

# CENTRAL CONNECTICUT STATE UNIVERSITY

This report is submitted by the Title IX Coordinator/ Civil Rights Officer, Dr. Jill Bassett-Cameron; to the Joint Standing Committee of the General Assembly of the State of Connecticut as required under Public Act 14-11: An Act Concerning Sexual Assault, Stalking, and Intimate Partner Violence on Campus.

*General Assembly  
Report on Sexual  
Misconduct*

*January- December 2024*

## **About Central CT State University**

Central Connecticut State University is a public, non-for-profit, secular institution. Our student body consists of more than 10,000 students, of which 82% are undergraduates. Connecticut residents make up 95% of our students and 42% of the student body are from underrepresented populations. Most academic programs are offered in-person at the New Britain, Connecticut campus. Nearly 15% of undergraduate programs and 12% of graduate programs are offered in a hybrid modality. Online programs are limited to the graduate level with about 10% of programs offered via this modality.

Central is the largest university in the Connecticut State Colleges and Universities system. Founded in 1849, Central is also the state's oldest publicly funded university. The University welcomed its 13th president, Dr. Zulma R. Toro, in January of 2017. She is the university's first female president and its first Hispanic chief executive.

The university comprises five academic schools — the School of Business, the School of Engineering, Science, & Technology, the School of Education, the College of Health and Rehabilitation Sciences, and the Carol A. Ammon College of Liberal Arts and Social Sciences. As a comprehensive public university, we offer quality degree programs at the baccalaureate, graduate, and doctoral levels.

Central is a proud Community Engagement University designated by the Carnegie Foundation for the Advancement of Teaching. <https://www.ccsu.edu/about>

## **About the Office of Equity and Inclusion**

Central Connecticut State University's Office of Equity & Inclusion (OEI) aims to cultivate a campus environment that is equitable, inclusive, and respectful to enable students, faculty, and staff to realize their full potential.

OEI works with faculty, staff, and students to develop and maintain a community of inclusion. We act in a transparent manner guided by respect and professional standards. We also provide training and support on diversity, Title IX, and sexual harassment prevention. OEI is committed to tenets of due process, fairness,

quality service, and discretion.

The purpose of the OEI is to build an inclusive community where students, staff, and faculty can participate in a free and respectful exchange of ideas without fear. In establishing this community of understanding, safety, and inclusion, we are preparing students to serve in a diverse world.

Central Connecticut State University is committed to providing a safe and nondiscriminatory employment and educational environment that complies with policies relating to affirmative action, discrimination, and harassment. Sexual harassment, including sexual violence, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. The University does not discriminate based on race, sex, sexual identity, sexual orientation, religious beliefs, age, disability, national origin, marital status, or military/veteran status in its educational, extracurricular, athletic, or other programs or in the context of employment.

At the time of this report, the Office of Equity and Inclusion (OEI) was reimaged to the Office of Regulatory Affairs (ORA).

## **Introduction**

This report was created for the Connecticut General Assembly in accordance with Section 10a-55m(f) of the Connecticut Statutes. This report summarizes sexual misconduct disclosures and reports made to the University from January 1, 2024, through December 31, 2024. It also provides data about ongoing University prevention and risk reduction programs and campaigns, as well university policies relating to sexual misconduct and support resources offered to students and employees both on and off campus.

### **I. University Policies regarding Sexual assault, Stalking, and Intimate Partner Violence**

Copies of the following policies regarding Sexual assault, Stalking, and Intimate partner are posted online <https://www.ccsu.edu/university-counsel-regulatory-affairs/nondiscrimination-and-title-ix>

Policies & Procedures in effect prior to 8-1-2024

- Nondiscrimination in Education and Employment Policy (Appendix O)
- BOR Approved Title IX Policies (Appendix P)
- CSCU Title IX Grievance Procedures (Appendix Q)
- Sexual Misconduct Protocol (Appendix R)

Policies & Procedures in effect after 8-1-2024

- Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy (Appendix S)
- Interim Connecticut State Colleges & Universities Resolution Process Procedure for Title IX Sexual Harassment (Appendix T)
- Interim Connecticut State Colleges & Universities Resolution Process Procedure for BOR Policy 4-13 Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy (Appendix U)
- Procedure for Pregnancy-related Adjustments and Supports (Appendix V)

## **II. Notifications to the Community**

The University recognizes the importance of dialogue regarding the topic of sexual harassment/misconduct. One way to keep this topic present is to communicate often about the University's policies, support services, and resources. Throughout this reporting year, various methods were used to communicate sexual misconduct information to students and employees as well as provide data to the community. These methods include Campus emails such as:

Reimagining Central's Office of Equity and Inclusion January 8, 2024 (Appendix A)  
Update on Office of Equity and Inclusion- Welcome OIE investigator Mallory Gatison-Marsh February 6, 2024 (Appendix B)  
Office of Equity and Inclusion announces - New Initiative February 27, 2024 (Appendix C)  
Celebrating Women's History Month March 7, 2024 (Appendix D)  
Fostering an inclusive environment March 20, 2024 (Appendix E)  
Invitation to view/comment on Central's Affirmative Action Plan March 25, 2024 (Appendix F)  
Employee Assistance Program is available March 25, 2024 (Appendix G)  
Lavender Graduation time to RSVP April 22, 2024 (Appendix H)  
CSCU and Board of Regents Adopt New and Revised Civil Rights Policies August 2, 2024 (Appendix I)  
Making campus a welcoming space August 27, 2024 (Appendix J)  
A message from the Office of Equity & Inclusion re: Purple Thursday October 15, 2024 (Appendix K)  
Faculty and Staff Wellness Day! October 17, 2024 (Appendix L)  
Employee Assistance Program is available November 15, 2024 (Appendix M)

## **III. Compliance Training**

The BOR/CSCU requires that all employees receive Title IX (including sexual harassment prevention) training which includes knowledge of definitions, policies, laws, and scenarios. This on-going/annual mandate continues to enhance our campus' effectiveness in ensuring we are a campus free from workplace and educational discrimination.

### **Prevention, Awareness, and Risk Reduction Programs and Campaigns**

The Office of Victim Advocacy (OVA) is an on-campus resource for people who have been impacted by interpersonal violence, which can include (but is not limited to) sexual harassment, sexual assault, intimate partner violence, and stalking.

The Sexual Assault & Violence Prevention Specialist, Jamaal Wagner, an alumnus from Central with Master of Education, has been in the OVA role for over a year. In November 2024, Jamaal transitioned to the Civil Rights Investigator. Prevention, Awareness and Risk reduction programs and campaigns (Appendix N) are provided to

the campus community throughout the year and are not reflective of other programs that are conducted by the Women's Center, LGBTQ Center or other key stakeholders in Student Affairs.

OVA enrolls at least 3 student interns during each semester, a Graduate Assistant and has representation on the Sexual Assault Resource Team (SART). To align with best practices, in September 2025, OVA was reorganized under Student Affairs.

There are three pathways for our community to receive training to reach university wide compliance:

- Online Training via NeoGOV - Sexual Harassment Prevention; Responsible Employees-All CCSU Employees
- In-Person Training on Title IX and Sexual Harassment- all student athletes, coaches, student leaders, and as requested for other populations. Training included PowerPoint presentations, interactive role case studies and policy review.
- Online Training through Vector Solutions called Sexual Violence Prevention- All CCSU Students

## **Student Training and Education**

At the beginning of each academic year, Central launches an educational training program on sexual assault and relationship violence. The University continues to use the Sexual Violence Prevention Training for Students' (formerly Not Anymore) training with Vector Solutions as detailed on our website

<https://www.ccsu.edu/OEI/sexual-violence-prevention-training>. New students are required to complete the detailed on-line training module that covers definitions, bystander intervention, and campus-specific policies and resources. This course offers a thoughtful and educational curriculum that addresses the important life skills regarding sexual assault, sexual harassment, domestic violence, dating violence and stalking. Returning students were required to take a refresher course. The refresher module provides the education and tools needed to build and sustain healthy relationships, as well as ways to safely intervene as a bystander. These trainings along with other campus programming work together to build and maintain a healthy, safe campus community that supports the well-being of all. Additionally, all Graduate Students were also required to participate in a primary training through Vector Solutions called 'Sexual Violence Prevention Training for Graduate Students. OVA is responsible for sending reminders and instructions to students, in order to obtain university compliance. OVA works with large stakeholders such as Residence Life, New Student Programs and Athletics to encourage them to complete trainings online and/or in-person.

## **Employee Training and Education**

Central CT State University launched the required Responsible Employees module (Appendix W) on April 22, 2024, by way of NeoED/NeoGov Office of Equity & Inclusion re: Annual mandatory trainings (Appendix X). The 2024 Title IX Hearing Board members, Title IX Coordinator and Investigator completed the CSU mandated 8 hours of SCI SUNY training. They were compliance ready but did not have to participate in any cases this academic year. Additionally, both the Title IX Coordinator and Investigator attended webinars and conferences to stay updated with best practices and procedures.

## **In-Person Training**

The updated Title IX and sexual harassment training includes learning outcomes, interactive conversations, videos, and more emphasis on definitions, reporting, supportive measures, and the formal and informal process regarding Title IX situations. The training courses include an evaluation with QR code to provide feedback. The Residence Life Department requires that all Residence Assistants (RAs) attend a Title IX and Sexual Misconduct training. This training was facilitated by the Office of Equity and Inclusion staff, led by the Title IX Coordinator. Other groups that included in-person training were the Orientation Leaders and Graduate Interns/Assistants.

## **Campus Programs and Campaigns**

Programs connecting to the Office of Equity and Inclusion are produced by the Ruthe Boyea Women's Center, the LGBTQ Center and the Office of Victim Advocacy (OVA). Programs include Title IX education, community awareness, bystander interventions, risk reduction, education on topics related to history, politics, policy, and advocacy. Examples of unique programs produced by the Women's Center and LGBTQ include Together We Rise: A Closer Look at Victim Services and Potential Career Paths, Take Back the Night Speak Out and March, Social Services Career Fair, WHO RUNS THE WORLD-How I Paid off My Student Loan: Becoming Financially Free, Self- Defense Classes, Rainbow Breakfast and Lavender Graduation.



Signature events hosted by OVA include:

*Put the Nail In It Campaign* <https://www.safehorizon.org/put-the-nail-in-it/>

In the fall semester of 2022, OVA led the #PuttheNailinIt campaign and continued in 2024. It is a project dedicated to bringing awareness to prevalence of domestic violence victims. Created by the brand Safe Horizon. Its mission is to provide support, prevent violence and promote justice for victims of domestic violence. In this campaign, students would take a vow promising to take their part in ending domestic violence and not staying silent. There were five tabling events in the student center throughout the Fall of 2022 in which the CCSU community members signed a pledge and/or painted one of their fingernails purple, to show their support for victims of domestic violence. Additionally, the local YWCA and Prudence Crandall Center tabled alongside the OVA to show students our collaborative effort with the community and have the community see individuals who work at these organizations face to face.

*The Clothesline Project* <https://theclotheslineproject.org/>

OVA organized and implemented the Clothesline Project in the Spring of 2023 and continued the tradition in 2024. The Clothesline Project is a visual display that bears witness to the violence against women. During the public display, a clothesline is hung with shirts. Each shirt is decorated to represent a particular woman's experience, by the survivor herself or by someone who cares about her. This project is done to help with the healing process for people who have lost a loved one or are survivors of this violence; to educate, document and raise society's awareness of the extent of the problem of violence against women; and to provide a nationwide network of support, encouragement and information for other communities starting their own Clothesline Project. The OVA worked with teams, classes and the CCSU community at large to decorate shirts which were later displayed at a full day event in Willard- DiLoreto Hall.

*Denim Day* <https://denimday.org/>

Denim Day activities were facilitated by OVA in the Spring of 2023 and continued the tradition in 2024. This campaign began after a ruling by the Italian Supreme Court where a rape conviction was overturned because the justices felt that since the victim was wearing tight jeans, she must have helped the person who raped her remove her jeans, thereby implying consent. The following day, the women in the Italian Parliament came to work wearing jeans in solidarity with the victim. Denim Day is now recognized worldwide and the OVA organized for

the CCSU community to participate and wear jeans to stand in solidarity with rape victims. Additionally, there were 5 tabling events held throughout the Spring semester to raise awareness regarding this campaign.

## **Sexual Assault Resource Team (SART)**

The Title IX Coordinator serves as the chair for SART. SART is designed to provide a collaborative, victim-centered, team response to sexual misconduct. The mission of SART is to provide services that ensure a transition from victim to survivor for every individual whose life is directly impacted by sexual misconduct. SART members can provide or connect a survivor with many supportive options including counseling, medical attention, judicial services, advocacy, law enforcement, referrals, and general information regarding sexual violence. The team includes a coordinator and stakeholders from throughout the campus and community areas. We have two active MOU's with off campus resources, Prudence Crandall and YWCA.

## **Incidents of Sexual assault, stalking and intimate partner violence reported**

As mandated reporters, individuals have a duty to report to the Title IX Coordinator all details regarding incidents of sexual misconduct that are reported or disclosed to them. This mandate is to assure that the University provides all survivors with support by providing reporting options, access to advocacy and support services/resources, and access to appropriate academic, transportation, work, and housing accommodations. Recognizing the importance of survivors having the option to discuss these concerns confidentially, Central provides information to all students identifying confidential reporting options.

During the 2024 calendar year, the Title IX Coordinator and/or OVA received 168 disclosures of sexual misconduct matters (sexual harassment, sexual assault, intimate partner violence, or stalking) compared to 130 disclosures from 2023. These include disclosures of incidents regardless of whether they would represent a violation of University policy, whether they occurred on or off campus, whether they happened in the current year or prior to the student attending Central and regardless of year of the incident (i.e. incidents from childhood, high school), whether the incident involved a nonstudent. In many of these matters a student is connected with resources/services support to assist them. Additionally, many sexual misconduct disclosures

involved no student respondents or identity of the respondent was not provided.

<i>Category of Sexual Misconduct</i>	<i>Disclosures</i>	<i>Confidential Disclosures</i>
<i>Sexual Assault</i>	51	0
<i>Stalking</i>	2	0
<i>Intimate Partner Violence (IPV)</i>	17	0
<i>Total</i>	<i>70</i>	<i>0</i>

- **Report** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the institution investigate the allegation of sexual harassment. At the time of the filing of the formal complaint, the complainant must be participating in or attempting to participate in an education program or activity of 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.

The total reported incidence in the table above includes all matters reported to OEI regardless of location (on or off campus) but not reflective of the sexual harassment cases which totaled 98 cases and 10 cases where we provided pregnant students support and information.

A report is a disclosure with an immediate request for an investigation and adjudication. Like disclosures, reports are always accompanied by referrals for services/support including request for accommodations. In 2024, all 8 reports resulted in Informal Resolutions and/or No Contact Orders, as requested by the complainant, agreed upon by the respondent, and consistent with the policy.

### **Student Code of Conduct Cases**

When the Office of Equity and Inclusion/Title IX does not have jurisdiction for cases they are referred to the Office of Student Rights and Responsibilities (OSRR). The 2024 CSCU Student Code of Conduct outlines the policies, procedures, and sanctioning process for student respondents and cases. Sanctions resulting from findings of responsibility vary based on the nature of the incident and may result in sanctions up to and including suspension and expulsion from the university. During the 2024 calendar year there were 4 reports referred to OSRR (2 intimate partner violence and 2 violations of privacy) reports in which the cases were investigated. All 4 cases had live hearings and all 4 were found responsible. One of the intimate partner cases

had an appeal and the outcome was a reduced suspension period. Both violations of privacy had appeals. The outcomes of those cases resulted in one no change in decision and the other resulting in a reduced sanction from suspension to residence hall removal.

<i>Category of Sexual Misconduct</i>	<i>Number of Cases</i>	<i>Cases Outcomes</i>
<i>Sexual Assault</i>	0	0
<i>Stalking</i>	0	0
<i>Intimate Partner Violence (IPV)</i>	2	2 Responsible
<i>Total</i>	2	0

When a report is submitted, the Title IX Coordinator, or designee sends the victim a Notification of Incident email which includes an introduction to the Title IX process, OVA, list of their rights, and resources on an off campus. The University provides support for the victim/complainant by offering interim measures or accommodations. These steps are taken by the University to provide safety and well- being for the complainant and/or the community as a whole. These include actions such as no- contact orders (NCO) between parties, bans from a university building/area or the campus as a whole, changes to academic/work schedules and housing/work arrangements, as well as interim suspensions/administrative leaves. Interim measures are considered and offered when information is brought to the Title IX Coordinator, whether or not a complainant wishes to move forward with a formal complaint. As the nature of each situation is different, interim measures are reviewed on a case- by-case basis.

Central recognizes that those who experience sexual misconduct often experience trauma and significant disruption to their lives. The University also acknowledges that although reporting incidents of sexual misconduct may be empowering and healing for some, many may choose not to request investigation, action, or be ready to discuss the incident in detail. The process can take days, months, even years before a victim is ready.

Each case of sexual misconduct is different, and the actions taken vary from case to case depending on multiple factors. Central's process for responding to a report may include:

- the provision of confidential support and resources
- the issuance of interim measures
- determining jurisdiction and authority
- an informal resolution
- an investigation and findings
- sanctions/disciplinary action
- an appeal of the investigation findings and sanctions

In considering the most appropriate action to be taken, two of the most important factors include the information that is available and the complainant's willingness to be involved in the process. For example, if

a student comes forward and discloses that they have been sexually assaulted but either does not wish to identify the respondent or cannot identify the respondent, we will follow-up to try to obtain information; however, generally it is not possible to investigate. In these cases, the Title IX Coordinator and/or OVA would ensure that resources and support have been offered to the complainant, including interim accommodations, and ensure that the complainant understands they may bring this information forward when they are ready.

The decision to conduct a formal investigation is determined either by the complainant or by the University if the information that is available can be acted on and is deemed a potential threat to the university community. In situations in which the complainant or the University moves to a formal investigation/finding, the process utilized depends on whether the respondent is a member of the community where the university has jurisdiction.

#### *Anonymous and Confidential Reports or Disclosures*

In addition to reporting/disclosing incidents of sexual misconduct directly or through third parties, community members also can anonymously or confidentially disclose or report an incident of sexual misconduct.

#### **Student Code of Conduct Cases**

When the Office of Equity and Inclusion/Title IX does not have jurisdiction for cases they are referred to the Office of Student Rights and Responsibilities (OSRR). The 2024 CSCU Student Code of Conduct outlines the policies, procedures, and sanctioning process for student respondents and cases. Sanctions resulting from findings of responsibility vary based on the nature of the incident and may result in sanctions up to and including suspension and expulsion from the university. During the 2024 calendar year there were 4 reports referred to OSRR (2 intimate partner violence and 2 violations of privacy) reports in which the cases were investigated. All 4 cases had live hearings and all 4 were found responsible. One of the intimate partner cases had an appeal and the outcome was a reduced suspension period. Both violations of privacy had appeals. The outcomes of those cases resulted in one no change in decision and the other resulting in a reduced sanction from suspension to residence hall removal.

## **Sexual Misconduct Climate Survey**

<https://www.ccsu.edu/sites/default/files/2024-08/SexualMisconductSurvey-Spring2024-Report.pdf>

In accordance with Connecticut State Statute HB 6374, An Act Concerning Sexual Misconduct on College Campuses, Central Connecticut State University conducted a Sexual Misconduct Climate Survey of enrolled students during the Spring 2024 semester. At the recommendation of the university's Institutional Review Board (IRB), the survey was sent only to students 18 years of age and older. The survey administered was the ARC3, which was deemed by the CT Council on Sexual Misconduct Climate Assessments to meet the requirements of this statute. Prior to the launch of the survey, the university emailed all enrolled students (18 and older) on February 23, 2024 to inform them of the survey. The survey was made available to students on March 5, 2024 and was open for students to complete until it closed on April 4, 2024. During that period, six email reminders were sent to students requesting their participation in completing the survey; in addition, content was displayed on TV monitors throughout campus reminding students to complete the survey and the university offered a gift card incentive for completion. The university attained a 16% response rate for this survey.

