

Calendar Year: 2024

Eastern Connecticut State University

CONN. GEN. STAT. § 10a-55m (f)
Sexual Violence Report

Introduction

Founded in 1889, [Eastern Connecticut State University](#) is Connecticut's only Public Liberal Arts University. While the University's dedicated mission is to provide a liberal education that is practically applied, the well-being and safety of the University community also remain a top priority. In Fall 2024, ECSU welcomed its seventh president, Dr. Karim Ismaili, whose leadership has been instrumental in ensuring that the University continues to uphold its mission and maintain robust resources and support to address issues of sexual assault, interpersonal violence, domestic violence and related concerns. The Board of Regents, which governs Eastern Connecticut State University and its other 16 affiliated colleges and universities, develops the system's policies that address issues of sexual assault, interpersonal violence, and domestic violence. While adhering to these policies, Eastern Connecticut State University employs a proactive and multi-pronged strategic approach to combat issues of sexual assault, stalking, and interpersonal violence. This report was prepared for the Connecticut General Assembly in accordance with Section 10a-55m(f) of the Connecticut General Statutes and summarizes all reports and disclosures made to the University from January 1, 2024 – December 21, 2024. For more information on ECSU policies and resources related to sex and gender-based violence, interpersonal violence, and stalking, please visit our [website](#).

University Policies regarding Sexual assault, Stalking, and Intimate Partner Violence

The BOR/CSCU policies regarding sexual misconduct reporting are available at <http://www.ct.edu/regents/policies>. these policies include:

- [2-01 Student Code of Conduct](#)
- [4-03 Consensual Relationship Policy](#)
- 4-11 BOR/ CSCU Statement of Title IX Policy (Attached in Appendix A)
- 5-02 Sexual Misconduct Reporting, Supporting Measures and Process Policy (Attached in Appendix A)
- Title IX Grievance Procedures – (Attached in Appendix A)
- Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy- effective date 7/31/24. (Attached in Appendix A)
- Interim Connecticut State Colleges and Universities Resolution Process Procedure for BOR Policy 4-13 Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy (effective dates 7/31/24-1/16/25). (Attached in Appendix A)

The policies outline the terms and procedures for addressing sexual misconduct concerns and allegations, including the right to notify law enforcement and seek protective orders. The BOR/CSCU also upholds the rights of all parties involved. In alignment with the Title IX regulations issued by the Biden administration—effective August 1, 2024—the 4-13 Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and Procedures were developed and implemented on July 31, 2024. The policy was also revised to update the definitions of prohibited behavior so they are consistent with the definitions set forth in the Title IX regulations.

The Title IX website at Eastern provides confidential resources for both complainants and respondents, and the policies are available on the Eastern website and presented during employee and student orientations.

Response and Support Resources

[Office of Equity and Diversity/ Title IX](#)

The Director of Institutional Equity/ Title IX Coordinator, is responsible for overseeing the institution's response to reports of sex- and gender-based discrimination for both students and employees, ensuring compliance with Title IX regulations. This includes conducting intakes, managing cases of all disclosures and reports, coordinating investigations, and providing support and resources to those involved. Additionally, they implement policies to prevent discrimination, promote a safe and equitable environment, and ensure appropriate corrective actions are taken. The role also involves providing training and education to the community on Title IX-related matters.

[Sexual Assault & Interpersonal Violence Response Team](#)

Eastern Connecticut State University's Sexual Assault & Interpersonal Violence Response Team (SAIV-RT) is a campus and community-based team dedicated to creating and maintaining a campus environment free of all forms of sexual harassment, sexual assault, dating/domestic violence, and stalking. The Team is committed to providing trauma-informed response, advocacy, prevention, intervention, and support to restore the safety of students who experience interpersonal violence.

[Division of Student Affairs](#)

While the University provides training and prevention education to the key stakeholder departments, staff members in the [Office of Housing and Residential Life](#), such as hall directors and resident assistants, serve as critical frontline support against sexual assault, stalking, and interpersonal violence for students residing on campus.

The Director of the Women's Center also serves as the University Victim's advocate supports student victims of sexual assault, interpersonal violence, and domestic violence. They connect complainants with on- and off-campus resources and provide guidance throughout the process. Additionally, the advocate co-chairs the Sexual Assault & Interpersonal Violence Response Team, working to ensure a coordinated response to incidents.

