to ascertain whether the student or employee reporting or disclosing the alleged violation affirmatively consented, or (ii) if the responding student or employee knew or should have known that the student or employee reporting or disclosing the alleged violation was unable to consent because the student or employee was unconscious, asleep, unable to communicate due to a mental or physical condition, or incapacitated due to the influence of drugs, alcohol or medication. The existence of a past or current dating or sexual relationship between the persons involved in the alleged violation shall not be determinative of a finding of affirmative consent.

Report of sexual misconduct is the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation or adjudication by the institution.

Disclosure is the receipt of any communication of an incident of sexual misconduct that is not accompanied by a request for an investigation or adjudication by the institution.

Sexual misconduct includes engaging in any of the following behaviors:

- (a) **Sexual harassment**, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment; submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive educational or employment environment. Examples of conduct which may constitute sexual harassment include but are not limited to:

- sexual flirtation, touching, advances or propositions
- verbal abuse of a sexual nature
- pressure to engage in sexual activity
- graphic or suggestive comments about an individual's dress or appearance
- use of sexually degrading words to describe an individual

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- display of sexually suggestive objects, pictures or photographs
- sexual jokes
- stereotypic comments based upon gender
- threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

Retaliation is prohibited and occurs when a person is subjected to an adverse employment or educational action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation.

- (b) **Sexual assault** shall include but is not limited to a sexual act directed against another person without the consent (as defined herein) of the other person or when that person is not capable of giving such consent:

Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.

- (c) **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 of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
- Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- Going beyond the bounds of consent (for example, an individual who allows friends to hide in the closet to watch him or her having consensual sex);
- Engaging in non-consensual voyeurism;
- Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;
- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

Sexual exploitation is further defined as a crime in Connecticut State Law.

- (d) **Intimate partner, domestic and/or dating violence means** any physical or sexual harm against an individual by a current or former spouse of or person in a dating or cohabitating 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 of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic or family violence as designated under section 46b-38h of the general statutes. This includes any physical or sexual harm against an individual by a current or

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former spouse or by a partner in a dating relationship that results from (1) sexual assault (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

Offenses that are designated as “domestic violence” are against family or household members or persons in dating or cohabiting relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Intimate partner violence may also include physical abuse, threat of abuse, and emotional abuse.

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.
- Emotional abuse includes but is not limited to, damage to one’s property, driving recklessly to scare someone, name calling, threatening to hurt one’s family members or pets and humiliating another person.
- Cohabitation occurs when two individuals dwell together in the same place as if married.
- The determination of whether a “dating relationship” existed is to be based upon the following factors: the reporting victim’s statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.

(e) ***Stalking***, which is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person; and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person’s ability to perform the activities of daily life.

As used in this definition, the term “contacting” includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on- line community or any other internet communication) or remaining in the physical presence of the other person.

Confidentiality

When a BOR governed college or university receives a report of sexual misconduct all reasonable steps will be taken by the appropriate CSCU officials to preserve the privacy of the reported victim while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of personally identifiable student information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the campus community.

Confidential resources are defined as follows: For the Universities, entities with statutory privilege, which include campus based counseling center, health center and pastoral counseling staff members whose official responsibilities include providing mental health counseling to members of the University community as well as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic

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Violence Center. For the Colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.

Information provided to a confidential resource by a victim of a sexual misconduct or the person reported to have been the victim of sexual misconduct cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, she/he must speak with a confidential resource. Each BOR governed college and university will provide a list of such confidential resources in the College or University's geographic region to victims of sexual misconduct as well as publish these resources on-line and in various publications.

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of sexual misconduct to the extent reasonably possible.

Mandated Reporting by College and University Employees

Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all employees are required to immediately communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from a student regardless of the age of the reported victim. All employees are also required to communicate to the institution's designated recipient (e.g., Title IX Coordinator) any disclosure or report of sexual misconduct received from an employee that impacts employment with the institution or is otherwise related to the business of the institution.

Upon receiving a disclosure or a report of sexual misconduct, employees are expected to supportively, compassionately and professionally offer academic and other accommodations and to provide a referral for support and other services.

Further, in accordance with Connecticut State law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer who, in the ordinary course of their employment, has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required by law and Board policy to report the incident within twelve hours to their immediate supervisor and to the Department of Children and Families.