## **Conclusion**

Central CT State University hopes that the information contained in this report is helpful to the community. While the report is not inclusive of all the aspects of this important topic, it provides a foundation for the work being conducted for prevention and safety. As part of our ongoing efforts to continually enhance safety on campus, Central offers a mobile safety app--LiveSafe--that enables you to report tips to Central Police, use friends as "virtual escorts" in real time, place emergency calls, and access safety features

<https://www.ccsu.edu/police/livesafe-app>.

Central will continue to address concerns/reports, stay updated on best practices, and ensure university compliance.



## APPENDIX

- A. Reimagining Central's Office of Equity and Inclusion January 8, 2024
- B. Update on Office of Equity and Inclusion- Welcome OIE investigator Mallory Gatison-Marsh February 6, 2024
- C. Office of Equity and Inclusion announces - New Initiative February 27, 2024
- D. Celebrating Women's History Month March 7, 2024
- E. Fostering an inclusive environment March 20, 2024
- F. Invitation to view/comment on Central's Affirmative Action Plan March 25, 2024
- G. Employee Assistance Program is available March 25, 2024
- H. Lavender Graduation time to RSVP April 22, 2024
- I. CSUCU and Board of Regents Adopt New and Revised Civil Rights Policies August 2, 2024
- J. Making campus a welcoming space August 27, 2024
- K. A message from the Office of Equity & Inclusion re: Purple Thursday October 15, 2024
- L. Faculty and Staff Wellness Day! October 17, 2024
- M. Employee Assistance Program is available November 15, 2024
- N. Prevention, Awareness and Risk reduction programs and campaigns
- O. Nondiscrimination in Education and Employment Policy
- P. BOR Approved Title IX Policies
- Q. CSUCU Title IX Grievance Procedures
- R. Sexual Misconduct Protocol
- S. Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- T. Interim Connecticut State Colleges & Universities Resolution Process Procedure for Title IX Sexual Harassment
- U. Interim Connecticut State Colleges & Universities Resolution Process Procedure for BOR Policy 4-13 Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- V. Procedure for Pregnancy-related Adjustments and Supports
- W. Responsible Employees module on April 22, 2024
- X. Office of Equity & Inclusion re: Annual mandatory trainings



**From:** [Office of the President](#)  
**To:** [Academic Departments](#); [Administrative Departments](#)  
**Subject:** Reimagining Central's Office of Equity and Inclusion  
**Date:** Monday, January 8, 2024 5:14:40 PM  
**Attachments:** [image002.png](#)

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Dear Central Family,

I hope you had a relaxing and enjoyable break! Today I am announcing a reconfiguration of Central's Office of Equity and Inclusion (OEI). Considering our recent conversations and feedback from various constituent groups about enhancing the campus experience, we have a unique opportunity to reassess the structure and focus of this office.

Upon reflection and based on all the input received, I have decided to expand OEI's mission to include, not only cultivating a campus environment that is equitable, inclusive, and respectful, but also serving as the facilitator of our understanding and appreciation of different faiths, cultures, individual differences, and opinions.

My hope is that by building up this resource, it will enable students, faculty, and staff to better realize their full potential, allowing us to learn how to live and exist together as part of the Central family.

As we look to solidify the new structure and expanded mission of this office along with the leadership within, I am pleased to inform you that Dr. Michael Russo has graciously agreed to be the Interim Vice President of Equity and Well-being and Director of Counseling and Student Development. He has expressed his understanding of the importance of this work as well as his commitment to providing a safe and inclusive environment for all to learn and thrive. Please, join me in welcoming Dr. Russo into his new role.

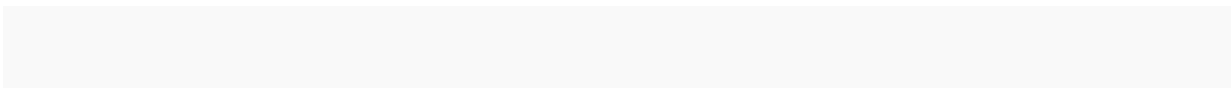
I am also re-committing to the implementation of the Presidential Task Force on Sexual Misconduct, Bullying and Campus Climate recommendation that a two-investigator model for complaints be utilized by OEI. The Equity and Inclusion investigator is a crucial role in this work. Having two independent investigators ensures a fair and unbiased process. The Sexual Assault and Violence Prevention Specialist will also continue to be part of this office.

In addition, there will be a Director of Inclusion who will oversee the non-academic centers, Women's Center, and the LGBTQ Center. This director will also oversee multicultural engagement, student, faculty and Staff Training and Campus Culture Outreach. A search for this position will take place this summer. In the meantime, we will have internal personnel assist in this capacity.

Together aided by the Equity and Inclusion Associates who oversee affirmative action these new changes will help move Central forward and ensure an institution where every individual is empowered to achieve their full potential. I am also pleased to let you know I have been reimagining the Presidential Commission on Diversity Equity and Inclusion. The Commission has been restructured to include many groups and voices within the university community. More people will have a seat at the table.

I look forward to seeing the benefits of these changes.  
Sincerely,  
Zulma R. Toro  
President

Created in  publicate



**From:** [Office of the President](#)  
**To:** [Academic Departments](#); [Administrative Departments](#); [Students-AllActivelyEnrolled](#)  
**Subject:** Update on Office of Equity and Inclusion  
**Date:** Tuesday, February 6, 2024 5:21:36 PM  
**Attachments:** [image002.png](#)

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Dear Central Family,

We hope you are well. As you know, we have reimagined the Office of Equity and Inclusion (OEI), and I have additional updates about our OEI team and their expanded mission.

In our recent conversations about enhancing the campus experience, we have taken this unique opportunity to reassess the structure and focus of this office. OEI's mission will now include, not only cultivating a campus environment that is equitable, inclusive, and respectful, but one that expands the focus of the office beyond race, ethnicity, national origin, and gender, to also include faith, gender expression, sexual orientation, disability, and socio-economic status.

I would like to take this opportunity to express my appreciation to Dr. Craig Wright for his two years at the helm. We thank him for his service to Central Connecticut State University and our greater community. Many of you know, Dr. Michael Russo has graciously been serving as the Interim Vice President of Equity and Wellbeing, as well as continue with his role as Director of Counseling and Student Development.

OEI has also created a new position of Director of Inclusion. Dr. Beth Merenstein has agreed to serve as the interim in this role until a search is underway. Our intent is to have a permanent director in place by early Fall 2024. This role will oversee the Women's Center, and the LGBTQ Center as well help oversee multicultural engagement, student, faculty and staff training, and campus culture outreach. In addition, we have hired one of our own alumni, Mia Dorantes for a UA position to assist Dr. Merenstein.

We would also like to thank Dustin Rader for his wonderful contributions at the LGBTQ Center. We have made progress on the search for the Director of the Center. Until the candidate is on board, we have established a consistent schedule for two members of the Central team to assist, thus allowing the center to be open full time 35 hours a week and provide our students with the necessary supports.

Lastly, our search for a second Equity and Inclusion investigator is concluded and we welcome Mallory Gatison-Marsh to Central. We look forward to seeing all of these changes in action and welcome your feedback as Central moves forward.

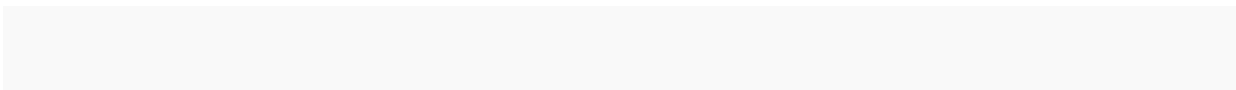
Sincerely,

Zulma R. Toro

President

Michael Russo

VP Equity and Wellbeing



**From:** [Campus Announcements](#)  
**To:** [Academic Departments](#); [Administrative Departments](#); [Students-AllActivelyEnrolled](#)  
**Subject:** Office of Equity and Inclusion announces - New Initiative  
**Date:** Tuesday, February 27, 2024 1:08:38 PM

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Dear Campus Community,

The Office of Equity and Inclusion is excited to announce the launch of a new initiative designed to foster meaningful dialogue on issues pertaining to equity and inclusion on our campus. As we strive to cultivate an environment that celebrates the rich diversity of backgrounds and perspectives of our Central family, it is imperative that we engage in open, respectful, and compassionate conversations.

This initiative seeks to create an opportunity for us to come together to share our views, experiences, and ideas for helping our campus to become more equitable and inclusive for all. Through a series of informative workshops, facilitated panel discussions, informal discussion groups, and listening sessions, we hope to begin a dialogue designed to increase understanding and respect for differences.

A commitment to equity and inclusion is central to the University's mission and essential to cultivate a sense of belonging for students, faculty, and staff. We encourage each of you to participate in as many programs as you can, listen with an open mind, and contribute in a positive way. Together, we can make a collective difference on our campus to cultivate a culture that values differences, welcomes respectful discourse, and appreciates understanding.

In the coming weeks, please look for announcements about the events happening this semester.

Sincerely,

Michael Russo, Psy. D.  
Interim Vice President for Equity and Inclusion  
Director of Counseling and Student Development

Beth Merenstein, Ph.D.  
Interim Associate Vice President for Community Engagement and Experiential Learning  
Interim Director of Inclusion

[Office of Equity and Inclusion](#)





**From:** [Campus Announcements](#)  
**To:** [Administrative Departments](#); [Academic Departments](#); [Students-AllActivelyEnrolled](#)  
**Subject:** Celebrating Women's History Month  
**Date:** Thursday, March 7, 2024 11:27:52 AM

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Please join us in celebrating Women's History Month. The month of March is where we can pause and reflect on the many powerful women who have paved the way toward making this country what it is today. In 1987, Congress passed Public Law 100-9, which designated March as Women's History Month.

Every year the National Women's History Alliance declares a theme for Women's History Month, and this year the theme is "[Women Who Advocate for Equity, Diversity and Inclusion.](#)" This theme is meant to recognize women who are dedicated to achieving equality and justice for all. At this time, we encourage you to look at past and present women who have worked tirelessly towards the fight for justice at <https://nationalwomenshistoryalliance.org/>.

Our university is committed to developing women in education and leadership and we have many wonderful groups on campus who plan events for our community this month and all year long, including the Women's Center, Women, Gender, and Sexuality Studies program, and the Committee on the Concerns of Women.

Sincerely,

Dr. Beth Frankel Merenstein,  
Executive Director of the Center for Community Engagement and Social Research  
Interim Associate Vice President for Community Engagement and Experiential Learning

Dr. Michael Russo,  
Director of Counseling & Student Development  
Interim Vice President of Equity and Wellbeing

**From:** [Campus Announcements](#)  
**To:** [Academic Departments](#); [Administrative Departments](#); [Students-AllActivelyEnrolled](#)  
**Subject:** Fostering an inclusive environment  
**Date:** Wednesday, March 20, 2024 11:08:47 AM

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Dear Students, Faculty and Staff,

In light of recent decisions by the University of Florida to eliminate diversity, equity, and inclusion (DEI) staff and programs, it's crucial that we reaffirm the significance of DEI initiatives within our campus community. DEI programming at Central is not just about meeting standards; it's about fostering an inclusive environment where every member feels valued, respected, and empowered to thrive. By embracing diversity, we enrich our campus culture, broaden our understanding, promote wellbeing, and prepare our students to navigate a complex and interconnected world.

At Central, DEI initiatives are essential, not expendable. Unlike some other states, Connecticut values and supports these initiatives. They create platforms for identifying and confronting injustices, increasing awareness regarding biases, and creating opportunities for meaningful dialogue. We are a work in progress, but by prioritizing DEI programming we demonstrate our commitment to equity and lay the foundation for a more inclusive campus community.

It is important that we advocate for the preservation and expansion of DEI initiatives in order to promote equity in all aspects of campus life and build a more equitable and inclusive future for all students, faculty, and staff. As mentioned in a prior communications, Central's Office of Equity and Inclusion is expanding its scope and is launching a series of workshops, listening sessions, discussion groups, and panel discussions to address DEI related issues. Please look for additional information throughout as the semester progresses.

Sincerely,

Michael Russo, Psy.D.  
Interim Vice President of Equity and Wellbeing

Beth Frankel Merenstein, Ph.D.  
Interim Director of Inclusion

[Office of Equity and Inclusion](#)



Central to a Legacy of Excellence



Created in  publicate

**From:** [Campus Announcements](#)  
**To:** [Administrative Departments](#); [Academic Departments](#)  
**Subject:** Invitation to view/comment on Central's Affirmative Action Plan  
**Date:** Monday, March 25, 2024 11:08:17 AM

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Dear Colleagues,

The Office of Equity and Inclusion (OEI) invites all employees to read and review Central's Affirmative Action Plan. OEI is the office designated with the responsibility and authority to administer and monitor our affirmative action program. Copies are available on-line at [Affirmative Action Plan](#) or in the Office of Equity & Inclusion located in Davidson Hall, Room 119.

The Office of Equity & Inclusion welcomes any comments and/or suggestions you might have regarding the Affirmative Action Plan and how we might enhance our efforts to achieve our Affirmative Action goals. Employees must submit their comments no later than June 21, 2024, so that the comments can be incorporated into the University's submission of its 2024 Affirmative Action Plan.

For information relating to the University's policy on affirmative action, please visit the department's web page at the [Office of Equity and Inclusion](#). The web page contains many resources including the following:

[Affirmative Action/Equal Opportunity Policy Statement](#)

[Nondiscrimination in Education and Employment Policy](#)

[BOR Approved Title IX Policies](#)

[ADA Policy](#)

[CSCU Title IX Grievance Procedures](#)

In addition, a signed copy of the Affirmative Action/Equal Employment Opportunity Policy Statement is on file in the Office of Equity & Inclusion. Should you have any questions, please feel free to contact the office at 860-832-1652.

Sincerely,

Dr. Michael Russo  
Interim Vice President for Equity and Well-Being  
Director of Counseling and Student Development  
Central Connecticut State University



**From:** [Campus Announcements](#)  
**To:** [Academic Departments](#); [Administrative Departments](#)  
**Subject:** Employee Assistance Program is available  
**Date:** Monday, March 25, 2024 4:46:19 PM  
**Attachments:** [image002.png](#)

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Dear faculty and staff,

As we approach the end of the Spring semester, we wanted to remind everyone of the availability of our Employee Assistance Program, an important, and free resource available to all employees and their family members. This is a confidential service for any personal and/or work-related problems that could potentially impact job performance, health, mental and emotional well-being.

[The Lexington Group, Inc.](#) EAP counselors are available 24/7 for employees and their family members for prompt, confidential assistance with stress, emotional difficulties, marital and family issues, alcohol, and drug problems, or financial or legal concerns that may be affecting work performance. Use of the EAP is voluntary, and confidentiality is assured. Six (6) sessions of short-term counseling are provided free-of-charge.

When you call The Lexington Group, a licensed mental health professional will listen to your problem, ask a few questions, and you will be referred to an EAP counselor at a location convenient to you. You then make an appointment to meet with the EAP counselor at a convenient time.

After discussing the nature of your problem, the EAP counselor will recommend a course of action. If referral to an outside provider is recommended, your EAP counselor will direct you to the most appropriate resource available while taking into consideration your health care plan. The decision to accept the recommendation for counseling or treatment is entirely up to you. Most employee needs are met by the EAP and do not require referral.

We urge you to take advantage of this benefit. Please feel free to call the **EAP 24 hours a day at 1-800-676-HELP (4357)** to arrange for a confidential session with an EAP counselor.

Please visit the Lexington Group's website at <https://the-lexington-group.com/> for help, resources, and archived newsletters on topics of Addiction, Emotional Stress, Finance and Legal, Health and Fitness, Job Stress, Marriage and Family.

Sincerely,

Christopher T. Wethje  
Chief Human Resources Officer



Created in  publicate

**From:** [Campus Announcements](#)  
**To:** [Students-AllActivelyEnrolled](#); [Academic Departments](#); [Administrative Departments](#)  
**Subject:** Lavender Graduation time to RSVP  
**Date:** Monday, April 22, 2024 12:34:20 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Dear Central family,

The end of the academic year is almost here and that means it's almost time for Lavender Graduation! Lavender Graduation is an annual ceremony conducted at Central and other colleges around the country to recognize and celebrate the accomplishments and contributions of LGBTQ+ students and their allies.

This year, Lavender Graduation will be held on **Friday, May 3, from 10 a.m. to noon in Alumni Hall** (Bellin Gallery). Graduating students will be called up and presented with a certificate and a cord to wear to the university commencement ceremony on May 11.

A reception will follow. If you are a member of the LGBTQ+ community or are an ally to the community, please click the RSVP button below.

Please feel free to reach out with any questions at [LGBTQ@ccsu.edu](mailto:LGBTQ@ccsu.edu).

[RSVP here](#)



The LGBTQ Center Presents

# *Lavender Graduation*

Recognizing and celebrating  
LGBTQ+ and allied graduates

May 3, 2024

10:00am

Alumni Hall

Bellin A/B





**CENTRAL**  
CONNECTICUT  
STATE UNIVERSITY

**175**  
YEARS

Created in  publicate

**From:** [CSCU-Announcement](#)  
**To:** [BOR - General Announcements DL](#)  
**Subject:** CSCU and Board of Regents Adopt New and Revised Civil Rights Policies  
**Date:** Friday, August 2, 2024 10:10:10 AM

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CSCU



## CSCU and Board of Regents Adopt New and Revised Civil Rights Policies

Dear CSCU Community,

Earlier this week, the Connecticut Board of Regents for Higher Education voted to adopt an interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy, an updated Affirmative Action Policy Statement, and the interim Student Code of Conduct policy.

The new and revised policies come on the heels of the U.S. Department of Education promulgating new Title IX regulations that took effect August 1.

The interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy:

- Revises CSCU's procedures related to Title IX to comply with the new regulations.
- Closes gaps in our existing policies related to non-discrimination and harassment.

Makes critical updates that clarify and streamline the sexual misconduct, non-discrimination, and harassment policies and procedures into one comprehensive policy that governs all members of CSCU's workplace and campus communities under the same rules.

Additionally, the Board passed revisions to the Student Code of Conduct and designated the policy as "Interim" given that additional revisions and input from campus administrators, faculty, and student leaders are necessary to finalize the Student Code of Conduct.

Thank you to Lori Lamb, Interim Assistant Vice Chancellor of Human Resources and Labor Relations, Kim Pacelli, the Interim System Office Title IX Coordinator, the CSCU Student Code of Conduct Task Force chaired by Jules Tetrault, Ed.D., Associate Vice President for Student Affairs and Dean of Students at Southern Connecticut State University, and to the Board's Academic & Student Affairs and Human Resources and Administration Committees, for their tireless efforts in putting these policies together. We also appreciate the legal counsel of Vita Litvin, Interim General Counsel, and Shannon Walsh, Associate General Counsel, whose legal advice and expertise were instrumental in the drafting and formulation of the revisions to these policies.

In the coming year, all employees will receive required annual training on the scope of Title IX, including prohibited behaviors, reporting responsibilities, and other applicable regulatory changes. We will continue to offer students annual education on Title IX, reporting options, and resources.

We are continuing to monitor legal developments associated with Title IX to ensure CSCU stays compliant with the current laws.

These new policies will build on our efforts to ensure that CSCU's colleges and universities continue to be learning environments that are safe, inclusive, and welcoming to all.

CSCU is steadfast in its commitment to making sure our institutions continue to be drivers of social mobility, opportunity, and life-long success for our students.

[Link to Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy](#)

[Link to Interim Student Code of Conduct](#)



**From:** [Campus Announcements](#)  
**To:** [Students-AllActivelyEnrolled](#); [Academic Departments](#); [Administrative Departments](#)  
**Subject:** Making campus a welcoming space  
**Date:** Tuesday, August 27, 2024 12:30:43 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Dear Blue Devils,

Welcome back to campus as we embark on this new academic year! We are fortunate to be enriched by a diverse and vibrant campus community at Central- a campus that strives to foster a sense of belonging for all of us.

Given the range of important national and global issues before us, this year will provide many opportunities for constructive dialogue and sharing of differing thoughts and opinions. As we do so, it is essential that we stand united in the University's shared values of respect, empathy, and tolerance for views that may differ from our own.