[The Sexual Assault Crisis Center of Eastern Connecticut](#)

The Sexual Assault Crisis Center of Eastern Connecticut is a private non-profit agency that offers free, confidential, and comprehensive services to victims of sexual assault and abuse. They work closely with our students, and we have a college advocate who holds office hours two days a week in the women's center. This organization serves as a confidential resource for ECSU's students. SACCEC is a member of the Connecticut Alliance to End Sexual Violence, the statewide coalition of sexual assault crisis agencies.

[ECSU Campus Police](#)

The University's Public Safety Department is available 24/7 to address sexual assault, interpersonal violence, and domestic violence. Sworn police officers, trained through the Connecticut Police Academy and certified by the Police Officer Standards and Training Council, have full authority to apprehend and arrest individuals for on-campus illegal activity. Criminal offenses are prosecuted through the Windham and Tolland Judicial Districts. The department

collaborates with local, state, and federal agencies and is part of the 911 Emergency System.

Written Notification of Rights and Options

ECSU offers various methods to inform students about their rights and available resources on campus. These include workshops, email communications, residence hall visits, and collaborative events. We also provide written notifications to educate students on these topics. Additionally, the Title IX website serves as a comprehensive resource, offering information related to sexual misconduct, interpersonal violence, and stalking. Examples of written notifications offered to students can be found in **Appendix B**.

Prevention, Awareness, and Risk Reduction Programs and Campaigns

ECSU has the [Title IX: Sexual Misconduct, Interpersonal Violence, or Stalking](#) reporting form that allows community members to submit reports on concerns involving sexual misconduct, sexual violence, intimate partner violence, and stalking directly to the Office of Equity and Diversity. This form is currently used by all mandated reports who receive disclosures of sexual misconduct, sexual violence, interpersonal violence, and stalking.

In 2024, the University also provided online training and prevention education on sexual assault, stalking, and interpersonal violence through "Not Anymore." "Not Anymore" allowed the University to educate students, instructional faculty, and staff members. Of particular importance, the online tool allowed the University to reach second-shift employees, many of whom used an online platform for the first time. These employees now had information on which offices offered support and where to file reports in cases of sexual assault, stalking, and interpersonal violence. Along with the online training, the University provided in-person sexual harassment prevention training for faculty and staff and shared the contact information for offices that offer support.

The Title IX training spreadsheet includes a variety of programs for public awareness, prevention, and risk reduction carried out for members of the University community. Given that the spreadsheet contains the trainings, this narrative will highlight a small selection of the trainings. The public awareness, prevention, and risk reduction outreach also included programs targeted to athletic personnel. This spreadsheet is included in **Appendix C**. The Women's Center has continued awareness programs from previous years, such as the Red Flag Campaign and Bystander Intervention. University public safety officers have attended various certification trainings related to domestic violence and sexual assault response. Staff members have also consistently attended national Title IX and student conduct conferences.

The campus web pages for the [Women's Center](#), [Student Conduct](#), [Equity and Diversity](#), and other departments play a critical role in publicizing available resources and campus safety. Eastern Connecticut State University continues to promote and utilize the [LiveSafe App](#) that allows any member of the campus community the ability to travel to one's destination, usually at night, while being monitored by public safety, another student, or friend.

Incidents of Sexual assault, stalking and intimate partner violence reported

Incidents Disclosed to the Institution

Eastern Connecticut State University offers various ways for students to inform the institution about concerns regarding sexual assault, interpersonal violence, and stalking. These are considered disclosures. A **disclosure** is defined as the receipt of any communication regarding an incident of sexual misconduct that is **not** accompanied by a request for an investigation or adjudication by the institution. There are no restrictions on reporting a disclosure to the Office of Equity and Diversity. Since we receive all disclosures related to sexual assault, interpersonal violence, and stalking, there are instances where the institution can only offer supportive measures due to jurisdictional limitations. In some cases where ECSU may have had jurisdiction, certain complainants chose to receive only supportive measures or did not respond to outreach efforts.

Eastern Connecticut State University also provides opportunities for community members to disclose issues related to sexual assault, interpersonal violence, and stalking to confidential resources, which include University Victim's Advocate, Counseling, Campus Ministry, and Health Services. The Title IX Coordinator receives aggregate data on these disclosures without any identifying information.

Table A presents the number of disclosures reported to the Office of Equity and Diversity/Title IX. Each disclosure included a follow-up with the complainant to review available resources, rights, and options. This also includes the aggregated data received by confidential resources.