Rights of Parties

Those who report any type of sexual misconduct to any BOR governed college or university employee will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcomes of each option. When choosing a reporting resource the following information should be considered:

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- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidential, whether or not those who report feel ready to make any decisions about reporting to police, a college or university employee or the campus's Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
- Those who seek confidentiality may contact a clergy member(s), a University counseling center psychologist, a University health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence – all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

Right to Notify Law Enforcement & Seek Protective and Other Orders

Those who report being subjected to sexual misconduct shall be provided written information about her/his right to:

- (1) notify law enforcement and receive assistance from campus authorities in making the notification; and,
- (2) obtain a protective order, apply for a temporary restraining order or seek enforcement of an existing order. Such orders include:
 - standing criminal protective orders;
 - protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;
 - temporary restraining orders or protective orders prohibiting the harassment of a witness;
 - family violence protective orders.

Options for Changing Academic, Housing, Transportation and Working Arrangements

The colleges and universities will provide assistance to those involved in a report of sexual misconduct, including but not limited to, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders. Each and every BOR governed college and university shall create and provide information specific to its campus detailing the procedures to follow after the commission of such violence, including people or agencies to contact for reporting purposes or to request assistance, and information on the importance of preserving physical evidence.

Support Services Contact Information

It is BOR policy that whenever a college or university Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, the Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for and, if requested, professional assistance in accessing and using any appropriate campus resources, or local advocacy, counseling, health, and mental health services. All

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CSCU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

Employee Conduct Procedures

Employees who are reported to have engaged in sexual misconduct are subject to discipline in accordance with the procedures applicable to the employee's classification of employment.

Student Conduct Procedures

The **Student Code of Conduct** provides the procedures for the investigation, definitions of terms, and resolution of complaints regarding student conduct, including those involving sexual misconduct, as defined herein.

The Title IX Coordinator can assist in explaining the student conduct process. The Student Code of Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for reported victims and accused students.

Reported victims of sexual misconduct shall have the opportunity to request that an investigation or disciplinary proceedings begin promptly; that such disciplinary proceedings shall be conducted by an official trained annually in issues relating to sexual misconduct and shall use the preponderance of the evidence (more likely than not) standard in making a determination concerning the alleged sexual misconduct.

Both the reported victim of sexual misconduct and the accused student are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled and provided such an advisor or support person may not directly address the Hearing Body, question witnesses or otherwise actively participate in the hearing process or other meeting pertaining to a report of sexual misconduct and each student shall have the opportunity to present evidence and witnesses on her/his behalf during any disciplinary proceeding.

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s). The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

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In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential.

Dissemination of this Policy

Upon adoption by the Board all CSCU institutions shall, upon receipt, immediately post and maintain this policy at all times in an easily accessible manner on each institution's website. This policy shall thereafter be annually provided to all Title IX Coordinators, campus law enforcement officers and security personnel, and other campus personnel. Further, this policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. The policy shall be expanded upon by each institution to provide resources and contact information specific to their institution and geographic area as set forth above.

TITLE IX SEPTEMBER 2018

TITLE IX COORDINATOR

RUTH E. GONZALEZ, PH.D., LPC

DIRECTOR OF STUDENT DEVELOPMENT

RGONZALEZ@NWCC.EDU

860.738.6315



WHAT IS TITLE IX?

NO PERSON IN THE UNITED STATES SHALL, ON THE BASIS OF SEX, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED THE BENEFITS OF, OR BE SUBJECT TO DISCRIMINATION UNDER ANY EDUCATIONAL PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE.

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

RIGHTS UNDER TITLE IX

STUDENTS, FACULTY, AND STAFF HAVE THE RIGHT TO:

- BE FREE FROM ALL TYPES OF SEX DISCRIMINATION INCLUDING SEXUAL MISCONDUCT, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE
- BRING FORWARD A COMPLAINT IN GOOD FAITH
- BE INFORMED OF COMPLAINT PROCEDURES AND OPTIONS FOR RESOLUTION
- EXPECT A COMPLAINT TO BE THOROUGHLY INVESTIGATED
- INTERIM MEASURES TO ENSURE SAFETY PENDING OUTCOME OF INVESTIGATION
- BE ADVISED OF OUTCOME OF INVESTIGATION
- BE FREE FROM RETALIATION

NCCC'S RESPONSIBILITIES

- NCCC MUST TAKE PROMPT AND EFFECTIVE ACTION TO STOP HARASSMENT, ELIMINATE A HOSTILE ENVIRONMENT AND ADDRESS ITS EFFECTS
- ADOPT EQUITABLE GRIEVANCE PROCEDURES
- USE PREPONDERANCE OF EVIDENCE AND A REASONABLE PERSON STANDARD
- CONDUCT INVESTIGATIONS SEPARATE FROM AND INDEPENDENT OF ANY CRIMINAL INVESTIGATION OR PROCEEDING
- NCCC HAS 60 DAYS FROM THE TIME WE LEARN ABOUT AN ISSUE TO COMPLETE AN INVESTIGATION
- CONDUCT EXTENSIVE TRAINING
- DESIGNATE TITLE IX COORDINATORS