The [Office of Equity and Inclusion](#) remains committed to fostering an environment where our differences promote learning through dialogue and acceptance of differing perspectives. We will continue to provide resources, programs, and supports designed to help each of us navigate these challenging discussions with curiosity and integrity.

Together, let's ensure that our campus remains a place where diversity is celebrated, differences are respected, and everyone feels empowered to contribute to these conversations in meaningful and productive ways.

Thank you for your commitment to making our campus a welcoming space for all.

Sincerely,

Michael Russo, Psy.D.  
Interim Vice President of Equity and Wellbeing  
Director of Counseling and Student Development



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CONNECTICUT  
STATE UNIVERSITY

**175**  
YEARS

Created in  publicate

**From:** [Campus Announcements](#)  
**To:** [Students-AllActivelyEnrolled](#); [Administrative Departments](#); [Academic Departments](#)  
**Subject:** A message from the Office of Equity & Inclusion re: Purple Thursday  
**Date:** Tuesday, October 15, 2024 1:27:19 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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#### **October is Domestic Violence Awareness Month**

We dedicate the month of October to raising awareness about domestic violence. Every October, organizations and individuals unite across the country for a national effort to uplift the needs, voices, and experiences of survivors.

During National Domestic Violence Awareness and Prevention Month, we recommit to extending support and resources to all survivors, while continuing to hold offenders accountable and ensuring that our Central Community is safe for all.

Please join the Central community for **Purple Thursday (October 17, 2024)**. Purple Thursday is observed on the third Thursday of October. **On this day people wear purple to show their support for survivors of domestic violence.** This simple act of wearing purple helps raise awareness and lets survivors know they are not alone.

Sincerely,  
Office Of Victim Advocacy  
Jamaal Wagner  
LGBTQ Center  
Donique McIntosh  
Women's Center  
Jacqueline Cobbina-Boivin

Office of Equity and Inclusion





**CENTRAL'S**

**PURPLE  
OUT**



**WEAR PURPLE FOR  
DOMESTIC VIOLENCE AWARENESS**

**OCTOBER 17TH**

The Office Of Victim Advocacy  
Willard D305



**From:** [Campus Announcements](#)  
**To:** [Academic Departments](#); [Administrative Departments](#)  
**Subject:** Faculty and Staff Wellness Day!  
**Date:** Thursday, October 17, 2024 3:41:58 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)


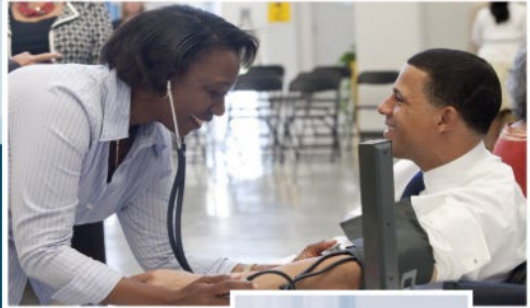

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# Faculty and Staff Wellness Day

**Thursday, October 24, 2024**  
**10:00 am — 2:00 pm**


**Central Community Health Education Clinic**



The Office of Equity and Inclusion in collaboration with the Committee on the Concerns of Women invites all Faculty and Staff to the 2024 Wellness Day at the Health Education Clinic located on the Paul Manafort side of Copernicus. The day will feature health screenings, healthy food sampling, chair massages (by appointment), therapy dogs, activities, and giveaways while supplies last.

**10 Min Chair Massages—Click below:**

[\*\*Book Chair Massage\*\*](#)



[Book Chair Massage](#)



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**175**  
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**From:** [Human Resources Updates](#)  
**To:** [Administrative Departments](#); [Academic Departments](#)  
**Subject:** Employee Assistance Program is available  
**Date:** Friday, November 15, 2024 8:35:43 AM  
**Attachments:** [image001.png](#)

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As we approach the holidays and the end of the Fall semester, we wanted to remind everyone of the availability of our Employee Assistance Program, an important, and free resource available to all employees and their family members. This is a confidential service for any personal and/or work-related problems that could potentially impact job performance, health, mental and emotional well-being.

[The Lexington Group, Inc.](#) EAP counselors are available 24/7 for employees and their family members for prompt, confidential assistance with stress, emotional difficulties, marital and family issues, alcohol, and drug problems, or financial or legal concerns that may be affecting work performance. Use of the EAP is voluntary, and confidentiality is assured. Six (6) sessions of short-term counseling are provided free-of-charge.

When you call The Lexington Group, a licensed mental health professional will listen to your problem, ask a few questions, and you will be referred to an EAP counselor at a location convenient to you. You then make an appointment to meet with the EAP counselor at a convenient time. After discussing the nature of your problem, the EAP counselor will recommend a course of action. If referral to an outside provider is recommended, your EAP counselor will direct you to the most appropriate resource available while taking into consideration your health care plan. The decision to accept the recommendation for counseling or treatment is entirely up to you. Most employee needs are met by the EAP and do not require referral.

We urge you to take advantage of this benefit. Please feel free to call the **EAP 24 hours a day at 1-800-676-HELP (4357)** to arrange for a confidential session with an EAP counselor. Please visit the Lexington Group's website at <https://the-lexington-group.com/> for help, resources, and archived newsletters on topics of Addiction, Emotional Stress, Finance and Legal, Health and Fitness, Job Stress, Marriage and Family.

2024-2025

Department	Date	Name of Program	Location	Presenter
Res Life	1/8/2024	RA Training/new staff	Res Life	Jill Bassett Cameron
Student Center	1/8/2024	Training for spring	Student Center	Jill Bassett Cameron
Res Life	1/9/2024	RA training/ refresher for all	Memorial	Jill Bassett Cameron
OVA	1/18/2024	Counselor Advocate training	WD 307	Jamaal Wagner/SACS
Res Life	1/26/2024	In Service Training	Res Life	Jill Bassett Cameron
OVA	2/1/2024 (2pm)	TIIX for mandated reporters	Willard 105	Jill Bassett Cameron
Soccer	2/9/2024 (2pm)	TIIX for student ath	D119	Jill Bassett Cameron
GA's	2/9/2024 (9am)	TIIX for mandated reporters	Willard 105	Jill Bassett Cameron
GA's	2/9/2024 (1pm)	TIIX for mandated reporters	Willard 105	Jill Bassett Cameron
GA's	2/9/2024 (3pm)	TIIX for mandated reporters	Willard 105	Jill Bassett Cameron
CIE	2/9/24 (11:30am)	TIIX education for study aboard	Student Center	Jill Bassett Cameron
World Langs	2/15/2024	Kakehashi Program Orientation	Online	Jill Bassett Cameron
Athletics	3/1/2024	TIIX for student ath	WD 307	Jamaal Wagner
GA's	3/1/2024 (9am)	TIIX for mandated reporters	Willard 105	Mallory Gatison Marsh

GA's	3/1/2024 (1pm)	TIX for mandated reporters	Willard 105	Mallory Gatison Marsh
GA's	3/4/2024 (9:30am)	TIX for mandated reporters	Willard 105	Mallory Gatison Marsh
GA's	3/5/2024 (2:30pm)	TIX for mandated reporters	Willard 105	Mallory Gatison Marsh
Insitu Research	3/14/2024	Vicarious Trauma	Davidson 125	Jill Bassett Cameron
Admissions	3/23/2024	Undergrad Open House	Huang Center	Jamaal Wagner
Admissions	4/13/2024	Undergrad Open House	Huang Center	Jamaal Wagner
Student Athlete Success Series	4/15/2024	Freshman/ Transfer athletes	Elihu Burritt	Jamaal Wagner
Athletics	4/16/2024	TIX for mandated reporters	Kaiser	Mallory Gatison Marsh
athletics	4/18/2024	Student athletic success series	WD 307	Jamaal Wagner
Res Life	4/19/24 (all day)	Spring Fest	Outside Res Life	Jamaal Wagner
OVA	4/22/2024	PE 144	Elihu Burritt	Jamaal Wagner
OVA	4/23/2024	Clothesline Project	Willard	Jamaal Wagner
OVA	4/23/2024	Denim Day	all campus	Jamaal Wagner
OEI	4/23/2024	Vicarious Trauma	Off Campus	Jill Bassett Cameron
OVA	4/26/2024	Student Athlete Success Series	Willard 307	Jamaal Wagner
Admissions	4/27/2024	Student admit day	Huang Center	Jamaal Wagner

Res Life	5/3/2024	TIIX for mandated reporters	Res life conference Room	Jill Bassett Cameron
OLs	6/6/2024	TIIX for mandated reporters & Bystander awareness	Davidson Founders Hall	Jill, Jamaal and Mallory
TRIO	6/21/2024	TIIX for mandated reporters & Bystander awareness	Barnard Hall	Jill Bassett Cameron
TRIO	6/26/2024	OVA	Bassett Hall	Jamaal Wagner
Student Center staff	8/14/2024	TIIX for mandated reporters	Student Center	Jill Bassett Cameron
Res Life new RAs	8/14/2024	Workplace Violence Training	AIH 102	Jill Bassett Cameron
Res Life Pro Staff	8/16/2024	TIIX for mandated reporters	Res life conference Room	Jill Bassett Cameron
Learning Center	8/19/2024	TIIX for mandated reporters	D309	Jill Bassett Cameron
Res Life RAs	8/20/2024	TIIX for mandated reporters & Bystander awareness	D110	Jill Bassett Cameron
Res Life RAs	8/20/2024	Bystander awareness	D116	Jamaal Wagner
Res Life Ras	8/20/2024	Implicit Bias awareness	D119	Mallory Gatison Marsh
Res Life RAs	8/22/2024	Behind Closed Doors	Mid Campus	Jill Bassett Cameron
Orientation	8/26/2024	Blue Devils Don't Hate, they communicate	Welte Aud	Jill and Jamaal
Resource Fairs	variety of dates	OEI/OVA	Devils Den	All
Deans	30-Aug	TIIX for mandated reporters	Online	Jill Bassett Cameron
Athletics	30-Aug	Title IX education	Willard D121	Jill Bassett Cameron



Human Resources	9/18/2024	TIX for mandated reporters	D406	Mallory Gatison-Marsh
	9/18/2024	TIX for mandated reporters	D406	Mallory Gatison-Marsh
Athletics	9/27/2024	Title IX education	D121	Mallory Gatison-Marsh
Athletics	9/27/2024	Title IX education	D121	Mallory Gatison-Marsh
Athletics	9/27/2024	Title IX education	D121	Jamaal Wagner
Athletics	9/30/2024	Title IX education	Hilltop	Jamaal Wagner
Ath Trainers	10/7/2024	TIX for mandated reporters	online	Jill Bassett Cameron
Res Life	1/13/2025	Title IX education	Multi purpose rom	Jill Bassett Cameron and Lisa Leggett
Res Life	1/15/2025	Professional communication in the workplace	Vance	Jill Bassett Cameron and Lisa Leggett
New Student Program	1/17/2025	OVA education	Devils Den	Lisa Leggett
Res Life	23-Jan	Review of TIX	Mid Campus	Jill Bassett Cameron and Lisa Leggett
Student Activi	1/24/2025	Title IX education	Off Campus	Jill Bassett Cameron and Lisa Leggett
Res Life	2/10/2025	RA Programming	Barrows	Lisa Leggett
Res Life	2/11/2025	RA Programming	Gallaudet	Amia Moore
OVA	2/13/2025	Tabling	Wilard-Diloreto	Lisa Leggett/AmiaM oore

Counselor Education & Family Therapy	2/19/2025	GI/GA Fair - Higher Ed Program	Barnard Hall	Lisa Leggett/Amia Moore
Athletics	2/21/2025	Title IX education	Kiaser 128	Jill Bassett Cameron and Lisa Leggett
OVA	2/27/2025	Tabling	Student Center	Lisa Leggett/AmiaM oore
OVA	3/3/2025	Tabling	Wilard-Diloreto	Lisa Leggett/Amia Moore
OVA Staff	3/6/2025	Title IX education	D305	Jill Bassett Cameron
OVA	3/13/2025	Tabling	Student Center Lobby	Lisa Leggett/Amia Moore
Admissions	3/15/2025	Accepted Students Day	Huang Recreation Center	Lisa Leggett
OVA/Recreation	3/26/2025	Self-Defense	Huang Recreation Center	Amia Moore
OVA	3/27/2025	Tabling	Wilard-Diloreto	Amia Moore
Admissions	3/29/2025	Undergraduate Open House	Huang Recreation Center	Amia Moore
OVA	4/7/2025	Class Presentation	Elihu Burritt Library	Amia Moore
OEI	4/8/2025	Class presentation	Elihu Burritt Library	Jamaal Wagner
OVA	4/8/2025	Tabling	Student Center Lobby	Amia Moore
Women's Center	4/8/2025	Take Back the Night	Devils Den	Lisa Leggett
OEI	4/9/2025	Class presentation	Elihu Burritt Library	Jamaal Wagner
OEI	4/11/2025	Class presentation	Elihu Burritt Library	Jamaal Wagner
OEI	4/11/2025	Class presentatioon	Elihu Burritt Library	Jamaal Wagner

Admissions	4/12/2025	Accepted Students Day	Huang Recreation Center	Amia Moore
OVA	4/14/2025	Class presentation	RVAC	Amia Moore
Reslife	4/23/2025	RA Programming - Condom Carnival	Vance Lawn	Amia Moore
OVA	4/28/2025	Tabling - Clothesline	Student Center Lobby	Lisa Leggett/Amia Moore
OVA	4/29/2025	Tabling - Clothesline	Devils Den	Interns
Women's Center	4/29/2025	Walk-A-Mile in Her Shoes	Student Center Circle	Lisa Leggett
OVA	4/30/2025	Denim Day & Clothesline	Student Center Lobby	Lisa Leggett/Amia Moore
OVA	5/1/2025	Clothesline	Devils Den	Interns
Reslife	5/2/2025	RA Programming	Barrows	Interns
OVA	5/8/2025	Tabling	Student Center Lobby	Interns

<b>Audience</b>	<b>Count</b>	<b>Title IX Related</b>
RAs	15	yes
Student workers	40	yes
RAs	50	yes
community	33	yes
RAs and Pro Staff	100	yes
OVA staff	4	yes
soccer students	35	yes
New GAs for 2024	7	yes
New GAs for 2024	7	yes
New GAs for 2024	7	yes
Faculty	4	yes
Students going to Japan	6	yes
Womens Basketball		
New GAs for 2024	1	yes

New GAs for 2024	2	yes
New GAs for 2024	2	yes
New GAs for 2024	1	yes
IR staff	4	no
new students	unknown	yes
new students	unknown	yes
Freshman/transfer athletes	11	yes
New and Returning staff	5	yes
Freshman/transfer students	10	yes
Res students	45	yes
classroom	20	yes
	122	yes
	campus wide	yes
CT Alliance to end sexual violence	35	no
Freshman transfer athletes	35	yes
	unknown	yes

Summer Conference Assist	8	yes
OL leaders	40-50	yes
TRIO staff	40	yes
TRIO staff	40	yes
Student Center student staff	80	yes
Res Life New RAs	50	no
Res Life Pro Staff	12	yes
Learning Center Pro Staff	10	yes
All RAs	100	yes
All RAs	100	yes
All RAs	100	no
All RAs	100	yes
All new students	all	yes
All	all	yes
Academic Deans	5	yes
Lacrosse Team	25	yes

Human Resources	15	yes
Ombudsperson	1	yes
Softball	50	yes
Women's Track and Field	50	yes
Men's Track and Field	50	yes
Football	100	yes
Ath Trainers	6	yes
New RAs	35	yes
all RAs	100	yes
New students orientation	70	yes
Reslife Prostaff	11	yes
SGA Retreat		yes
Residents	21	yes
Residents	15	yes
community	11	yes

potential new students (higher ed program)	5	yes
Womens + Mens Soccer and Football	31	yes
community	35	yes
community	10	yes
OVA Interns and GA	7	yes
community	8	yes
perspective students	40	yes
community	12	no
community	13	yes
perspective students	10	yes
classroom	3	yes
Student athletes	17	yes
community	8	yes
community	15	yes
First Year students	11	yes
Student athletes	23	yes
Student athletes	13	yes



perspective students	72	yes
community	20	yes
community	22	yes
community	20	yes
community	0	yes
community	40	yes
community	35	yes
community	10	yes
community	20	yes
community	25	yes

**CT BOARD OF REGENTS FOR HIGHER EDUCATION**

**RESOLUTION**

concerning

**Statement of Title IX Policy**

**July 29, 2020**

- WHEREAS, The Board of Regents in accord with the Connecticut State Colleges and Universities comprised of seventeen institution and a System Office, is committed to ensuring that each member of every BOR governed college or university community has the opportunity to participate fully in the process of education and development; and
- WHEREAS, The BOR and 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; and
- WHEREAS, The United States Department of Education promulgated regulations under Title IX of the Education Amendments of 1972 ("Title IX") and set forth certain specific requirements, which become effective on August 14, 2020; and
- WHEREAS, The Board of Regents consistent with the goal providing safe environments at all of its campuses for all who frequent them, sets forth a "Statement of Title IX Policy" therefore be it
- RESOLVED, That the Board of Regents formally adopts a "Statement of Title IX Policy" effective August 14, 2020.

A True Copy:

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Erin A. Fitzgerald, Secretary of the  
CT Board of Regents for Higher Education

**ITEM**

The Board of Regents for Higher Education adopts a “Statement of Title IX” Policy to comply with the United States Department of Education regulations under Title IX of the Education Amendments of 1972 (“Title IX”)

**BACKGROUND**

The United States Department of Education promulgated regulations under Title IX of the Education Amendments of 1972 (“Title IX”) to address sexual discrimination, specifically sexual harassment. These regulations require the adoption of policy. The Statement of Title IX policy is set forth to comply with that requirement.

**RECOMMENDATION**

That the Board of Regents for Higher Education formally adopts “Statement of Title IX” effective August 14, 2020.

**Board of Regents for Higher Education**  
**Connecticut State Colleges and Universities**  
**Regarding**  
**Statement of Title IX Policy**

Consistent with Title IX of the Education Amendments of 1972 (“Title IX”)<sup>i</sup>, the Connecticut State Colleges and Universities (CSCU) does not and will not discriminate against students, faculty or staff based upon sex in any of its programs or activities, including but not limited to education programs, employment or admission. Further, retaliation against any person who made a complaint, testified, assisted, participated or refused to participate in a Title IX process will not be tolerated.

The Board of Regents for Higher Education (BOR) is committed to ensuring that each member of the CSCU 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 discrimination, including, sexual harassment, sexual assault, dating violence and stalking. It is the intent of the BOR that each college and university provide safety, privacy and support.

The BOR strongly encourages students, parents, bystanders and employees to alert Title IX Coordinators to sexual discrimination, including sexual harassment. Title IX Coordinators will promptly address these matters and treat all parties equitably. In accordance with federal law, those accused of engaging in prohibited conduct will be presumed not responsible and receive no punitive treatment unless and until found responsible after due process. All BOR governed colleges and universities will provide complainants and the respondents with supportive measures, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and other relevant information.

Under Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioned in the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v)<sup>ii</sup>, “dating violence” as defined in 34 U.S.C. 12291(a)(10)<sup>iii</sup>, “domestic violence” as defined in 34 U.S.C. 12291(a)(8)<sup>iv</sup>, or “stalking” as defined in 34 U.S.C. 12291(a)(30).<sup>v</sup>

If the institution’s Title IX Coordinator determines that the alleged harassment meets the above definition of sexual harassment, as well as occurred within the United States on property owned or controlled by the institution or any building owned or controlled by a student organization officially recognized by the institution, and at the time of the filing the complainant was

7/29/2020

participating or attempting to participated in an educational program or activity at the particular College or University the Title IX coordinator will initiate a Title IX process. If the Title IX Coordinator determines that the alleged harassment does not meet the above factors, but the alleged misconduct violates BOR policy the Title IX Coordinator will comply with the BOR Sexual Misconduct Reporting, Supportive Measures and Processes Policy. If the institution's Title IX Coordinator determines that the allegations do not constitute a violation of either Title IX or Board policy and can make no finding of responsibility, complainant and respondent will be notified that the matter will be closed.

Sexual harassment will not be tolerated.