Table A: Incidents Disclosed to the Institution During Calendar Year 2023

Category of Sexual Misconduct	Number of Disclosures	Disclosures where The University had Jurisdiction	Disclosures to which an individual did not wish to move forward / non-responsive to outreach	Support measures provided only	Number of reports signed by the complainant for the resolution process.	Confidential Disclosures
Sexual Assault	13	3	2	12	1	6
Stalking	10	8	0	10	0	2
Intimate Partner violence	6	1	0	6	0	5
Total	29	12	2	29	1	13

Disciplinary Cases January 1, 2024- December 23, 2024

When ECSU is notified of a concern related to sexual assault, interpersonal violence, or stalking, the Director of Institutional Equity/Title IX Coordinator will conduct intake meetings with the complainants to determine the appropriate next steps. If a student wishes to initiate a resolution process, they can submit a signed report, also referred to as a formal complaint, to the Office of Equity and Diversity. A **report** signifies a disclosure accompanied by an immediate request for either an investigation and adjudication or an informal resolution.

At the time of filing the formal complaint, the complainant must be actively participating in or attempting to participate in an educational program or activity offered by the institution. In the calendar year 2024, the Office of Equity and Diversity received one formal complaint which went through the formal investigation process in accordance with the 2020 Title IX Regulations. No cases proceeded through the structured informal resolution process; however, all individuals who submitted a disclosure were offered and provided appropriate supportive measures.

Table B presents information regarding disciplinary cases that underwent the formal investigation process. The Office of Equity investigated one case of sexual assault which had a finding of not responsible. The complainant of the case did submit an appeal; however, the appeal was deemed unsubstantiated, and the original outcome of the case was upheld.

Table B: Disciplinary Cases that went through Formal Investigation in Calendar Year 2023

Category of Sexual Misconduct	Number of Cases	Number of Cases Dismissed	Number of cases with a Not responsible outcome	Number of cases with a responsible outcome	Sanctions imposed	Number of Appeals Submitted	Appeal Outcomes
Sexual Assault	1	0	1	0	0	1	Unsubstantiated
Stalking	0	0	0	0	n/a	0	n/a
Intimate Partner Violence	0	0	0	0	n/a	0	n/a
Total	1	0	1	0	0	1	

In some cases, reports of sexual violence either did not meet the jurisdictional or policy threshold for a formal investigation, or the complainant chose not to pursue the investigative process. Even in these situations, ECSU ensured that supportive measures were made available to all parties. These measures included referrals to on- and off-campus counseling services, connection to victim advocates, academic accommodations, housing adjustments, safety planning, no-contact orders, educational conversations, and assistance with navigating medical or legal resources. For cases that did not meet the formal threshold but involved concerning or problematic behavior, the university implemented proactive interventions such as educational conversations, targeted training, and mediation efforts that, while not part of the formal or informal resolution processes, addressed the behavior and reinforced community standards.

Eastern provides a robust calendar of prevention programming and training to address sexual assault, dating and domestic violence, and stalking. Efforts include a mix of primary prevention events, such as awareness campaigns, empowerment activities, and bystander intervention trainings, as well as ongoing initiatives that reinforce key messages throughout the year. Programs are offered to both students and employees, ensuring broad engagement and compliance with Title IX requirements. Many activities address multiple prohibited behaviors, reflecting the interconnected nature of these issues. Detailed participation numbers and a breakdown of programs by prohibited behavior are provided in Appendix C.

4.11	BOR/CSCU STATEMENT OF TITLE IX POLICY	20-102	2020-07-29
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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”)ⁱ, 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 under 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)ⁱⁱ, “dating violence” as defined in 34 U.S.C. 12291(a)(10)ⁱⁱⁱ, “domestic violence” as defined in 34 U.S.C. 12291(a)(8)^{iv}, or “stalking” as defined in 34 U.S.C. 12291(a)(30).^v

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 and at the time of the filing the complainant was 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

ⁱ 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"

ⁱⁱ 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.

ⁱⁱⁱ 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.

^{iv} 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.

^v 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.

Appendix A

Eastern Connecticut State University Police & Procedures
related to sexual assault, interpersonal violence and
stalking.

5.2	Sexual Misconduct Reporting, Supportive Measures and Processes Policy	20-103	2020-07-29
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**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.

Sexual Misconduct Reporting
Support Services and Processes Policy

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:

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- 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

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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 cohabitating 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

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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

Sexual Misconduct Reporting Support Services and Processes Policy

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.

Sexual Misconduct Reporting
Support Services and Processes Policy

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 CSUC 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,

Sexual Misconduct Reporting Support Services and Processes Policy

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

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

¹ 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.