NCCC'S TITLE IX COORDINATORS

FACULTY AND STAFF:

WENDY BOVIA, DIRECTOR OF HUMAN RESOURCES/EEO OFFICER

860.738.6325

WBOVIA@NWCC.EDU

STUDENTS:

RUTH E. GONZALEZ, PH.D., LPC

DIRECTOR OF STUDENT DEVELOPMENT

RGONZALEZ@NWCC.EDU

860.738.6315

TITLE IX COORDINATORS

THE TITLE IX COORDINATOR OVERSEES AND PROVIDES LEADERSHIP FOR NCCC'S TITLE IX ACTIVITIES. SOME OF THE MANY RESPONSIBILITIES INCLUDE:

- DISSEMINATE AND IMPLEMENT NCCC'S POLICIES AND PROCEDURES REGARDING TITLE IX
- OVERSEE TRAINING INITIATIVES FOR THE CAMPUS COMMUNITY
- SERVE AS A RESOURCE FOR THE COMMUNITY
- OVERSEE INITIAL INVESTIGATIONS OF COMPLAINTS
- WORK CLOSELY WITH THE DEAN OF ACADEMIC & STUDENT AFFAIRS

EXAMPLES OF SEXUAL MISCONDUCT

- UNWELCOME SEXUAL ADVANCES
- SEXUAL EPITHETS, JOKES, GOSSIP REGARDING ANOTHER'S SEX LIFE, SEXUAL ORIENTATION, OR GENDER IDENTITY
- LEERING, WHISTLING, OBSCENE GESTURES
- SEXUAL ASSAULT, VIOLENCE, THREATS, STALKING
- INSULTS OR THREATS BASED ON SEX OR GENDER
- CHANGE OF ACADEMIC OR EMPLOYMENT RESPONSIBILITIES BASED ON SEX, GENDER IDENTITY OR EXPRESSION, OR SEXUAL ORIENTATION
- QUID PRO QUO: "THIS FOR THAT"

NOT ALL REPORTS NEED TO LEAD TO AN INVESTIGATION.

IF YOU ARE UNSURE OR UNEASY, REPORT IT.

WHO NEEDS TO REPORT?

ANYONE WHO EXPERIENCES, WITNESSES, OR HEARS ABOUT AN INCIDENT OF SEXUAL HARASSMENT OR SEX DISCRIMINATION SHOULD REPORT IT TO THE TITLE IX COORDINATOR, A MEMBER OF THE SART, OR COLLEGE OFFICIAL.

MAKING A REPORT

- FIRST, SPEAK TO THE TITLE IX COORDINATOR.
- IF NEEDED, WILL PROVIDE INFORMATION REGARDING AVAILABLE RESOURCES SUCH AS SART OR COMMUNITY SERVICES.
- TOGETHER, WE WILL COMPLETE A SEXUAL MISCONDUCT REPORT FORM WHICH WILL GO TO THE DEAN OF ACADEMIC & STUDENT AFFAIRS FOR REVIEW, FOLLOW UP, AND IF NECESSARY, INVESTIGATION.

MANDATORY REPORTING

FACULTY AND STAFF ARE MANDATORY REPORTERS OF SEXUAL MISCONDUCT.

STUDENTS ARE NOT MANDATORY REPORTERS UNLESS THEY HOLD SOME SORT OF AUTHORITY/SUPERVISORY ROLE OVER OTHERS ON CAMPUS.

FACULTY AND STAFF CANNOT PROMISE CONFIDENTIALITY!

WHAT ABOUT CONFIDENTIALITY?

- THE TITLE IX COORDINATOR IS A PROFESSIONAL AND INFORMATION REPORTED IS NEVER BROADCAST OR OTHERWISE MADE PUBLIC.
- THE COLLEGE WILL PROTECT YOUR PRIVACY TO THE EXTENT POSSIBLE UNDER THE LAW.
- THE COLLEGE IS REQUIRED TO INVESTIGATE, BUT THAT INVESTIGATION WILL BE LIMITED BY THE INFORMATION PROVIDED BY VICTIMS AND THE VICTIM'S INTEREST IN PURSUING A FORMAL COMPLAINT PROCESS.