Any inquiries about this policy should be directed to the Title IX Coordinator

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<sup>i</sup> Title IX states that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance"

<sup>ii</sup> 20 U.S.C. 1092(f)(6)(A)(v), The term "[sexual assault](#)" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

<sup>iii</sup> 34 U.S.C. 12291(a)(10) The term "[dating violence](#)" means violence committed by a person - (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

<sup>iv</sup> 34 U.S.C. 12291(a)(8) The term "[domestic violence](#)" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or [youth](#) victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

<sup>v</sup> 34 U.S.C. 12291(a)(30) (30) The term "[stalking](#)" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to - (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

**CT BOARD OF REGENTS FOR HIGHER EDUCATION**

**RESOLUTION**

concerning

**Policy Regarding**

**Sexual Misconduct Reporting, Supportive Measures and Processes Policy**

**July 29, 2020**

- WHEREAS, The Board of Regents in accord with the Connecticut State Colleges and Universities comprised of seventeen institution and a System Office, is committed to insuring that each member of every BOR governed college or university community has the opportunity to participate fully in the process of education and development; and
- WHEREAS, The BOR and 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; and
- WHEREAS, The Board of Regents for Higher Education adopted policy regarding “Sexual Misconduct Reporting, Support Services and Processes Policy, as amended from time to time; and
- WHEREAS, The United States Department of Education promulgated regulations under Title IX of the Education Amendments of 1972 (“Title IX”) and set forth certain specific requirements, which become effective on August 14, 2020; and
- WHEREAS, The Board of Regents consistent with the goal providing safe environments at all of its campuses for all who frequent them, has reviewed its policy regarding “Sexual Misconduct, Sexual Assault and Intimate Partner Violence Policy” and revised the policy so that it is consistent with the regulations; therefore be it
- RESOLVED, That the Board of Regents formally amends the renamed the “Sexual Misconduct Reporting, Supportive Measures and Processes Policy” effective August 14, 2020.

A True Copy:

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Erin A. Fitzgerald, Secretary of the  
CT Board of Regents for Higher Education

**ITEM**

The Board of Regents for Higher Education renames and amends its' policy regarding "Sexual Misconduct Reporting, Supportive Measures and Processes" to comply with the United States Department of Education regulations under Title IX of the Education Amendments of 1972 ("Title IX")

**BACKGROUND**

The United States Department of Education promulgated regulations under Title IX of the Education Amendments of 1972 ("Title IX") to address sexual discrimination, specifically sexual harassment. These regulations preempt previous Title IX provisions, but do not obviate the requirements of state law. The policy regarding Sexual Misconduct Reporting, Support Services and Processes Policy was initially drafted to comply with Connecticut General Statute section 10a-55m. That statute implicitly codified some of the U.S. Department of Education Title IX guidance and the Violence Against Women Act (VAWA) requirements. Although the Title IX requirements are now less stringent, the Connecticut State Colleges and Universities must adhere to State's requirements in addition to federal requirements. The amended policy incorporates the federal changes while preserving BOR policy that was created in compliance with Connecticut law.

**ANALYSIS**

The Policy has been amended to include the requirements of the Title IX regulations. This includes subtle changes in nomenclature such as use of the terms complainant, and respondent, and supportive measures instead of support services, and provides more examples of appropriate supportive measures. It requires that respondents and complainants be treated equally and that respondents are presumed not responsible and not be subjected punitive measures until found responsible.

Most significant, however, is the revised section on Sexual Misconduct Investigation and Procedures. This policy clearly presents the role of the Title IX Coordinator to determine not only supportive measures, but also whether a matter is within the scope of Title IX. If the matter is within the scope of Title IX, the highly prescriptive Title IX procedures will apply. Those procedures will be applied to students, faculty and staff alike.

All of the revisions to the policy were made to bring the policy into compliance with federal law.

**RECOMMENDATION**

That the Board of Regents for Higher Education rename and amend the Sexual Misconduct Reporting, Supportive Measures and Processes Policy effective August 14, 2020.

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

**Policy Regarding  
Sexual Misconduct Reporting, Supportive Measures 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 ensuring 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, including, sexual harassment, sexual assault, 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 students, parents, bystanders and employees to report any instance of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence. Title IX Coordinators will promptly address these matters and treat all parties equitably. In accordance with federal law Respondents will be presumed not responsible and receive no punitive treatment unless and until found responsible after due process. All BOR governed colleges and universities will provide complainants and respondents with supportive measures, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual misconduct.

All CSCU employees and support persons will make any limits of confidentiality clear before any disclosure of facts takes place. Other than confidential resources as defined below and employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all CSCU employees are required to immediately communicate to the institution's Title IX Coordinator 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**

***Complainant*** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.



**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** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the institution investigate the allegation of sexual harassment. At the time of the filing the formal complaint, the complainant must be participating in or attempting to participate in an education program or activity of 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.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**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 Misconduct Reporting  
Support Services and Processes Policy

- 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
- 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.

(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) 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 complainant’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.

**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. No institution or person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report of complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding or hearing related to a report or complaint related to sex discrimination.

### **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 complainant and

## Sexual Misconduct Reporting Support Services and Processes Policy

respondent 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 Violence Center. For the Colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling, on campus counseling where available, 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 complainant or respondent 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 complainant 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 complainants and respondents 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 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 either the complainant or respondent 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 complainant. 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**

Complainants and respondents will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcomes of each option. Complainants and respondents shall be offered non-disciplinary, non-punitive individualized services as appropriate and available that are designed to restore or preserve equal access to the institution's education program or activity without unreasonably burdening the other party, which may include measures designed to protect the safety of all parties or the institution's educational environment or deter sexual harassment.

When choosing a reporting resource the following information should be considered:

- 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.
- Information regarding 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**

Complainants and respondents 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.

The institution will also honor lawful protective or temporary restraining orders.

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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.

**OPTIONS FOR CHANGING ACADEMIC, HOUSING, TRANSPORTATION AND WORKING ARRANGEMENTS**

College and university Title IX Coordinators will provide supportive measures to complainants and respondents. These supportive measures may include, but are not limited to, reasonably available options for changing academic situations, including but not limited to extensions of deadlines or other course related adjustments, modifications of work or class schedules, campus transportation and escort services, mutual restrictions on contact between parties, leaves of absence, increased security and monitoring and housing or working situations.

**SUPPORT SERVICES CONTACT INFORMATION**

It is BOR policy that whenever a college or university Title IX Coordinator or other employee receives a report of sexual misconduct, the Title IX Coordinator shall immediately provide all parties 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, without fee. All CSU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

**SEXUAL MISCONDUCT INVESTIGATION AND PROCEDURES**

All complaints of sexual misconduct will be reviewed by the college or university Title IX Coordinator who will determine supportive measures and whether the complaint falls within the scope of Title IX. If the institution's Title IX Coordinator determines that the alleged harassment is

- (1) so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity; or,
- (2) implicates an employee of the institution, alleging that the employee conditioned a provision of an aid, benefit, or service upon the complainant's participation in unwelcome sexual conduct; or,

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(3) alleges “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v)<sup>1</sup>, “dating violence” as defined in 34 U.S.C. 12291(a)(10)<sup>2</sup>, “domestic violence” as defined in 34 U.S.C. 12291(a)(8)<sup>3</sup>, or “stalking” as defined in 34 U.S.C. 12291(a)(30)<sup>4</sup> as defined in 34 U.S.C. 12291(a)(30)<sup>5</sup>

and

(4) the alleged harassment occurred within the United States on property owned or controlled by the institution or any building owned or controlled by a student organization officially recognized by the institution; and

(5) at the time of the filing the Complainant was participating or attempting to participate in the educational program or activity;

The Title IX coordinator will initiate the Title IX Process which shall be applicable to students, faculty and staff. The Title IX Process and Procedures are available on-line and through the Office of the Title IX Coordinator.

If the institution’s Title IX Coordinator determines that the alleged harassment does not meet the factors above but the alleged misconduct violates BOR Policy, the following procedures apply:

- Each party 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 assault, stalking and dating, domestic or intimate partner violence and shall use the preponderance of the evidence (more likely than

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<sup>1</sup> 20 U.S.C. 1092(f)(6)(A)(v), The term “[sexual assault](#)” means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

<sup>2</sup> 34 U.S.C. 12291(a)(10) The term “[dating violence](#)” means violence committed by a person - (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

<sup>3</sup> 34 U.S.C. 12291(a)(8) The term “[domestic violence](#)” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or [youth](#) victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

<sup>4</sup> 34 U.S.C. 12291(a)(30) (30) The term “[stalking](#)” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to - (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

<sup>5</sup> 34 U.S.C. 12291(a)(30) (30) The term “[stalking](#)” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to - (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.



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not) standard in accordance with State law in making a determination concerning sexual assault, stalking or domestic/dating/intimate partner violence.

- Both the complainant and respondent 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 party shall have the opportunity to present evidence and witnesses on her/his behalf during any disciplinary proceeding.
- Both parties 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 respondent the violation committed, if any, and any sanction imposed upon the respondent. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s). The complainant 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 respondent; however, in such cases, if a review by any complainant is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. Both the complainant and respondent 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.

If the institution's Title IX Coordinator determines that the allegations do not constitute a violation of either Title IX or Board policy and can make no finding of responsibility, complainant and respondent shall be notified that the matter shall be closed.

Employee sexual misconduct not subject to Title IX is subject to discipline in accordance with the procedures applicable to the employee's classification of employment.

**REVIEW AND AUDIT**

The Title IX Coordinator will report to the President of the institution all findings on reported sexual misconduct matters. The Title IX Coordinator shall include within its annual Connecticut General Statute 10a-55m Sexual Misconduct Report a separate report specifically disclosing the number of complaints, the subject matter of each complaint and the final outcome of each case processed under Title IX. At a joint meeting of the Human Resources and Administration Committee and the Academic and Student Affairs Committee, the CSCU Title IX Coordinator will



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report annually on CSCU data of complaints and outcomes of sexual misconduct matters reviewed under Title IX, BOR policies, and other applicable state statutes.

**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, handbook and catalogue. 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. This includes but is not limited to the name, office address, email address and telephone number of the Title IX Coordinators.

## To report an incident at Central Connecticut State University

### **Office for Equity & Inclusion** (All complaints)

Interim Stacey Miller, Vice President for Equity & Inclusion and Title IX Coordinator  
Davidson Hall, Rm. 119  
860-832-1652

### **Office of Student Conduct** (Complaints against students)

Stephanie Reis, Director  
Willard DiLoreto Hall, Rm. W105  
860-832-1667

### **University Police** (All criminal complaints except sexual harassment) 860-832-2375

### **Human Resources** (Complaints against employees)

Anna E. Suski-Lenczewski, Chief Human Resources Officer  
Davidson Hall, Rm. 101  
860-832-1757

### **Office of Student Affairs** (Complaints against students)

Dr. John Tully, Interim Vice President for Student Affairs  
Davidson Hall, Rm. 103  
860-832-1605

## If you want to speak with someone at CCSU

### **Office of Victim Advocacy and Violence Prevention**

TBA Sexual Assault and Violence Prevention Specialist  
Willard DiLoreto Hall, Rm. D305  
860-832-3795

### **Women's Center**

Jacqueline Cobbina-Boivin, Coordinator  
Student Center, Rm. 215  
860-832-1655

### **Counseling and Wellness Center (Confidential)**

Willard DiLoreto Hall, Rm. W101  
860-832-1945

## If you want to speak with a Community Partner

**Sexual Assault Crisis Services (confidential)**--860-223-1787 (English); 888-568-8332 (Español)

**Prudence Crandall Center for Domestic Violence (confidential)**--888-774-2900 (24-hour hotline)

## To report an incident to an Outside Agency

An individual has the right to file his or her complaint of discrimination with any or all of the relevant agencies listed below. The individual can also simultaneously avail himself or herself of the University's Internal Discrimination Grievance Procedure.

### 1. The Connecticut Commission on Human Rights & Opportunities (All)

Capitol Region  
450 Columbus Blvd, Ste 2  
Hartford, CT 06103  
Tel: (860) 566-7710

Eastern Region  
100 Broadway  
Norwich, CT 06360  
Tel: (860) 886-5703

Southwest Region  
1057 Broad Street  
Bridgeport, CT 06604  
(203) 579-6246

West Central Region  
Rowland State Government Center  
55 West Main Street, Suite 210  
Waterbury, CT 06702-2004  
(203) 805-6530

Complaints should be filed with the Commission on Human Rights and Opportunities no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred.

### 2. The Equal Employment Opportunities Commission (Employees)

John F. Kennedy Federal Office Building  
Government Center, Room 475  
Boston, MA 02203  
Tel: 1-800-669-4000

Complaints should be filed with the Equal Employment Opportunities Commission no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred, except, that in a case when the aggrieved person has initially filed a complaint with the Commission on Human Rights and Opportunities, such complaint should be filed no later than three hundred (300) days after the alleged act of employment discrimination occurred.

### 3. State of Connecticut: Employee Grievance Procedure

Contact Human Resources Office or union representatives for Grievance forms and/or procedures.

### 4. U.S. Department of Education, Office for Civil Rights (Students)

33 Arch Street  
Ninth Floor  
Boston, MA 02110  
Tel: (617) 289-0111  
Fax: (617) 289-0150

Revised:

October 29, 2018 – updated address for CHRO Capitol Region office.

November 5, 2019 – updated names and contact information for CCSU resources.

**Title IX Grievance Procedures**  
**for Addressing Formal Complaints of Sexual Harassment**  
**September 23, 2020**  
**Updated 9/17/2021**  
**Updated 8/23/2022**

## **1. Introduction**

### **What is the purpose of the Title IX Grievance Procedures?**

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

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

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

*See*, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, the Connecticut State Colleges and Universities (“CSCU”) will implement the following Title IX Grievance Procedures (referenced herein as “policy” or “grievance procedure”), effective August 14, 2020.

### **How does the Title IX Grievance Procedures impact other campus disciplinary policies?**

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, CSCU must narrow both the geographic scope of its authority to act

under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. Incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Procedures defined below.

CSCU and Central CT State University remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our institutions have a

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

To the extent that alleged misconduct falls outside the Title IX Grievance Procedures, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Code of Conduct and Sexual Misconduct Policy through a separate grievance proceeding. [CSCU Sexual Misconduct Reporting, Supportive Measures and Process Policy](#). Sanctions applicable to both Title IX and Sexual Misconduct violations are found in the Student Code of Conduct or through the applicable employee agreement.

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

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

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

## **2. The Title IX Grievance Procedures**

### **General Rules of Application**

## **Effective Date**

This Title IX Grievance Procedures will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Title IX Grievance Procedures if a case is not complete by that date.

## **Revocation by Operation of Law**

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this grievance procedures or the invalidated elements of Title IX policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Procedures be revoked in this manner, any conduct covered under the Title IX Grievance Procedures shall be investigated and adjudicated under the existing Code of Conduct/ Sexual Misconduct Policy.

## **Non-Discrimination in Application**

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

## **Definitions**

### **Covered Sexual Harassment**

For the purposes of this Title IX Grievance Procedures, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;

3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Connecticut domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Connecticut.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Sexual Misconduct Policy.

## **Consent**

For the purposes of this Title IX Grievance Procedures, “consent” refers to “affirmative consent”. Affirmative consent means an active, clear and voluntary agreement by a person to engage in sexual activity with another person.

## **Education Program or Activity**

For the purposes of this Title IX Grievance Procedures, a Central CT State University “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that the Central CT State University has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of the

Central CT State University's programs and activities over which the Central CT State University has substantial control.

## **Formal Complaint**

For the purposes of this Title IX Grievance Procedures, "formal complaint" means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within Central CT State University's education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Procedures to investigate the allegation of sexual harassment.

## **Complainant**

For the purposes of this Title IX Grievance Procedures, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

## **Relevant evidence and questions**

"Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

"Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant's sexual predisposition or prior sexual behavior unless:
  - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
  - They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).



## **Respondent**

For the purposes of this Title IX Grievance Procedures, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

## **School Calendar Days**

For the purposes of this Title IX Grievance Procedures, “school calendar days” means the weekdays (Mondays through Fridays) when Central CT State University when classes are in session.

## **Privacy vs. Confidentiality**

Consistent with the Sexual Misconduct Policy, references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean Central CT State University offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Central CT State University will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

## **Disability Accommodations**

This Grievance Procedure does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

## **Making a Report Regarding Covered Sexual Harassment to the Institution**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator:

Name: Dr. Jill Bassett-Cameron

Title: Senior Equity & Inclusion Officer/Title IX Coordinator

Office Address: 1615 Stanley St. New Britain CT 06050

Email Address: [jbassett-cameron@ccsu.edu](mailto:jbassett-cameron@ccsu.edu)

Telephone Number: 860-832-1653

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

### **Confidential Reporting**

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

- Title IX Coordinator or designee

The following Officials may provide confidentiality:

*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 Violence Center.*

*For the Colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling, on campus counseling where available, and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center.*

- CCSU Counseling and Wellness
- Any employee not otherwise designed as a mandatory reporter

### **Non-Investigatory Measures Available Under the Title IX Grievance Procedures**

### **Supportive Measures**

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Central CT State University regardless of whether they desire to file a complaint.

As appropriate, supportive measures may include, but not be limited to:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations
- leaves of absence
- increased security and monitoring of certain areas of the campus

Supportive measures are non-disciplinary and non-punitive.

### **Emergency Removal**

Central CT State University retains the authority to remove a respondent from Central CT State University's program or activity on an emergency basis, where Central CT State University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If Central CT State University determines such removal is necessary, the respondent will be provided notice and an opportunity pursuant to the Code of Conduct to challenge the decision immediately following the removal.

### **Administrative Leave**

Central CT State University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with collective bargaining agreements and human resource policies.

### **The Title IX Grievance Process**

#### **Filing a Formal Complaint**

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

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Grievance Procedure if they are currently participating in, or attempting to participate in, the education programs or activities of Central CT State University, including as an employee. For complainants who do not meet this criteria, the College will utilize existing policy in the Code of Conduct

<https://www.ct.edu/files/policies/5.1%20StudentCodeofConduct.pdf>

and/or Sexual Misconduct Policy

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

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Central CT State University will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Grievance Procedure.

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

### **Informal Resolution**

A complainant who files a Formal Complaint may elect, at any time, to address the matter through the Institution's Informal Resolution Process. All Parties to a Formal Complaint must agree to enter the Informal Resolution Process through an informed written consent.

### **Multi-Party Situations**

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or

by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

### **Determining Jurisdiction**

The Title IX Coordinator will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in Central CT State University's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, Central CT State University will investigate the allegations according to the Grievance Process.

### **Allegations Potentially Falling Under Two Policies:**

If the alleged conduct would constitute a Title IX sexual harassment policy violation as well as a violation of the Sexual Misconduct Policy, the Title IX Grievance Process will be applied to investigation and adjudication for the conduct. However, any conduct that is unrelated to the Title IX Policy or Sexual Misconduct Policy within the allegation or discovered during a Title IX investigation, will be adjudicated in accordance with the Student Code of Conduct or employee agreement, as applicable

### **Mandatory Dismissal**

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

### **Discretionary Dismissal**

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

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by {the institution}; or,

- If specific circumstances prevent {the institution} from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

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

### **Notice of Dismissal**

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

### **Notice of Removal**

Upon dismissal for the purposes of Title IX, Central CT State University retains discretion to utilize the Code of Conduct and/or the Sexual Misconduct Policy to determine if a violation of the Code of Conduct and/or the Sexual Misconduct Policy} has occurred. If so, Central CT State University will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

### **Notice of Allegations**

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

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

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

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

## **Contents of Notice**

The Notice of Allegations will include the following:

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

## **Ongoing Notice**

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

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

## **Advisor of Choice and Participation of Advisor of Choice**

Central CT State University will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The Central CT State University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Central CT State University.

Central CT State University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Central CT State University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Grievance Procedure, and Central CT State University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Central CT State University will not be obligated to delay a meeting or hearing under this process more than five (5) school calendar days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Central CT State University.

### **Notice of Meetings and Interviews**

Central CT State University will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

### **Delays**

Each party may request a one-time delay in the Grievance Process of up to five (5) school calendar days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.



The Title IX Coordinator or designee shall have sole judgment to grant further pauses in the Process.

## **Investigation**

### **General Rules of Investigations**

An investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

Central CT State University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of Title IX has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Central CT State University and does not indicate responsibility.

Central CT State University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Central CT State University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

### **Inspection and Review of Evidence**

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or a hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) school calendar days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report.

#### REQUESTS TO EXTEND INSPECTION AND REVIEW

The institution may provide the parties five (5) school calendar days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) school calendar days to inspect, review, and respond to the party's additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors agree not to photograph or otherwise copy the evidence and must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process.

#### **Inclusion of Evidence Not Directly Related to the Allegations:**

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of a student. Any evidence obtained in the investigation that is kept from disclosure or appropriately redacted will be documented in a "privilege log" that may be reviewed by the parties and their advisors, if any.

## **Investigative Report**

The investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) school calendar days prior the hearing in an electronic format or a hard copy for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

## **Hearing**

### **General Rules of Hearings**

Central CT State University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at college/university discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through remote video conferencing. This technology will enable participants simultaneously to see and hear each other. At its discretion, Central CT State University may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through either an audio recording, audiovisual recording or transcript. That recording or transcript will be made available to the parties for inspection and review.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

## **Continuances or Granting Extensions**

Central CT State University may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, Central CT State University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

## **Newly-discovered Evidence**

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Hearing Official/Panel will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Hearing Official/Panel answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

## **Participants in the live hearing**

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

### *Complainant and Respondent (The Parties)*

- The parties cannot waive the right to a live hearing.
- Central CT State University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation.
- The hearing body cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.

### *The Hearing Body*

- The hearing body will consist of 3 decision-makers.

- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

#### *Advisor of choice*

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf.
- If neither a party nor their advisor appear at the hearing, Central CT State University will provide an advisor to appear on behalf of the non-appearing party.

#### *Witnesses*

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation.

### **Hearing Procedures**

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

- The hearing body will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The hearing body will ask questions of the Parties and Witnesses;

- Parties will be given the opportunity for live cross-examination after the hearing body conducts its initial round of questioning; During the Parties' cross-examination, the hearing body will have the authority to pause cross-examination at any time for the purposes of asking the hearing body's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the hearing body. A Party's waiver of cross-examination does not eliminate the ability of the hearing body to use statements made by the Party.
- The hearing body is allowed to consider statements made by parties or witnesses that are otherwise permitted under the regulations, even if those parties or witnesses do not participate in cross-examination at the live hearing, in reaching a determination regarding responsibility in a Title IX grievance process.

### **Live Cross-Examination Procedure**

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the hearing body will determine if the question is relevant. See Relevance Procedures. Cross-examination questions that are duplicative of those already asked, including by the hearing body may be deemed irrelevant if they have been asked and answered.

### **Review of Transcript/Recording**

Either the recording or transcript of the hearing will be available for review by the parties unless there are any extenuating circumstances. The record/transcript of the hearing will not be provided to parties or advisors of choice.

### **Determination Regarding Responsibility**

#### **Standard of Proof**

Central CT State University uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Grievance Procedure. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Grievance Procedure occurred.

## **General Considerations for Evaluating Testimony and Evidence**

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Hearing Body.

The hearing body shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that the hearing body allow parties to call "expert witnesses" for direct and cross examination. Central CT State University does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that Central CT State University allow parties to call character witnesses to testify. Central CT State University does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required

by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that Central CT State University admit and allow testimony regarding polygraph tests (“lie detector tests”) and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness’ conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the hearing body may draw an adverse inference as to that party or witness’ credibility.

### **Components of the Determination Regarding Responsibility**

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Title IX/ Sexual Misconduct Policy/Code of Conduct, if any, the respondent has or has not violated.
5. For each allegation:
  - a. A statement of, and rationale for, a determination regarding responsibility;
  - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
  - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient’s education program or activity will be provided by the recipient to the complainant; and
6. The recipient’s procedures and the permitted reasons for the complainant and respondent to appeal (described below in “Appeal”).

### **Timeline of Determination Regarding Responsibility**



If there are no extenuating circumstances, the determination regarding responsibility will be issued by Central CT State University within ten (10) school calendar days of the completion of the hearing.

## **Finality**

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in “Appeals” below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

## **Appeals**

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) school calendar days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution’s own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter;
- The severity of sanctions.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by an Appeals Officer, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

### **Retaliation**

Central CT State University will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Procedures, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Procedures.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Procedures.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to the Board of Regents Title IX Statement of Policy and Board of Regents Sexual Misconduct Reporting, Supportive Measures and Processes Policy.

Sanctions

See the applicable employee policy/agreement or the Student Code of Conduct for applicable sanctions.

# Office of Equity and Inclusion

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## Sexual Misconduct Policy and Protocol

### Central Connecticut State University Statement

Central Connecticut State University (Central) will not tolerate sexual misconduct against students, staff, faculty, or visitors, whether it comes in the form of intimate partner violence, sexual assault, sexual exploitation or sexual harassment, as defined in the BOR policy. In an ongoing effort to prevent sexual misconduct and intimate partner violence on the Central campus, the University provides education and prevention programs for the Central

Central is a community dependent upon trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary contract. As noted in Central's Violence Free Campus Policy, members of the University community have the right to a safe and welcoming campus environment. Acts of sexual misconduct and intimate partner violence threaten personal safety and violate the standards of conduct expected of community members.

## Individuals and Entities Affected by this Policy

This policy applies to anyone on the property of Central Connecticut State University, as well as anyone present at Central-sponsored programs or events. This policy extends to off-campus violations of both students and employees in limited circumstances as noted below:

### **Students:**

"Off-campus misconduct may be subject to the jurisdiction of the University and addressed through its disciplinary procedures if one of the following conditions is met: (i) a student engages in prohibited conduct at an official University event, at a University-sanctioned event, or at an event sponsored by a recognized student organization; or (ii) a student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that the accused student poses a threat to the life, health or safety of any member of the University community or to the property of the University." [Central Student Code of Conduct, Part B]

### **Employees:**

administrator on a case-by-case basis in accordance with collective bargaining agreements, CSU/university policies, and state regulations.

Board of Regents, CSCU Policy, please [click here](#).

## **To report an incident at Central Connecticut State University**

### **All complaints**

Senior Equity & Inclusion Officer or Vice President for Equity & Wellbeing

Davidson Hall, Rm. 119

860.832.1652

### **Complaints against students**

Director, Office of Student Rights and Responsibilities

Mid-campus Residence Hall 118

860-832-1667

[Student Code Of Conduct](#)

### **All criminal complaints except sexual harassment**

University Police

860.832.2375

### **Complaints against employees**

Human Resources

Anna Suski-Lenczewski, Chief Human Resources Officer

Davidson Hall, Rm. 101

860.832.1756

### **Complaints against students**

Vice President Of Student Affairs  
Davidson Hall, Rm. 103  
860.832.1601

## **If you want to speak with someone at Central**

### **Office of Victim Advocacy**

860.832.3795  
Willard DiLoreto Hall, Rm. D-305

### **Women's Center**

Jacqueline Cobbina-Boivin  
860.832.1655

### **Counseling and Student Development**

(Confidential)  
860.832.1926

## **If you want to speak with a Community Partner**

### **Sexual Assault Crisis Services**

(confidential)  
860.223.1787 (English)  
888.568.8332 (Español)

### **Prudence Crandall Center for Domestic Violence**

(confidential)  
860.225.6357 (English)  
888-774-2900 (Español)

### **To report an incident to an Outside Agency**

The individual can also simultaneously avail himself or herself of the University's Internal Discrimination Grievance Procedure.

## **1. The Connecticut Commission on Human Rights & Opportunities (All)**

### **Capitol Region**

450 Columbus Blvd, Ste 2  
Hartford, CT 06105  
860.566.7710

### **Eastern Region**

100 Broadway  
Norwich, CT 06360  
860.886.5703

### **Southwest Region**

1057 Broad Street  
Bridgeport, CT 06604  
203.579.6246

### **West Central Region**

Rowland State Government Center  
55 West Main Street, Suite 210  
Waterbury, CT 06702-2004  
203.805.6530

Complaints should be filed with the Commission on Human Rights and Opportunities no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred.



## Equal Employment Opportunities Commission

(Employees)

John F. Kennedy Federal Office Building

Government Center, Room 475

Boston, MA 02203

1.800.669.4000

Complaints should be filed with the Equal Employment Opportunities Commission no later than one hundred and eighty (180) days after the alleged act of employment discrimination occurred, except, that in a case when the aggrieved person has initially filed a complaint with the Commission on Human Rights and Opportunities, such complaint should be filed no later than three hundred (300) days after the alleged act of employment discrimination occurred.

### 3. State of Connecticut: Employee Grievance Procedure

Contact Human Resources Office or union representatives for grievance forms and/or procedures.

### 4. U.S. Department of Education, Office for Civil Rights

(Students)

33 Arch Street

Ninth Floor

Boston, MA 02110

617.289.0111

[Sexual Misconduct Policy](#)

[Complaint Form](#)

[Student Code of Conduct](#)

1615 Stanley Street  
New Britain CT 06050

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 Directions  860.832.3200

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[Health Services](#)



Policy #	Policy Name	Reso #	Date Approved
4-13	Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy	BR 24-079	2024-07-31

NOTE: BOR Policies 4-11 and 5-02 have been rescinded and are being replaced with this new policy effective 7-31-2024.

## INTERIM DISCRIMINATORY HARASSMENT, NONDISCRIMINATION, AND TITLE IX POLICY

### 1. Statement of Policy

The Connecticut State Colleges and Universities (“CSCU”) is committed to providing an educational and employment environment that is free from discrimination and/or harassment based on protected characteristics, and/or retaliation, including retaliation under applicable federal and state laws for engaging in protected activity.<sup>1</sup> To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of its education program or activity, CSCU has developed this Discriminatory Harassment, Nondiscrimination, and Title IX Policy (the “Policy”) that provides for a prompt, fair, and impartial resolution of allegations of protected characteristic discrimination, harassment, and/or allegations of retaliation. CSCU values and upholds the equal dignity of all members of its community and strives to balance the rights of all individuals when resolving allegations during what is often a difficult time for all involved.

### 2. Definitions

- ***College or University.*** Any of the institutions within CSCU, including Central Connecticut State University, Charter Oak State College, Connecticut State Community College, Eastern Connecticut State University, Southern Connecticut State University, and Western Connecticut State University.
- ***Complainant.*** A student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment, and/or retaliation under this Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment, and/or retaliation under this Policy and who was participating or attempting to participate in CSCU’s education program or activity at the time of the alleged discrimination, harassment and/or retaliation.

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<sup>1</sup> This Policy does not cover whistleblower retaliation complaints. Reports concerning corruption, unethical practices, mismanagement, violation of State laws and regulations, gross waste of funds, abuse of authority or danger to the public safety in any in any College or University, may be submitted to the State Auditors of Public Accounts, as authorized under the Whistle Blower Act, Gen. Stat. 4-61dd. Individuals may file a whistleblower retaliation complaint by visiting the Auditors of Public Accounts [website](#).

- **Complaint.** An oral or written request to CSCU that can objectively be understood as a request for CSCU to investigate and make a determination about allegations of discrimination, harassment, and/or retaliation under this Policy.
- **CSCU.** The Connecticut State Colleges and Universities, which includes the CSCU system office, and any and all specific Colleges or Universities within the CSCU. For purposes of this Policy, the term “CSCU” could mean the CSCU system or any College or University interchangeably.
- **Education Programs and Activities.** Locations, events, or circumstances in which CSCU exercises substantial control over both the Respondent and the context in which the conduct occurred.
- **Informal Resolution.** A resolution to a Report or Complaint agreed to by the Parties and CSCU that occurs prior to a final determination in the Resolution Process.
- **Parties.** The Complainant(s) and Respondent(s), collectively.
- **Protected Characteristic.** Any characteristic for which a person is afforded protection against discrimination and/or harassment by law or CSCU Policy.
- **Report.** When a faculty, staff, student, or third party informs CSCU of conduct that reasonably may constitute discrimination, harassment, and/or retaliation under this Policy.
- **Resolution Process.** The investigation and resolution, including informal resolution, of allegations of discrimination, harassment, and/or retaliation under this Policy.
- **Respondent.** A person who is alleged to have engaged in conduct that could constitute discrimination, harassment, and/or retaliation for engaging in protected activity under this Policy.
- **Supportive Measures.** Non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to CSCU’s education program or activity, including measures designed to protect the safety of all Parties and/or the CSCU educational environment and/or to deter discrimination, harassment, and/or retaliation.
- **Title IX/Equity Coordinator.** At least one official designated by a College or University to ensure compliance with Title IX and other federal and state civil rights laws and institutional compliance with this Policy. References to the Title IX/Equity Coordinator throughout this Policy may include the Title IX/Equity Coordinator’s designee.

### 3. Notice of Nondiscrimination

CSCU complies with all federal, state, and local laws, regulations, and ordinances prohibiting discrimination, harassment, and/or retaliation, including retaliation for engaging in protected activity, in public post-secondary education institutions. CSCU does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual

or perceived age, ancestry, color, gender expression, gender identity, genetic information and/or family medical history, intellectual disability, learning disability, parental, family or marital status, past or present history of mental disability, physical disability, pregnancy or related conditions, race or national origin, religion or creed, sex, sexual orientation, veteran or military status, arrest and/or criminal conviction status, lawful source of income, citizenship or immigration status, or any other protected characteristic under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process within the institution, with the Equal Employment Opportunity Commission and/or the Connecticut Commission on Human Rights and Opportunities (“CHRO”).

This Policy prohibits discrimination, harassment, and/or retaliation in access to employment and/or educational opportunities. Therefore, any act by CSCU or a member of the CSCU community that denies, deprives, unreasonably interferes with or limits a person’s education or employment, residential, and/or social access, benefits, and/or opportunity based upon that person’s actual or perceived protected characteristic(s), is in violation of this Policy. CSCU will promptly and effectively address any such discrimination, harassment, and/or retaliation when it has knowledge and/or notice of it using procedures promulgated pursuant to this Policy.

#### **4. Key CSCU Contacts**

CSCU has identified the Executive Director of EEO and Civil Rights/Title IX Coordinator to coordinate the System’s compliance with federal, state, and other civil rights laws and policies.

Each College or University has identified a Title IX/Equity Coordinator to coordinate civil rights compliance and the Resolution Process.<sup>2</sup> The Vice-President of Diversity, Equity and Inclusion serves as the Title IX/Equity Coordinator for Connecticut State Community College (“CCSC”). Each CCSC campus has a Deputy Title IX/Equity Coordinator to support civil rights compliance and programming for their institution.

Collectively, these individuals are responsible for providing comprehensive nondiscrimination education and training; coordinating a timely, thorough, and fair Resolution Process of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this Policy and related procedures to ensure that CSCU’s education and employment environments are free from discrimination, harassment, and/or retaliation.

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<sup>2</sup> Note that individuals who serve as Title IX/Equity Coordinator for the institutions may have additional job titles and functions, as well. Although other staff from institutions may support related procedures under this Policy, all faculty and staff are always encouraged to coordinate efforts with their institution’s Title IX/Equity Coordinator.

## 5. Applicability and Jurisdiction

This Policy applies to all faculty, staff, employees, students (as currently defined in the BOR/CSCU Student Code of Conduct),<sup>3</sup> and other individuals participating in or attempting to participate in the CSCU's education programs and activities, including but not limited to contractors, vendors, visitors, guests, or other third parties. This Policy may be applied to incidents, patterns or practices, and/or institutional culture/climate, all of which may be addressed in accordance with this Policy. This Policy applies to the CSCU's education programs and activities, circumstances where CSCU has disciplinary authority, and to misconduct occurring within any building owned or controlled by an officially recognized student organization (as defined in the BOR/CSCU Student Code of Conduct).

This Policy shall apply on and off CSCU campus property, at CSCU-sponsored activities, and at activities conducted by officially recognized student organizations. This also applies to conduct that occurs online and through other forms of electronic communication and social media. CSCU is more likely to exercise jurisdiction off-campus if the conduct poses a threat to anyone's health, safety, or security, could negatively affect the mission or reputation of CSCU, poses a threat of undermining CSCU's educational process, involves an alleged violation of local, state or federal law, or if CSCU is required to do so by law.

This Policy applies to alleged incidents of discrimination, harassment, sex-based harassment, and/or retaliation that occur after August 1, 2024. For alleged incidents of sexual misconduct occurring prior to August 1, 2024, CSCU shall apply the policies promulgated by the Board of Regents at the time the alleged incident occurred, and procedures promulgated pursuant to those policies. All policies and procedures may be obtained by contacting the Executive Director of EEO and Civil Rights/Title IX Coordinator.

For disciplinary action to be issued under this Policy, the Respondent must be a CSCU faculty member, staff, or student subject to CSCU's disciplinary authority. If the Respondent is unknown or is not a member of CSCU, the Title IX/Equity Coordinator will offer to assist the Complainant in identifying appropriate campus and local resources and support options and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus). The Title IX/Equity Coordinator can also assist in contacting local or campus law enforcement if the Complainant would like to file a police report about criminal conduct.

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<sup>3</sup> Under the BOR/CSCU Student Code of Conduct at the time of the adoption of this Policy: "Student" means any person who has been notified of their acceptance for admission, registered, enrolled, or attending any College or University course or program. This applies whether enrollment is full-time or part-time; whether the course(s) occur on-campus, online, or at an off-campus instructional site (domestically, or internationally such as students studying abroad); and whether the student is pursuing undergraduate, graduate, non-degree seeking, post-graduate, or professional studies. This may also apply to any person who resides in a College or University residence hall. Persons who withdraw or otherwise depart a College or University after allegedly violating the Student Code are still considered students for the purpose of resolution through this Student Code. For the purposes of applying this Student Code, the Chief Student Conduct Officer, or designee, may use discretion in determining if the person's "student" designation and will have the authority to make any final determination as to whether or not a person is a "student." Generally, a student is not considered to have a continuing relationship if a student has not been enrolled in classes at a College or University for three (3) or more consecutive terms.

When a Respondent is enrolled in or employed by another institution, the Title IX/Equity Coordinator may assist the Complainant in contacting the appropriate individual at that institution, as it may be possible for the Complainant to pursue action under that institution's policies.

Similarly, the Title IX/Equity Coordinator may be able to assist and support a student, faculty, or staff Complainant who experiences discrimination, harassment, and/or retaliation in an externship, study abroad program, or other environment external to CSCU where harassment and/or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a CSCU faculty, staff, or student's work or educational environment, those effects may be addressed remedially by the Title IX/Equity Coordinator, if brought to their attention.

## **6. Prohibited Conduct**

CSCU faculty, staff, and students are entitled to an employment and educational environment that is free of discrimination, harassment, and/or retaliation. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by the First Amendment or principles of academic freedom. When speech or conduct may be protected by the First Amendment and/or academic freedom, including speech in a public setting and/or speech that is also motivated by political or religious belief, CSCU may nevertheless have an obligation to respond and offer supportive measures for those impacted.

CSCU may communicate its opposition to stereotypical, derogatory opinions; provide counseling and support for students affected by such harassment; or take steps to establish a welcoming and respectful campus environment, which could include making clear that CSCU values the diversity and inclusion of individuals of all backgrounds across the entire CSCU system.

All definitions of prohibited conduct below encompass actual and/or attempted offenses. Violation of any other CSCU policies may constitute discrimination or harassment when motivated by actual or perceived protected characteristic(s), and the result is a limitation or denial of employment or educational access, benefits, or opportunities.

- A. **Discrimination** is different treatment with respect to an individual's employment or participation in an education program or activity based, in whole or in part, upon the individual's actual or perceived protected characteristic. Discrimination also includes allegations of a failure to provide reasonable accommodations as required by law or policy, such as for disability, religion, or creed. Discrimination can take two primary forms:
  - **Disparate Treatment Discrimination:** Any intentional differential treatment of a person or persons that is based on an individual's actual or perceived protected characteristic and that excludes an individual from participation in;



denies the individual benefits of; or otherwise adversely affects a term or condition of an individual's participation in a CSCU program or activity.