CONFIDENTIAL RESOURCES

- CHARLOTTE HUNGERFORD HOSPITAL
WWW.CHARLOTTEHUNGERFORD.ORG
- CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE WWW.ENDSEXUALVIOLENCECT.ORG
- JANE DOE NO MORE [HTTPS://WWW.IANEDOENOMORE.ORG](https://WWW.IANEDOENOMORE.ORG)
- NATIONAL SEXUAL ASSAULT HOTLINE WWW.RAINN.ORG
- STATE AND LOCAL POLICE DEPARTMENTS
 - STATE POLICE TROOP "B" - LT. WILLIAM BALDWIN JR. 860.626.1860
 - WINSTED POLICE DEPARTMENT - SGT. KEVIN KINAHAN 860.379.2721
 - TORRINGTON POLICE DEPARTMENT - CHIEF MICHAEL MANIAGO 860.489.2007
- THE SUSAN B ANTHONY PROJECT WWW.SBAPROJECT.ORG

NCCC'S SEXUAL ASSAULT RESOURCE TEAM (SART)

- SART PROVIDES RAPID, CONFIDENTIAL, SUPPORT AND ADVOCACY FOR VICTIMS OF SEXUAL ASSAULT.
- SART MEMBERS ARE AVAILABLE MONDAY – FRIDAY FROM 8:30AM – 4:30PM. FACULTY SART MEMBERS MAY BE ON CAMPUS DURING EVENING HOURS.
- SART WORKS CLOSELY WITH MANY NCCC DEPARTMENTS INCLUDING THE PRESIDENT, DEANS OF ADMINISTRATION AND ACADEMIC & STUDENT AFFAIRS.
- NCCC SART **IS NOT CONFIDENTIAL!**

NCCC'S POLICIES

- AFFIRMATIVE ACTION POLICY STATEMENT
- BOR SEXUAL MISCONDUCT, SEXUAL ASSAULT AND INTIMATE PARTNER VIOLENCE POLICY
- AMERICANS WITH DISABILITIES ACT (ADA) POLICY STATEMENT
- CONSENSUAL RELATIONSHIPS
- DRUG FREE WORKPLACE
- ETHICS STATEMENT
- JEAN CLERY ACT
- REPORTING SUSPECTED ABUSE OR NEGLECT OF A CHILD

RESOURCES

- [NCCC'S POSITION STATEMENT](#)
- [SEXUAL ASSAULT RESOURCE TEAM](#)
- [SART BOOKLET](#)
- [WHO TO CONTACT FOR HELP](#)
- [HOW NORTHWESTERN SART WORKS](#)
- [VICTIM OPTIONS](#)
- [WHAT TO DO](#)
- [CONNECTICUT ALLIANCE TO END SEXUAL VIOLENCE](#)
[HTTP://ENDSEXUALVIOLENCECT.ORG/RESOURCES/USEFUL-LINKS](http://endsexualviolencect.org/resources/useful-links)
- [LGBTQ SURVIVORS](#) [HTTP://WWW.LGBTCENTERS.ORG/CENTERS/FIND-A-CENTER.ASPX](http://www.lgbtcenters.org/centers/find-a-center.aspx)
- [MALE SURVIVORS](#) [MALESURVIVOR.ORG](http://malesurvivor.org)

From the President

Statement on Sexual Misconduct

The College is committed to creating a community that is safe and supportive of people of all gender and sexual identities; the Policy on Sexual Misconduct and Relationship Violence pertains to the entire campus community, whether on ground or virtual, students, faculty, and staff.

Two of the College's primary concerns are the health and well-being of each individual and fostering healthy interpersonal relationships. The principles of the Board of Regents [Policy on Student Conduct](#) (integrity, equity, respect and responsibility) address elements necessary for healthy interpersonal relationships and these principles are especially important when relationships become intimate.

Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, including sexual harassment, sexual assault and intimate partner violence against anyone is unacceptable and is a crime. It is considered a crime both under State law and a violation of College policies, including but not limited to: [The Board of Regents Policy on Student Conduct](#), and the [Northwestern Connecticut Community College Sexual Relationships](#). The College is committed to providing an environment free of personal offenses.

Dr. Michael Rooke, President

Sexual Assault Policy

Statement of Policy

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and university community has the opportunity to participate fully in the process of education and development.

The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct, intimate partner violence and stalking. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

Affirmative consent must be given by all parties before engaging in sexual activity. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff/faculty and students are discouraged pursuant to BOR policy.

Definitions

Sexual Misconduct may include engaging in one or more behaviors including:

Sexual harassment - which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when:

- the submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education;
- submission or rejection to such conduct by an individual is used as the basis for academic decisions affecting the individual; or

Sexual Assault - which shall include but is not limited to a sexual act directed against another person without consent, or when that person is not capable of giving consent.

Sexual exploitation - which occurs when a person takes non-consensual or abuse sexual advantage of another for anyone's advantage or benefit other than the person being exploited, an that behavior does not otherwise constitute one of the preceding sexual misconduct offenses.

Stalking— is defined as repeatedly contacting another person when: The contacting person knows or should know that the contact is unwanted by the other person and the contact causes the person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.