- **Disparate Impact Discrimination:** Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person that excludes an individual from participation in; denies the individual benefits of; or otherwise adversely affects a term or condition of an individual's participation in a CSCU program or activity.
- B. **Discriminatory Harassment** is unwelcome conduct based on actual or perceived protected characteristic(s), that based on the totality of the circumstances, is subjectively and objectively offensive, and is so severe, persistent, or pervasive, that it limits or denies a person's ability to participate in or benefit from a CSCU program or activity.
- C. **Sex-based Harassment** is a form of sex discrimination and means sexual harassment and other harassment based on sex,<sup>4</sup> including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; sexual assault, dating violence, domestic violence, and stalking.
- **Quid pro quo:** an employee agent, or other person authorized by CSCU, to provide an aid, benefit, or service under a CSCU program or activity, explicitly or impliedly conditioning the provision of such aid, benefit, or service, on a person's participation in unwelcome sexual conduct.
  - **Hostile Environment Harassment:** unwelcome sex-based conduct, that based on the totality of the circumstances, is subjectively and objectively offensive, and is so severe or pervasive, that it limits or denies a person's ability to participate in or benefit from the CSCU's education program or activity.
  - **Sexual Assault:** Any sexual act, including Rape, Sodomy, Sexual Assault with an Object, or Fondling directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent; also, unlawful sexual intercourse.

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<sup>4</sup> Throughout this Policy, "based on sex" means conduct that is sexual in nature, or that is directed to the Complainant because of his/her/their actual or perceived sex or gender identity.

- a. **Rape:** Penetration, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - b. **Sodomy:** Oral or anal penetration, of the Complainant by the Respondent, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or, because of their temporary or permanent mental or physical incapacity.
  - c. **Sexual Assault with an Object:** Respondent's use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of the Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - d. **Fondling:** The touching of the private body parts (breasts, buttocks, groin) of the Complainant by the Respondent or causing the Complainant to touch the Respondent's private body parts intentionally for a sexual purpose without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity or physical incapacity.
  - e. **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Connecticut law.
  - f. **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent in Connecticut.
- D. **Dating Violence:** Violence<sup>5</sup> committed by a Respondent, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: length of the relationship, type of relationship, and/or frequency of the interaction between the Parties involved in the relationship.

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<sup>5</sup> For purposes of this Policy, violence is defined as intentionally or recklessly causing the Complainant physical, emotional, or psychological harm. Legitimate use of violence for self-defense is not chargeable under this Policy because the purpose is safety, not harm. Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.

- E. **Domestic Violence:** Felony or misdemeanor crimes committed by a person who: is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of Connecticut, or a person similarly situated to a spouse of the Complainant; is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; shares a child in common with the Complainant; or commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of Connecticut.
- F. **Stalking:** engaging in a course of conduct<sup>6</sup> based on sex, that is directed at the Complainant that would cause a reasonable person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress.
- G. **Sexual exploitation**<sup>7</sup> occurs when the Respondent 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 offenses. Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to:
- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
  - Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
  - Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography
  - Prostituting another person
  - Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection

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<sup>6</sup> For purposes of this definition, "A 'course of conduct' requires that there be more than one incident and the conduct must be directed at a specific person. Stalking can occur in person or using technology, and the duration, frequency, and intensity of the conduct should be considered. Stalking tactics can include, but are not limited to watching, following, using tracking devices, monitoring online activity, unwanted contact, property invasion or damage, hacking accounts, threats, violence, sabotage, and attacks. Merely annoying conduct, even if repeated, is a nuisance, but is not typically considered to be stalking.

<sup>7</sup> Sexual exploitation is further defined as a crime in Connecticut State Law.

- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)
- Creating or disseminating images or videos of child sexual abuse material

**H. Retaliation:** Adverse action, including intimidation, threats, coercion, or discrimination, against any person, by the CSCU, any student, employee, or a person authorized by CSCU to provide aid, benefit, or service under CSCU's education programs or activities, for the purpose of interfering with any right or privilege secured by law or Policy, or because the person has engaged in protected activity, including reporting information, making a Complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or Resolution Process pursuant to this Policy, including an informal resolution, or in any other appropriate steps taken by CSCU to promptly and effectively end any discrimination, harassment, and/or retaliation in its education programs or activities, prevent its recurrence, and/or remedy its effects.

**I. Unauthorized Disclosure:**<sup>8</sup> Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by CSCU; or publicly disclosing a party's personally identifiable information without authorization or consent.

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<sup>8</sup> Nothing in this section restricts the ability of the Parties to: obtain and present evidence, including by speaking to witnesses (as long as it does not constitute retaliation under this Policy), consult with their family members, confidential resources, or Advisors; or otherwise prepare for or participate in the Resolution Process.

As used in this Policy, the following definition (and concepts) apply:

**Consent** is an understandable exchange of affirmative and clear words or actions, which indicate a willingness to voluntarily participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs both voluntarily or involuntarily consumed may not give consent. Past consent to sexual activity does not imply ongoing future consent. Consent can also be withdrawn once given, if the withdrawal is reasonably and clearly communicated. If consent is withdrawn, sexual activity should cease within a reasonably immediate time.

Consent cannot be given if any of the following are present: Force, Coercion, or Incapacitation.

- A. **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and/or coercion that overcome resistance.
- B. **Coercion** is unreasonable pressure for sexual activity. Coercion is more than an effort to persuade, entice, or attract another person to have sex. Conduct does not constitute coercion unless it wrongfully impairs an individual's freedom of will to choose whether to participate in sexual activity.
- C. **Incapacitation** is a state where an individual cannot make rational, reasonable decisions due to the debilitating use of alcohol and/or other drugs, sleep, unconsciousness, or because of a disability that prevents the individual from having the capacity to give consent. Intoxication is not incapacitation and a person is not incapacitated merely because the person has been drinking or using drugs. Incapacitation due to alcohol and/or drug consumption results from ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication. The question of incapacitation will be determined on a case-by-case basis. Being intoxicated or incapacitated by drugs, alcohol, or other medication will not be a defense to any violation of this Policy.

## **7. Reports/Complaints of Discrimination, Harassment and/or Retaliation**

A Report provides notice to CSCU of an allegation or concern about discrimination, harassment, and/or retaliation and provides an opportunity for the Title IX/Equity Coordinator to provide

information, resources, and supportive measures. A Complaint provides notice to CSCU that the Complainant would like to initiate an investigation or other appropriate resolution procedures. An individual may initially make a Report and may decide at a later time to make a Complaint. Reporting options are detailed in procedures promulgated pursuant to this Policy; however, Reports or Complaints of discrimination, harassment, and/or retaliation may be made by making a verbal or written Report or Complaint to the Title IX/Equity Coordinator.

Reporting carries no obligation to initiate a Complaint, and in most situations, CSCU may be able to respect a Complainant's request to not initiate the Resolution Process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where CSCU may need to initiate the Resolution Process.

## **8. Mandated Reporting and Confidential Employees**

All CSCU employees (including student-employees), other than those deemed Confidential Employees below, are Mandated Reporters and are expected to promptly report all known details of actual or suspected discrimination, harassment, and/or retaliation to the Title IX/Equity Coordinator immediately.

Complainants and other individuals should consider whether they share personally identifiable details with Mandated Reporters, as those details must be shared with the Title IX/Equity Coordinator. A Complainant who desires formal action in response to their allegations may report to any Mandated Reporter, who can connect them with resources to report alleged crimes and/or Policy violations, and Mandated Reporters will immediately notify the Title IX/Equity Coordinator (and/or police, if desired by the individual or required by law), who will act when an incident is reported to them.

CSCU makes every effort to preserve the Parties' privacy. Information related to a Report or Complaint will be shared with a limited number of CSCU employees who "need to know" in order to assist in providing supportive measures or evaluating, investigating, or resolving a Report or Complaint. All employees who are involved in the CSCU's procedures under this Policy receive specific training and guidance about sharing and safeguarding private information in accordance with federal and state law. CSCU will not share the identity of any individual who has made a Report or Complaint; any Complainant; any individual who has been reported to be the perpetrator of discrimination, harassment, and/or retaliation; any Respondent; or any witness, except as permitted by, or to fulfill the purposes, of applicable laws and regulations (e.g., Title IX), Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law; including any investigation, or resolution proceeding arising under this Policy.

**Confidential Employees.**<sup>9</sup> To enable individuals to access support and resources without filing a Complaint, CSCU has designated specific employees as Confidential Employees. Those designated by CSCU as Confidential Employees for purposes of this Policy are not required to

report actual or suspected discrimination, harassment, and/or retaliation in a way that identifies the reporting individual. They will, however, provide individuals with the Title IX/Equity Coordinator's contact information and offer options and resources without any obligation to inform an outside agency or the Title IX/Equity Coordinator unless an individual has requested the information be shared.

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<sup>9</sup> The term "confidential" as used in this Policy differs from the use of the term "management/confidential" typically used to describe a category of employees within CSCU.

There are three categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and counselors; 2) Those whom CSCU has specifically designated as confidential for purposes of providing support and resources to the individual; and 3) Those conducting human subjects research as part of a study approved by an Institutional Review Board (IRB). For those in category 1), above, to be able to respect confidentiality, they must be in a confidential relationship with reporting individual, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the report. These individuals will maintain confidentiality except in extreme cases of health or safety emergencies, immediacy of threat or danger or abuse of a minor, elder, or individual with a disability, or when required to disclose by law or court order.<sup>10</sup>

If a Complainant would like the details of an incident to be kept confidential, they may speak with the following Confidential Employees:

- Campus-based counseling center staff
- Campus-based health center staff
- Any clergy affiliated with a College or University
- Ombudspersons
- On-campus victim advocates
- Sports medicine staff/Athletic trainers

In addition, a Complainant may speak with individuals unaffiliated with CSCU without concern that Policy will require them to disclose information to the CSCU without permission such as: licensed professional counselors and other medical providers, local rape crisis counselors, domestic violence resources, local or state assistance agencies, clergy/chaplains, attorneys.

## **9. Supportive Measures**

The Title IX/Equity Coordinator will offer and implement appropriate and reasonable supportive measures to individuals in response to reports of alleged discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the

Parties, to restore or preserve access to CSCU's education program or activity, including measures designed to protect the safety of all individuals and/or the educational environment and/or to deter discrimination, harassment, and/or retaliation.

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<sup>10</sup> All employees must always comply with BOR Policy 5.6, Reporting Suspected Abuse or Neglect of a Child, as applicable.



## **10. Standard of Proof**

CSCU uses the preponderance of the evidence standard of proof when determining whether this Policy has been violated. This means that the CSCU will decide whether it is more likely than not based upon the available information at the time of the decision, that an individual is in violation of this Policy.

## **11. Time Limits on Reporting**

There is no time limitation on providing Reports or Complaints to a Title IX/Equity Coordinator. However, if an individual is no longer subject to the CSCU's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible. Acting on Reports or Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of Policy) is at CSCU's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

## **12. Bias and Conflicts of Interest**

Title IX/Equity Coordinators are expected to act without bias and conflicts of interest. Title IX/Equity Coordinators are trained to ensure they are not biased for or against any individual in a specific Complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by a Title IX/Equity Coordinator, contact the Executive Director of EEO and Civil Rights/Title IX Coordinator. Concerns of bias, conflict of interest, misconduct, or discrimination by other individuals involved in administering this Policy should be raised with the Title IX/Equity Coordinator.

## **13. External Agency Contact Information**

Concerns about the CSCU's application of this Policy and compliance with federal or state civil rights laws may also be addressed to the agencies below. Making a Report or Complaint under this Policy has no bearing on reporting to an external enforcement agency. Individuals may concurrently make reports to law enforcement, external enforcement agencies, and any other entity as appropriate to their circumstances.

Contact information for state and federal agencies where one can report discrimination, harassment, retaliation and/or sexual misconduct in the workplace or educational environment are provided below. Individuals should contact these agencies directly for information on the respective reporting process, reporting timelines, and other matters.

United States Equal Employment Opportunity Commission (EEOC)

John F. Kennedy Federal Office Building  
Government Center, Room 475  
Boston, MA 02203  
(617) 565-3200

United States Department of Education, Office for Civil Rights (OCR)

400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
(800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

United States Department of Education, Office for Civil Rights (OCR) (Boston office)

33 Arch Street, Ninth Floor  
Boston, MA 02110  
(617) 289-0111

United States Department of Justice, Civil Rights Division

950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001  
(202) 514-3847 or (855) 856-1247  
(TTY) (202) 514-0716

Offices of the Connecticut Commission on Human Rights and Opportunities

450 Columbus Boulevard, Suite 2, Hartford, CT 06103; (860) 566-7710  
100 Broadway, Norwich, CT 06360; (860) 886-5703  
55 W. Main Street, Suite 210, Waterbury, CT 06702; (203) 805-6530  
350 Fairfield Avenue, 6th Floor, Bridgeport, CT 06604; (203) 579-6246

Connecticut Commission on Women, Children and Seniors, Equity & Opportunity

18-20 Trinity Street  
Hartford, CT 06106  
(860) 240-1424

State of Connecticut: Employee Grievance Procedure

(contact the College or University Human Resources Office or union representative for  
Grievance forms and/or procedures)  
200 Folly Brook Boulevard  
Wethersfield, CT 06109  
(860) 566-3450

#### **14. Revision of this Policy**

This Policy succeeds previous policies addressing discrimination, harassment, sexual misconduct, including Statement of Title IX Policy effective 7/29/2020, and/or retaliation, though previous policies and procedures related to sexual misconduct, including the Statement of Title IX Policy, remain in force for incidents occurring before August 1, 2024. The Executive Director of EEO and Civil Rights/Title IX Coordinator is responsible for periodic review and updates to this Policy, in consultation with the Office of General Counsel and other relevant CSCU stakeholders. The BOR reserves the right to revise this Policy as necessary.

This Policy is effective July 31, 2024.

# **Board of Regents**

## **CT BOARD OF REGENTS FOR HIGHER EDUCATION**

### **RESOLUTION**

concerning

#### **Implementation of CSCU Policies related to New Title IX Regulations**

- Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy
- Affirmative Action and Equal Employment Opportunity Policy Statement

**July 31, 2024**

**WHEREAS**, the Board of Regents (“Board of Regents”) and Connecticut State Colleges and Universities (“CSCU”) are committed to creating a learning environment and academic community that promotes educational opportunities for all individuals; and

**WHEREAS**, The Board of Regents and Connecticut State Colleges and Universities are committed to leading, by example, in the areas of equal employment opportunity and affirmative action, and affirmatively seek to attract to its faculty, staff, and student body qualified persons of diverse backgrounds; and

**WHEREAS**, The Affirmative Action and Equal Employment Opportunity Policy Statement has been updated to comply with federal and state laws and regulations regarding types of protected classes, and includes other technical revisions; and

**WHEREAS**, The United States Department of Education promulgated regulations under Title IX of the Education Amendments of 1972 (“Title IX”) and set forth certain specific requirements, which become effective on August 1, 2024; and

**WHEREAS**, The 2024 Title IX regulations have created an opportunity to realign and update CSCU Discriminatory Harassment, Nondiscrimination Title IX-related policies and procedures, and move to a unified policy to create one common community standard expectation for all members of the CSCU; and

**WHEREAS**, As there are numerous legal challenges underway in several states, other than Connecticut, that may affect the implementation of some or all the new Title IX regulations; and additional consultation with internal CSCU stakeholders is required to complete developing the related System-wide procedures to support the policies, with appropriate flexibility to accommodate the needs/staffing on specific campuses, it is advisable to title the Discriminatory Harassment, Nondiscrimination, and Title IX Policy as “Interim”; and

**RESOLVED**, that the Board of Regents approve the proposed revision to the “Affirmative Action and Equal Employment Opportunity Policy Statement” (BOR Policy 4-05); and be it further

**RESOLVED**, that the Board of Regents rescind the current Title IX Policy Statement (BOR Policy 4-11 dated 7-29-2020) and the current “Sexual Misconduct Reporting, Supporting Measures and Processes” Policy (BOR Policy 5-02 dated 7-29-2020) and adopt in their place the new Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy effective August 1, 2024.

**ITEM**

Recommendation to adopt the Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and adopt the update to Affirmative Action and Equal Employment Opportunity Policy Statement.

**BACKGROUND**

The policy work before results from a convergence of issues that compel a comprehensive overhaul of policies dealing with Title IX, discriminatory harassment, nondiscrimination, and retaliation. The factors at play include:

- 1) The current CSCU policies have long needed updating to better comply with state and federal regulations and clarify and streamline policies and procedures for everyone involved.

CSCU staff have consistently expressed confusion and frustration with existing CSCU policies and procedures related to Title IX, non-discrimination, and Affirmative Action. In addition, there is confusion and conflicting information in the existing CSCU Title IX policy and the CSCU Student Code of Conduct. Currently, the CSCU System's Title IX policies comprise a patchwork across several Board policies, the Student Conduct Code, and employee policies. These policies have long needed revision to better support the commitment of the CSCU to provide an educational and employment environment that is free from discrimination and/or harassment based on protected characteristics, and/or retaliation. Ease of use helps not only students, faculty, and staff (and their advisors/supporters), but also those who must implement the policies and procedures on the individual campuses and in the System Office.

- 2) There has been a lack of clarity in policies and a lack of clear direction specifically around discriminatory harassment, nondiscrimination and retaliation.

CSCU current patchwork of policies does not adequately address harassment and/or discrimination and/or retaliation based on all protected characteristics beyond sex as is required under various federal and state laws. As such, this is an opportune time for CSCU to address the lack of clarity around these issues at the system-level and move to a unified policy to create one common community standard for all members of the CSCU.

- 3) On April 19, 2024, the U.S. Department of Education promulgated new Title IX regulations that take effect on August 1, 2024, and supersede prior regulations.

CSCU is now required to adjust policies and procedures related to Title IX to comply with these new regulations.

- 4) There was a committee convened by the previous Provost to review and update the Student Conduct Code.

The details of this work are being processed through the Academic and Student Affairs Committee. However, references to Title IX are being removed to eliminate confusion.

The following summary chart may help provide clarity regarding the various policy revisions underway:

<b>Current BOR Policy</b>	<b>Updated/New BOR Policy</b>	<b>BOR Committee</b>
Affirmative Action BOR Policy 4-05	Reviewed and updated language	Human Resources July 17, 2024
Title IX BOR Policy 4-11 (recommended for recission)	New Interim Connecticut State Colleges and Universities Discriminatory Harassment, Nondiscrimination, and Title IX Policy	Human Resources July 17, 2024
Sexual Misconduct Reporting, Supporting Measures and Processes BOR Policy 5-02 (recommended for recission)		
Student Code of Conduct BOR Policy 2-01	Interim Student Code of Conduct is revised to update the preamble, definitions and prohibited conduct sections, which includes additional language to address protests on campuses; removes self-harm language; and removes Title IX and sexual misconduct components.	Academic & Student Affairs July 18, 2024

It is important to note that there are numerous legal challenges underway in other states that may affect the implementation of some or all the new Title IX regulations. Despite these potential legal challenges, it is our recommendation to proceed given that our current existing policies are not truly adequate to support the work in these key areas, and that we do not even have a system level policy related to non-discrimination. These policy changes are necessary – now – to improve our support and services in these key areas.

Should the Board adopt these policies, we plan to continue our work, in particular, on the Interim Discriminatory Harassment, Nondiscrimination and Title IX Policy. We are already beginning the process of developing system wide procedures to support the policies, with appropriate flexibility to accommodate the needs/staffing on specific campuses. We will continue consulting with relevant stakeholders on the policies and impacts thereof. We will adjust, as necessary, to any legal decisions that may be forthcoming. Most importantly, we will be working on efforts to train all employees on the new policies and regulations as required by the U.S. Department of Education.

## ANALYSIS

The analysis centers on the key changes/updates/additions to the policies in question:

### **Summary of Major Changes Related to the Affirmative Action and Equal Employment Opportunity Policy Statement**

- The Affirmative Action and Equal Employment Opportunity Policy Statement has been updated to comply with federal and state laws and regulations regarding types of protected classes.
- The policy has been reformatted for reading clarity.
- Typos were corrected.
- Contact information has been updated (and will need to be updated again in the near future).

### **Summary of Major Changes Related to Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy**

The draft Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy addresses the following changes required to move CSCU from the 2020 Title IX regulations to the 2024 Title IX regulations, while retaining compliance with other federal laws (such as the Clery Act and VAWA) as well as state laws:

- *Expanded Definitions and Jurisdiction*: The 2024 Title IX regulations provide full protection from sex-based harassment and discrimination. The 2024 regulations expand the definitions of sex discrimination and sex-based harassment while also expanding Title IX jurisdiction. The 2024 amendments clarify the definition of sex-based harassment and the scope of sex discrimination to prohibit discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Another major change in the 2024 regulations is that it defines “sex-based harassment” as a form of sex discrimination that include sexual harassment and harassment based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity, that is quid pro quo harassment, hostile environment harassment, or one of four specific offenses of forms of interpersonal violence referenced in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (“Clery Act”) as amended by the Violence Against Women Reauthorization Act of 2013. The 2024 regulations also require specific grievance procedures for allegations of sex/gender discrimination and retaliation to bring alignment and parity with grievance procedures used to resolve allegations of sexual harassment.
- *Sexual Orientation and Gender Identity*: The 2024 regulations now explicitly recognize that discrimination against LGBTQI+ students, employees, and others based on sexual orientation and gender identity are forms of discrimination under Title IX, bringing federal law into alignment with existing requirements under state law. The rule prohibits discrimination and harassment based on sexual orientation, gender identity, and sex characteristics in federally funded education programs. Note that the 2024 Title IX regulations do not address protections for transgender students in athletics. Instead, the



U.S. Department of Education indicates that the regulatory process for Title IX regulations related to athletics is still ongoing.

- *Pregnant and Parenting Students:* Although CSCU has policies protecting employees regarding pregnancy or related conditions, the 2024 Title IX regulations reemphasize that discrimination based on pregnancy or related conditions, including pregnant students and/or student or employee applicants, violates Title IX.
- *Evidentiary Standard of Proof:* The evidentiary standard of proof will be the preponderance of the evidence for determining whether a policy violation occurred. The preponderance of the evidence is currently the standard of proof in the BOR/CSCU Policy Regarding Sexual Misconduct Reporting, Supportive Measures and Process Policy and Title IX Grievance Procedures. Consistent with the 2024 Title IX regulations and Connecticut state law, the proposed Equal Opportunity, Harassment, and Nondiscrimination Policy ensures that all comparable proceedings equally apply the same evidentiary standard of proof in adjudicating a complaint.
- *Reporting Requirements:* All CSCU employees (including student-employees), other than those deemed Confidential Employees, are now expected to promptly report all known details of actual or suspected discrimination, harassment, and/or retaliation to the Title IX/Equity Coordinator and provide contact information for the Title IX/Equity Coordinator to affected individuals within the CSCU community.
- *Supportive Measures:* CSCU is permitted to provide supportive measures to a complainant or a respondent affected by conduct that may constitute sex discrimination, including sexual violence and other forms of sex-based harassment as long as such supportive measures are not unreasonably burdensome, are not provided for punitive or disciplinary reasons, and are designed to protect the safety of the parties or CSCU's educational environment or to provide support during the grievance procedures or during an informal resolution process.

The proposed Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy allows CSCU to have a commonly understood single standard prohibiting discrimination and/or harassment based on all protected characteristics. This will confer the following benefits:

- Prevent the “patchwork approach” of confusing, overlapping, out-of-date, and vague policies that could apply to faculty, staff, and/or students.
- Better manage risk with a consistent approach across all allegations of harassment and/or discrimination, so that CSCU institutions do not treat allegations of one kind of discrimination differently than other kinds of discrimination. Additionally, issues of

intersectionality of identity are increasingly present in this work (i.e., an individual who alleges discrimination based on more than one protected characteristic).

- Ease-of-use by practitioners across the CSCU system; consistently following policies and procedures is a key risk management issue and having a common policy and procedural framework for all to follow will enhance this goal.
- Transparency for the CSCU community regarding community standards and ease of training for faculty, staff, and students.

The 2024 Title IX regulations provide for much more flexibility regarding procedures, notably no longer requiring live hearings with advisor-led cross examination. Therefore, CSCU now can bring coherence to the procedures that CSCU institutions utilize to respond to reports and allegations of discrimination and/or harassment all with the common goal to stop the harassment/discrimination, prevent its recurrence, and remedy the effects of the harassment/discrimination. Under the supervision of Kim Pacelli as Interim Title IX Coordinator, and with legal guidance from the Office of General Counsel, CSCU practitioners are continuing to refine elements of a common procedural framework that will include:

- Clarity and ease of training for faculty and staff about their reporting responsibilities and when and where to report.
- Clarity and consistency regarding prompt follow-up following a report or disclosure, including ease conducting proper outreach and intake, clear communication to reporting individuals about resolution processes and options, ability to take quick emergency action when needed, and ease of providing immediate supportive measures, where appropriate.
- Adherence to key due process procedural requirements for formal resolution procedures under federal and state laws, as well as consistent with grievance procedures under collective bargaining agreements. Features will include:
  - Equitable treatment of complainants and respondents.
  - Conflict-of-interest and bias-free Title IX Coordinators, investigators, and decisionmakers.
  - Reasonably prompt timeframes for all major stages of the resolution process.
  - Presumption that a Respondent is not responsible until a determination is made.
  - Well-trained investigators, with flexibility to assign investigators as appropriate to address differences in institutional practices, structures, and resources.
  - Clarity regarding decision making, including ensuring that determinations regarding policy violations are made by well-trained individuals, and ensuring fidelity to existing requirements regarding sanctioning and remedies (when needed).
  - Reasonable steps to protect privacy of parties and witnesses during the grievance procedures

- Objective evaluation of relevant evidence and the exclusion of impermissible evidence.
  - Written notice of allegations to the parties and written determinations at the conclusion of the resolution process.
  - Burden on the recipient to gather evidence and decide what is relevant or impermissible.
  - Equal opportunity for the parties to present fact witnesses and other evidence.
  - Equal opportunity for the parties to access the relevant and not otherwise impermissible evidence and a reasonable opportunity to respond.
  - Access to advisors.
  - An appeal process.
- The procedural framework will also include hallmark elements that balance CSCU's ability to ensure that its program and activities are free from discrimination while respecting Complainant autonomy. These elements include:
    - Training for mandated reporters to ensure reports are vetted by Title IX/Equity Coordinators who can determine appropriate next steps that balance the need for autonomy against the safety concerns/concern for the community at-large.
    - Inclusion of a small subset of employees who are available to provide confidential assistance.
    - Enhanced features for privacy and confidentiality.
    - Reduced hurdles to informal resolution measures when appropriate and desired. Continued requirement that in cases that implicate patterns of behavior, safety concerns, minors, and more widespread impact, the institution may need to move forward with a formal grievance procedure.

## **Summary of Major Changes Related to the Student Code of Conduct**

Changes to the Student Code of Conduct are being handled through the Academic and Student Affairs Committee.

### **Attachments:**

- Proposed updates to the Affirmative Action and Equal Employment Opportunity Policy Statement
- Proposed Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy

## **RECOMMENDATION**

Based on the above, staff recommends the following:

1. Adopt the Affirmative Action Policy Statement – revise BOR 4.05
2. Rescind the Board of Regents' Title IX Policy – BOR 4.02
3. Rescind the Board of Regents' Sexual Misconduct Policy – BOR 5.02
4. Adopt new Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy



CONNECTICUT STATE  
COLLEGES & UNIVERSITIES

## INTERIM CONNECTICUT STATE COLLEGES AND UNIVERSITIES RESOLUTION PROCESS PROCEDURE FOR TITLE IX SEXUAL HARASSMENT

Effective Date: January 17, 2025

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## **I. APPLICABILITY**

This procedure applies to any potential violation of CSCU Board of Regents Policy 4-13 *INTERIM DISCRIMINATORY HARASSMENT, NONDISCRIMINATION, AND TITLE IX POLICY* (“Policy 4-13”) that also falls within the following subsets of Title IX Sexual Harassment, as defined by federal Title IX regulations:

Conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of CSCU conditioning the provision of an aid, benefit, or service of CSCU on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the CSCU’s “Title IX Education Program or Activity;” or
- (3) Sexual Assault, Dating Violence, Domestic Violence, and Stalking as defined in Policy 4-13.<sup>1</sup>

Further, this procedure applies only when the potential violation occurred after August 13, 2020, is alleged to have occurred in the United States, and while the Complainant was participating, or attempting to participate in, CSCU’s “Title IX Education Program or Activity,” which includes locations, events, or circumstances over which CSCU exercised substantial control over both the Respondent and the context in which the Title IX Sexual Harassment occurred, and includes any building owned or controlled by a student organization that is officially recognized by the CSCU or the College/University. For any other potential violation of Policy 4-13, please see the [Interim Discriminatory Harassment, Nondiscrimination, And Title IX Policy](#). CSCU is solely responsible for determining the applicability of this procedure to any potential violations of Policy 4-13.

## **II. GENERAL PROVISIONS**

CSCU will treat Complainants and Respondents equitably throughout the process. CSCU will presume that a Respondent is not responsible for a potential violation of Policy 4-13 or any other alleged misconduct until a determination regarding responsibility is made at the conclusion of this procedure.

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<sup>1</sup> Note that for purposes of this procedure, the phrase “for a sexual purpose” under Section 6(C)(d) shall be interpreted as “for purposes of sexual gratification” consistent with federal Title IX regulations.

CSCU requires that any Title IX/Equity Coordinator, investigator, informal resolution facilitator, or decision-maker not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

Parties involved in matters under this procedure may be accompanied by one advisor of their choice (which may be a union representative or attorney) to any meeting or proceeding. If a party does not obtain an advisor, CSCU will assign an advisor for the purpose of cross-examination during the live hearing. Advisors may not participate in the proceedings in lieu of the party. The advisor must maintain respectful and professional decorum in all proceedings; failure by the advisor to do so may result in CSCU excluding the advisor from participation. CSCU maintains discretion to determine whether exclusion of an advisor is warranted. If an advisor is excluded from participation in the hearing, CSCU will appoint an advisor for the party.

CSCU may offer supportive measures as appropriate and reasonably available to a party before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive measures are non-disciplinary, non-punitive individualized services, without fee or charge to the party, and can include mutual no contact directives, consistent with Policy 4-13. Supportive measures are designed to restore or preserve equal access to CSCU's Education Program and Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the CSCU's educational environment or deter Title IX Sexual Harassment.

CSCU may remove a student Respondent from the CSCU Educational Program and Activity on an emergency basis, provided that the CSCU undertakes an individualized safety and risk analysis to determine whether an immediate threat to the physical health or safety of any student or any other individual arises from the allegations of Title IX Sexual Harassment. CSCU must provide the Respondent with notice and an opportunity to challenge the removal decision immediately following the removal. CSCU may place an employee Respondent on administrative leave from the CSCU Educational Program and Activity consistent with applicable CSCU policies and applicable bargaining agreements.

CSCU will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this procedure. Such arrangements may include, but are not limited to, providing qualified interpreters, or assuring a barrier-free location for the proceedings.

CSCU will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and

present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses. While the process under this procedure is private, it is not confidential. CSCU may provide notice of the outcome or other information pertaining to matters addressed under this procedure to individuals or offices with a need to know the information, consistent with applicable laws.

If there is a determination that a violation of Policy 4-13 occurred, CSCU may impose appropriate disciplinary sanctions, up to, and including, separation from the institution, consistent with any applicable collective bargaining agreement. CSCU, as appropriate, will provide remedies to restore access to CSCU's Educational Program and Activity.

### **III. TIMELINE**

CSCU is committed to the prompt and thorough resolution of complaints under Policy 4-13. As such, CSCU will typically complete investigations within sixty (60) business days of receipt of a Formal Complaint. At the conclusion of the investigation, the parties will receive an electronic or physical copy of all relevant and directly-related evidence. Parties will have ten (10) business days to review and submit additional evidence or a written response. After the evidence review, parties will have an additional ten (10) business days to review the final investigative report and submit a written response to the decision-maker. The hearing will not be scheduled until after the ten (10) business day report review expires.

This procedure allows for reasonable extensions of timeframes on a case-by-case basis for good cause, which includes but is not limited to: investigations where additional time is necessary to ensure the integrity and completeness of the investigation; to comply with a request by law enforcement for temporary delay to gather evidence for a criminal investigation; to accommodate the availability of parties and/or witnesses; to account for University/College breaks or vacations; to account for complexities of a case, including the number of witnesses and volume of information provided by the parties; or for other legitimate reasons. Parties will receive written notice, including rationale, for any significant departure from the prescribed timeline.

### **IV. STANDARD OF EVIDENCE**

All determinations will be based on the *preponderance of evidence* standard, meaning the evidence must demonstrate that it is more likely than not that the incident occurred as alleged. Decision-maker(s) must evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker(s) is not persuaded by the evidence that a violation of Policy 4-13 occurred, whatever the quantity of the evidence is, the decision-maker(s) will not determine that a violation occurred.

## **V. REVIEW OF EVIDENCE**

*Relevant evidence* is evidence that has some value or tendency to prove a matter of fact significant to the case. Relevant evidence may pertain to a party or witness's credibility.

The decision-maker(s) will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as Complainant, Respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered by the investigator or the decision-maker(s) in connection with its investigation or at the hearing, except as may be necessary to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant or directly related:

- Evidence that is protected under a privilege recognized by federal or state law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless CSCU obtains that party's or witness's voluntary, written consent for use in this procedure; and
- Evidence that relates to the Complainant's sexual predisposition or prior sexual behavior, unless evidence about the complainant's prior sexual behavior is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual behavior with the Respondent that is offered to prove consent to the alleged Title IX Sexual Harassment. The fact of prior consensual sexual conduct between the parties does not by itself demonstrate or imply the Complainant's consent to the alleged Title IX Sexual Harassment or preclude determination that Title IX Sexual Harassment occurred.

## **VI. FILING A FORMAL COMPLAINT**

To initiate this procedure, a Formal Complaint must be filed. Formal Complaints must:

- be a written request for an investigation;
- be signed by the Complainant or the Title IX/Equity Coordinator, or designee;



- not be anonymous;
- identify the Respondent; and
- contain allegations that reasonable constitute Title IX Sexual Harassment, as defined above.

A Complainant must be participating or attempting to participate in the CSCU's "Title IX Education Program or Activity" at the time of filing the Formal Complaint, for purposes of determining the applicability of this procedure. A Formal Complaint may be filed with the Title IX/Equity Coordinator in person, by mail, or by electronic submission.

## **VII. NOTICE OF ALLEGATIONS**

Upon receipt of a Formal Complaint, CSCU will provide a written Notice of Allegations to the Complainant (if applicable) and the Respondent(s) regarding the allegations and containing information about this procedure. If, during the investigation, CSCU receives information of additional allegations concerning the Respondent(s), CSCU may supplement the Notice of Allegations, or may address the additional allegations through a separate process under the applicable procedures. CSCU may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. CSCU may also consolidate reports and complaints under this procedure to investigate and adjudicate any potential violation of Policy 4-13 that falls under the [Interim Discriminatory Harassment, Nondiscrimination, And Title Ix Policy](#) as well as any other applicable CSCU policy arising out of the same facts or circumstances.

## **VIII. DISMISSAL OF FORMAL COMPLAINT**

### *a. Mandatory Dismissal*

CSCU must dismiss a Formal Complaint, in part or whole at any point in the investigation or hearing, if:

- the conduct would not constitute Title IX Sexual Harassment, as defined above, even if proved;
- the conduct did not occur within CSCU's "Title IX Education Program or Activity;" or
- the conduct did not occur within the United States.

### *b. Discretionary Dismissal*

CSCU may dismiss a Formal Complaint, in part or whole at any point in the investigation or hearing, if:

- a Complainant withdraws, in writing, a Formal Complaint, or any allegations therein;
- the Respondent is no longer enrolled or employed by CSCU; or
- specific circumstances prevent the CSCU from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If CSCU dismisses a Formal Complaint, in part or whole, CSCU will notify the parties simultaneously. The notification will include the grounds and rationale for dismissal and information on how to appeal the dismissal, consistent with section XIV of this procedure. Dismissal does not preclude CSCU from taking action under another provision of CSCU policy.

## **IX. INFORMAL RESOLUTION**

Where appropriate and available, CSCU may offer the parties the option to engage in an informal resolution, which should typically be complete within (30) days. Informal resolution is not available for allegations that an employee engaged in Title IX Sexual Harassment against a student. There is no expectation that parties elect to participate in the informal resolution process. Further, both parties must be provided with written notice disclosing the allegations and the requirements of the informal resolution process, and the parties must agree to engage in the process in writing prior to initiation. Parties may decide to withdraw from the informal resolution process at any time prior to a final resolution, and based on the facts and circumstances, the matter may return to the investigation and adjudication process described by this procedure. An informal resolution is binding on the parties and is considered a final resolution to the matter.

## **X. INVESTIGATION**

When CSCU receives a Formal Complaint that is not otherwise subject to dismissal or an informal resolution, CSCU will initiate an investigation.

After providing notice, CSCU will conduct an adequate, reliable, and impartial investigation into the Formal Complaint. The burden is on CSCU- not the parties- to conduct an investigation that gathers sufficient evidence to determine whether a violation of Policy 4-13 occurred. As such, CSCU maintains full authority to determine whether certain evidence or witnesses are necessary to conduct a thorough investigation.

CSCU will provide a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate. CSCU will provide equal opportunity for parties

to present information, both inculpatory and exculpatory, and recommend fact or expert witnesses.

At the conclusion of the fact-gathering, parties will receive access to all directly related evidence and an investigation report, consistent with section III of this procedure.

## **XI. HEARING**

For all live hearings conducted under this procedure:

- The hearing will be live and recorded or transcribed for purposes of appeal.
- The hearing will be held by decision-maker(s) who will be either a single Hearing Officer or a Hearing Panel, at the discretion of CSCU. When a Hearing Panel is used, one member of the panel will be designated as the Hearing Chair.
- The Hearing Officer or Hearing Chair is responsible for enforcing the rules of decorum and determining relevancy.
- The Hearing Officer or Hearing Chair will open and establish rules and expectations for the hearing.
- The Parties will each be given the opportunity to provide brief opening statements.
- The Hearing Officer or panel will ask questions of the Parties and witnesses.
- Parties will be given the opportunity for live cross-examination of the parties and any witnesses after the Hearing Officer or panel conducts its initial round of questioning.
- All cross-examination must be done through the Party's advisor. Parties may not act as their own advisor.
- During this live-cross examination the Advisor will ask their advisee, the other Party or Parties, and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.
- Before any cross-examination question is answered, the Hearing Officer or Hearing Chair will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Hearing Officer or Hearing Chair, may be deemed irrelevant if they have been asked and answered.
- During the parties' cross-examination, the Hearing Officer or Hearing Chair will have the authority to pause cross-examination at any time for the purpose of asking the hearing body's own follow-up questions or enforcing the rules of decorum.
- Any Party or witness may choose not to answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning.
- The Hearing Officer or panel may consider statements made by Parties or witnesses even if those Parties or witnesses do not participate in the hearing or do not answer some or all questions, in reaching a determination regarding responsibility.

## **XII. DETERMINATION OF RESPONSIBILITY**

Following the hearing, the decision-maker(s) will review evidence consistent with this procedure and determine whether a policy violation occurred. Within ten (10) business days, the decision-maker(s) will issue a *written notice of outcome* to the parties simultaneously. The notice of outcome will include:

- a description of the allegations;
- a description of the procedural steps taken from the receipt of the Formal Complaint through the determination;
- information about the relevant policies and procedure;
- the decision-maker's evaluation of the relevant and not otherwise impermissible evidence;
- policy determination(s);
- information on sanctions, referrals, and remedies; and
- information on how to appeal the outcome.

Consistent with state law, the decision-maker(s) will also notify the Chancellor or appropriate president, and any other individual or office, such as Labor Relations, that may need to know the information.

Determinations of responsibility become final upon the outcome of appeal or the expiration of the appeal period.

## **XIII. REVIEW OF TRANSCRIPT OR RECORDING**

Either the recording or transcript of the hearing will be available for review by the Parties unless there are any extenuating circumstances. The record/transcript of the hearing will not be provided to Parties or advisors.

## **XIV. RESPONSE TO DECISION AND APPEAL PROCESS**

Within ten (10) business days of receipt of the written notice of outcome or dismissal, parties may submit a written response to the record and/or appeal on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of outcome, that could affect the outcome of the matter; and

- The Title IX/Equity Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If a timely appeal is received by any party, CSCU will notify the parties in writing and allow for a written response to the appeal within five (5) business days. After the parties are notified, CSCU will appoint an appeal officer or panel to review the appeal. The appeal officer or panel will not have acted as the investigator(s), decision-maker(s), or Title IX Coordinator in the matter.

After reviewing the appeal and any relevant evidence, the appeal officer or panel will provide written notice to the parties describing the outcome and any necessary remedies, up to and including re-opening the investigation.

#### **XV. RECORDKEEPING**

CSCU will maintain records of all proceedings under this procedure for a minimum of seven years, consistent with federal and state law. Such records will be shared pursuant to this procedure and may be disclosed to others with a need to know the information or pursuant to state or federal law or regulations.



**INTERIM CONNECTICUT STATE COLLEGES AND UNIVERSITIES RESOLUTION PROCESS  
PROCEDURE FOR BOR POLICY 4-13 INTERIM DISCRIMINATORY HARASSMENT,  
NONDISCRIMINATION, AND TITLE IX POLICY**

**Effective Date: January 17, 2025**

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## I. GENERAL PROVISIONS

This procedure generally applies to all allegations of potential violations of CSCU Board of Regents Policy 4-13 *INTERIM DISCRIMINATORY HARASSMENT, NONDISCRIMINATION, AND TITLE IX POLICY* where a report or Complaint is received on, or after, January 9, 2025.<sup>1</sup> [The Interim Connecticut State Colleges and Universities Resolution Process Procedure for Title IX Sexual Harassment](#) will apply to any potential violations that could constitute Title IX Sexual Harassment that are alleged to have occurred after August 13, 2020. CSCU is solely responsible for determining the applicability of this procedure to any potential violations of Policy 4-13.

CSCU will treat Complainants and Respondents equitably throughout the process. CSCU will presume that a Respondent is not responsible for a potential violation of Policy 4-13 or any other alleged misconduct until a determination regarding responsibility is made at the conclusion of this procedure.

CSCU requires that any Title IX/Equity Coordinator, investigator, informal resolution facilitator, or decision-maker not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent.

Parties involved in matters under this procedure may be accompanied by one advisor of their choice (which may be a union representative or attorney) to any meeting or proceeding. CSCU will not assign an advisor for the purposes of proceedings under this procedure. If a party chooses to have an advisor, the party should provide CSCU with the advisor's contact information for the purpose of scheduling. The advisor may act as a support person for their party, assist the party in navigating the process, and help formulate questions for the hearing. The advisor may not participate in lieu of the party in any capacity. An advisor must maintain respectful and professional decorum in all proceedings; failure by an advisor to do so may result in CSCU excluding the advisor from participation. CSCU maintains discretion to determine whether exclusion of an advisor is warranted.

CSCU may offer supportive measures as appropriate and reasonably available to a party after a report has been made. Supportive measures are non-disciplinary, non-punitive individualized services, without fee or charge to the party, and can include no contact directives, consistent with Policy 4-13. Supportive measures are designed to restore or preserve equal access to CSCU's Education Program and Activity, including measures

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<sup>1</sup> A Complaint is an oral or written report with an accompanying request that CSCU investigate the potential Policy violation.

designed to protect the safety of all parties or the CSCU's educational environment or deter additional potential violations of Policy 4-13.

CSCU may remove a student Respondent from the CSCU Educational Program and Activity on an emergency basis, provided that the CSCU undertakes an individualized safety and risk analysis to determine whether an immediate threat to the health or safety of any student or any other individual arises from the potential violation of Policy 4-13. CSCU must provide the Respondent with notice and an opportunity to challenge the removal decision immediately following the removal. CSCU may place an employee Respondent on administrative leave from the CSCU Educational Program and Activity consistent with applicable CSCU policies and applicable bargaining agreements. CSCU will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this procedure. Such arrangements may include, but are not limited to, providing qualified interpreters, or assuring a barrier-free location for the proceedings.

CSCU will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

While the process under this procedure is private, it is not confidential. CSCU may provide notice of the outcome or other information pertaining to matters addressed under this procedure to individuals or offices with a need to know the information, consistent with applicable laws.

If there is a determination that a violation of Policy 4-13 occurred, CSCU may impose appropriate disciplinary sanctions, up to, and including, separation from the institution, consistent with any applicable collective bargaining agreement. CSCU, as appropriate, will provide remedies to restore access to CSCU's employment or education program or activity.

## **II. TIMELINE**

CSCU is committed to the prompt and thorough resolution of complaints under Policy 4-13. As such, CSCU will complete an *initial review* of all reports within ten (10) business days of receipt. The *fact gathering* will be completed within forty (40) business days of the conclusion of the initial review, and the hearing will be scheduled within twenty (20) business days of the conclusion of the fact gathering. Parties will receive *written notice of outcome* within ten (10) business days of the hearing.



This procedure allows for reasonable extensions of timeframes on a case-by-case basis for good cause, which includes but is not limited to: investigations where additional time is necessary to ensure the integrity and completeness of the investigation; to comply with a request by law enforcement for temporary delay to gather evidence for a criminal investigation; to accommodate the availability of parties and/or witnesses; to account for University/College breaks or vacations; to account for complexities of a case, including the number of witnesses and volume of information provided by the parties; or for other legitimate reasons. Parties will receive written notice, including rationale, for any significant departure from the prescribed timeline.

### **III. STANDARD OF EVIDENCE**

All determinations will be based on the *preponderance of evidence* standard, meaning the evidence must demonstrate that it is more likely than not that the incident occurred as alleged. Decision-maker(s) must evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker(s) is not persuaded by the evidence that a violation of Policy 4-13 occurred, whatever the quantity of the evidence is, the decision-maker(s) will not determine that a violation occurred.

### **IV. REVIEW OF EVIDENCE**

*Relevant evidence* is evidence that has some value or tendency to prove a matter of fact significant to the case. Relevant evidence may pertain to a party or witness's credibility.

Parties will be provided with equal opportunity to present evidence during this procedure. Additionally, CSCU will take reasonable steps to obtain relevant evidence which may not be in the parties' control. The decision-maker will objectively evaluate all evidence that is relevant and not otherwise impermissible, including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered by CSCU in connection with its investigation, except as may be necessary to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by federal or state law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;

- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless CSCU obtains that party's or witness's voluntary, written consent for use in this procedure; and
- Evidence that relates to the Complainant's sexual predisposition or prior sexual behavior, unless evidence about the Complainant's prior sexual behavior is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual behavior with the respondent that is offered to prove consent to the alleged violation of Policy 4-13. The fact of prior consensual sexual conduct between the parties does not by itself demonstrate or imply the Complainant's consent to the alleged sexual contact or preclude determination that a violation of Policy 4-13 occurred.

## **V. INITIAL REVIEW**

Upon receipt of a report of a potential violation, CSCU will evaluate the report to determine whether the potential violation falls within Policy 4-13. A Complainant may make a Complaint (oral or written) in which the Complainant indicates their request that CSCU undertake an investigation under this procedure. The Title IX/Equity Coordinator may also make a Complaint under this procedure.

Where the potential violation does not fall under Policy 4-13, but may constitute behaviors prohibited by other CSCU policies, CSCU will promptly refer the matter to the appropriate authority and notify the impacted party of the referral in writing.

## **VI. DISMISSAL**

CSCU may dismiss a Complaint, in part or whole at any point in the investigation or hearing, if:

- the conduct would not constitute a violation of Policy 4-13, even if proved;
- the conduct did not occur within CSCU's Education Program or Activity;
- a Complainant withdraws, in writing, the Complaint, or any allegations therein;
- the Respondent is no longer enrolled or employed by CSCU; or
- specific circumstances prevent CSCU from gathering evidence sufficient to reach a determination as to the Complaint or allegations therein

If CSCU dismisses a Complaint, in part or whole, CSCU will notify the relevant parties in writing.

## **VII. INFORMAL RESOLUTION**

Where appropriate and available, CSCU may offer the parties the option to engage in an informal resolution of either a report or Complaint. There is no expectation that parties elect to participate in the informal resolution process. Further, both parties must agree to engage in the process prior to initiation. Parties may decide to withdraw from the informal resolution process at any time prior to a final resolution, and based on the facts and circumstances, the matter may return to the grievance process described by these procedures. An informal resolution is binding on the parties and is considered a final resolution to the matter.

## **VII. NOTICE OF ALLEGATIONS**

Following a Complaint, CSCU will provide a written Notice of Allegations to the Complainant (if applicable) and the Respondent(s) regarding the allegations and containing information about this procedure. If, during the investigation, CSCU receives information of additional allegations concerning the Respondent(s), CSCU may supplement the Notice of Allegations, or may address the additional allegations through a separate process under the applicable procedures. CSCU may consolidate Complaints as to allegations of Policy 4-13 against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Policy 4-13 arise out of the same facts or circumstances. CSCU may also consolidate reports and complaints under this procedure to investigate and adjudicate any potential violation of any other applicable CSCU policy arising out of the same facts or circumstances.

## **VIII. INVESTIGATION**

When CSCU receives a Complaint that is not otherwise subject to a dismissal or resolved using an informal resolution, CSCU will initiate an investigation.

After providing the Notice of Allegations, CSCU will conduct an adequate, reliable, and impartial investigation into the Complaint. The burden is on CSCU– not the parties- to conduct an investigation that gathers sufficient evidence to determine whether a violation of Policy 4-13 occurred. As such, CSCU maintains full authority to determine whether certain evidence or witnesses are necessary to conduct a thorough investigation.

CSCU will provide a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate. CSCU will provide equal opportunity for parties to present information, both inculpatory and exculpatory, and recommend fact witnesses. On a case-by-case basis, CSCU may allow for parties to present expert witnesses equally.

At the conclusion of the fact gathering, CSCU will provide at least ten (10) days for the parties to review all relevant and not otherwise impermissible evidence, to which the parties may submit a written response for consideration by the decision-maker(s). During the same period, parties will be given the opportunity to submit questions, in writing, to the decision-maker(s), which the decision-maker(s) will review for relevancy prior to the hearing. The decision-maker will explain to the submitting party any decisions to exclude questions based on relevance, impermissibility, lack of clarity, or harassment of another party. Parties will be given a reasonable opportunity to clarify or revise the excluded question(s) prior to the hearing.

## **IX. HEARING**

At the conclusion of the fact gathering, CSCU will schedule an administrative hearing which will be held by a decision-maker(s) who will be either a single hearing officer or a hearing panel, at the discretion of CSCU. The parties, the decision-maker(s), and, where applicable, the parties' advisors will be invited. Further, witnesses may be invited to participate in the hearing if the decision-maker(s) and/or the parties have relevant questions for the witness(es). The hearing will be recorded or transcribed for review purposes and will be available to parties, if necessary, for appeal purposes.

At the hearing, the decision-maker(s) will ask all relevant questions, including their own questions and questions submitted by the parties. No party or advisor will be permitted to directly question any party or witness. After the initial round of questions, the decision-maker(s) will suspend the hearing for at least fifteen (15) minutes for the parties to consider and submit any follow-up questions in writing to the decision-maker(s). The decision-maker(s) will reconvene the hearing and ask all relevant follow-up questions to the appropriate parties.

Any party, advisor, or witness present at the hearing may be removed from the hearing for engaging in disruptive or harmful behavior.

The decision-maker(s) may consider a party's level of participation in the hearing process in their determination, but a finding that a party engaged in prohibited conduct under Policy 4-13 may not be solely based on a party's refusal to attend or participate in the hearing or answer specific questions.

## **X. DETERMINATION OF RESPONSIBILITY**

Following the hearing, the decision-maker(s) will review evidence consistent with this procedure and determine whether a policy violation occurred. Within ten (10) business days, the decision-maker(s) will issue a *written notice of outcome* to the parties simultaneously. The notice of outcome will include:

- a description of the allegations;
- a description of the procedural steps taken from the receipt of the Complaint through the determination;
- information about the relevant policies and procedure;
- the decision-maker's evaluation of the relevant and not otherwise impermissible evidence;
- policy determination(s);
- information on sanctions, referrals, and remedies; and
- information on how to appeal the outcome.

Consistent with state law, the decision-maker(s) will also notify the Chancellor or appropriate president, and any other individual or office, such as Labor Relations, that may need to know the information.

Determinations of responsibility become final upon the outcome of appeal or the expiration of the appeal period.

## **XI. REVIEW OF TRANSCRIPT OR RECORDING**

Either the recording or transcript of the hearing will be available for review by the Parties unless there are any extenuating circumstances. The record/transcript of the hearing will not be provided to Parties or advisors.

## **XII. RESPONSE TO DECISION AND APPEAL PROCESS**

Within ten (10) business days of receipt of the written notice of outcome or dismissal, parties may submit a written response to the record and/or appeal on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of outcome, that could affect the outcome of the matter; and
- The Title IX/Equity Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If a timely appeal is received by any party, CSCU will notify the parties in writing and allow for a written response to the appeal within five (5) business days. After the parties are notified, CSCU will appoint an appeal officer or panel to review the appeal. The appeal officer or panel will not have acted as the investigator(s), decision-maker(s), or Title IX/Equity Coordinator in the matter.

After reviewing the appeal and any relevant evidence, the appeal officer or panel will provide written notice to the parties describing the outcome and any necessary remedies, up to and including re-opening the investigation.

### **XIII. RECORDKEEPING**

CSCU will maintain records of all proceedings under this procedure for a minimum of seven years, consistent with federal and state law. Such records will be shared pursuant to this procedure and may be disclosed to others with a need to know the information or pursuant to state or federal law or regulations.



**Procedure for Pregnancy-related Adjustments and Supports**  
**(BOR Policy 4-13, Interim Discriminatory Harassment,**  
**Nondiscrimination, and Title IX Policy)**

CSCU is committed to achieving equal educational and employment opportunities and full participation for individuals experiencing pregnancy and related conditions. Under Board of Regents Policy 4-13, discrimination or harassment based on pregnancy or related conditions is prohibited. Discrimination may include failing to make good faith efforts to provide appropriate adjustments to CSCU policies, practices, or procedures, consistent with state and federal laws and CSCU policy, related to pregnancy and related conditions, such as childbirth, termination of pregnancy, recovery, related medical conditions, and lactation.

Students or employees seeking pregnancy-related adjustments or appropriate supports should contact their [institutional Title IX Coordinator](#), who may undertake an interactive process, including collaborating with other offices, faculty, and/or supervisors, to determine and implement reasonable and appropriate supports and adjustments. Reasonable and appropriate supports and adjustments may include, but are not limited to:

- Allowing a student to reschedule tests or assignments and/or extending academic deadlines
- Access to online or remote learning options
- Excusing medically necessary absences
- Granting leave per CSCU's medical leave policy or implementing incomplete grades for classes that will be resumed at a future date
- Allowing breastfeeding students and employees reasonable time and space to express breast milk in a location that is private, clean, and reasonably accessible
- Modifications to the physical environment or supplies
- Mobility support, including parking and elevator access
- Changes in schedule, break times, or course or lab sequencing

Students or employees experiencing pregnancy-related conditions that manifest as a temporary disability under federal or state disability laws are eligible for reasonable accommodation just like any other individual with a temporary disability. The Title IX

Coordinator may consult with or refer to the College/University's accessibility services or human resources to ensure reasonable accommodation for disabilities as required by law.

A student may not be required to provide a certification that the student is able to participate in the program or activity, unless the institution requires such certification of all students participating.

Even when referring to and coordinating with other offices or staff, the institutional Title IX Coordinator retains oversight regarding supports and adjustments to ensure that the institutional response is consistent with Title IX and related laws.

Additionally, Policy 4-13 prohibits discrimination or harassment on the basis of pregnancy or related conditions, as well as retaliation for engaging in protected activity under Policy 4-13. Responsible Employees are expected to promptly report all known details of actual or suspected discrimination, harassment, and/or retaliation to their institutional Title IX Coordinator immediately.

*May 1, 2025 version*



**From:** [Campus Announcements](#)  
**To:** [Academic Departments](#); [Administrative Departments](#)  
**Subject:** Office of Equity & Inclusion re: Annual mandatory trainings  
**Date:** Tuesday, April 22, 2025 4:08:33 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Dear Central Employees,

It's that time of year when we need to complete our annual mandatory trainings for all full-time and part-time employees, including university assistants (please note that graduate interns, graduate assistants, and student workers do not participate in this set of trainings).

As indicated below, those who are in compliance with their trainings through Academic Year 2023-2024, you will only need to complete the **Title IX, FERPA and Ethics trainings**; those who are not in compliance will need to complete all six trainings.

Training	Frequency	Estimated Length of Time to Complete
Title IX/Cleary Act, and the Violence Against Women Act	Annually	20 minutes
FERPA	Annually	20 minutes
Ethics 101	Annually	30 minutes
Sexual Harassment Prevention	Every 10 yrs	2 hours
Gramm-Leach-Bliley Act	Once	15 minutes
Violence in the Workplace	Once	20 minutes

**Please note that required trainings will need to be completed by May 31, 2025.**

Within the next couple of days, you will be automatically enrolled in the specific modules you will need to take and will receive an email from NEOED letting you know that you can access your trainings; they will also periodically send reminders until all required trainings are complete. These emails will come from [donotreply@neoed.com](mailto:donotreply@neoed.com) and are not spam.

**You will be able to access your NEOED dashboard and the trainings at <https://www.ccsu.edu/neoed>.**

In addition to the trainings listed above, once during their employment all employees are required to take a three-hour diversity training, two hours of which are provided by an external trainer, followed by a one hour "Understanding and Preventing Microaggressions" online training. Some of you have completed the two hour in-person training, but did not complete the required one-hour online training.

If this is the case, you will also see this training listed for you to complete.

Please contact **Erin Rodas at [erodas@ccsu.edu](mailto:erodas@ccsu.edu)** if you have any questions about this particular training.

If you need accommodations, such as access to a computer, translation of content into another language, or clarification regarding the content, please notify **Dr. Jill Bassett Cameron at [jbassett-cameron@ccsu.edu](mailto:jbassett-cameron@ccsu.edu)**. She will assist you with these or any difficulties you may encounter, including accessing your NEOED account.

Thank you,

Michael Russo, Psy.D.  
Interim Vice President for Equity and Wellbeing  
Director of Counseling and Student Development  
Central Connecticut State University

**From:** [CSCU-Announcement](#)  
**To:** [BOR - General Announcements DL](#)  
**Subject:** Responsible Employee Training Course for CSCU Employees  
**Date:** Friday, April 25, 2025 10:50:33 AM

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CSCU



## Responsible Employee Training Course for CSCU Employees

Dear CSCU Community,

On July 31, 2024, the Connecticut Board of Regents for Higher Education voted to adopt Board of Regents Policy 4-13, [an interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy](#). Since the adoption, there have been many federal actions related to higher education. Then, and now, the Connecticut State Colleges and Universities (CSCU) system remains steadfast in its commitment to providing an educational and employment environment that is free from discrimination and harassment based on protected characteristics, as well as free from retaliation for engaging in protected activity. All Prohibited Conduct under Policy 4-13 remains prohibited conduct.

**Consistent with Policy 4-13, all CSCU employees were recently assigned or will soon be assigned a mandatory training titled “Responsible Employee.”**

**The Responsible Employee Training course is about 15 minutes and covers reporting obligations for employees under Policy 4-13, Interim Discriminatory Harassment, Nondiscrimination and Title IX Policy.**

**The training has a due date 60 days out from the assignment date.**

Please contact your institutional Title IX/Equity Coordinators with any questions or concerns. Those individuals are identified on the CSCU's [website](#).

We continue to monitor legal developments associated with Title IX and other civil rights laws to ensure CSCU stays compliant with current laws. CSCU stands firm in our commitment to non-discrimination and will continue to prioritize supporting the experience of all our students, faculty, and staff. Thank you for supporting these efforts by completing this training.