² 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.

³ 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.

⁴ 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.

⁵ 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.

Sexual Misconduct Reporting Support Services and Processes Policy

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 on a regular basis 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

Sexual Misconduct Reporting
Support Services and Processes Policy

Coordinator will 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.

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

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 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.

<https://www.ct.edu/files/policies/5.2%20Sexual%20misconduct%20reporting%20support%20and%20processes.pdf> (need link to latest). 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 CSCU “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that CSCU 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 CSCU programs and activities over which CSCU 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 CSCU’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 CSCU 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 CSCU 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. CSCU 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 CSCU Title IX Coordinator:

Name: Angelo Simoni

Title: Senior Executive Director; Compliance, Equity & Student Relations

Office Address: 61 Woodland Street, Hartford, CT 06105

Email Address: Simoniam@ct.edu

Telephone Number: (860) 723-0165

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

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 CSCU 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

CSCU retains the authority to remove a respondent from a CSCU program or activity on an emergency basis, where CSCU (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 CSCU 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

CSCU 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 CSCU 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. CSCU 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 CSCU'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, CSCU 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, CSCU 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, CSCU 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

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

The CSCU 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 CSCU.

CSCU 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.

CSCU'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 CSCU 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. CSCU 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 CSCU.

Notice of Meetings and Interviews

CSCU 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.

CSCU 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 CSCU and does not indicate responsibility.

CSCU 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. CSCU 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

CSCU 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, CSCU 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

CSCU 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, CSCU 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.
- CSCU 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 a single decision-maker; a panel of 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, CSCU 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

CSCU 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. CSCU 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 CSCU allow parties to call character witnesses to testify. CSCU 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 CSCU 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 CSCU 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

CSCU 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.

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.¹ 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.

¹ 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.² 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.

² 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),³ 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.

³ 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,⁴ 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.

⁴ 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:** Violence⁵ 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.

⁵ 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 conduct⁶ 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**⁷ 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

⁶ 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.

⁷ 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:⁸ 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.

⁸ 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.⁹ 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.

⁹ 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 CSU.

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 CSU 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.¹⁰

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 CSU without concern that Policy will require them to disclose information to the CSU 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 CSU'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.

¹⁰ 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
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:

Current BOR Policy	Updated/New BOR Policy	BOR Committee
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



**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, 2025.¹ [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

¹ 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.



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 4-13.¹

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.

¹ 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.

Appendix B

Eastern Connecticut State University Resources



+ Navigation

LiveSafe

Eastern Connecticut State University now has a new mobile safety app called LiveSafe. The LiveSafe app provides the campus community with a direct connection to campus public safety so that everyone can easily communicate all their safety needs. Its easy-to-use features help you stay safe every day and enable us to better protect you. LiveSafe is a free mobile safety app and is easy and quick to use! The app is available as a free download for all Eastern students, faculty and staff. The Eastern Community is encouraged to use the LiveSafe app to communicate with Eastern Police about any issues, concerns or questions related to campus safety and security.

While this app does have a 911 feature, it does not replace using 911 telephone voice communication when faced with an emergency situation. The LiveSafe app is being provided as a new channel to report non-emergency information, safety information and crimes to the Eastern Police Department and some other campus departments when appropriate.

Benefits:

- Share information, tips and safety concerns with campus safety via text messaging, including picture, video, and audio attachments, or even through live chat.
- Stay anonymous anytime, or send your user information and location to Eastern Police as soon as you call or message, allowing faster response times.
- View a helpful **Safety Map** that displays where recent incidents have occurred, as well as nearby safety locations.
- Activate, SafeWalk, a GPS-tagged monitoring feature to let your friends and family keep you covered until you arrive safely to your destination.
- The user controls what information is sent and who it is sent to.

Set-Up LiveSafe:

1. Download the app on your [iPhone](#) or [Android](#).
2. Make sure to select the “LiveSafe” App and open it.
3. Register your mobile phone and Eastern e-mail (required).
4. Select “**Eastern Connecticut State University**” as your affiliation.
5. LiveSafe will send you a text or an e-mail with a confirmation code that you must enter to verify your affiliation.
6. You will be asked to create an account by entering your first/last name and a password for your LiveSafe profile.
7. You will be sent an e-mail to verify your account/profile information (if the e-mail goes to your junk mailbox please move it to your inbox to properly confirm it).
8. Answer a few setup questions (you can change these settings in the future).
9. You’re set! Start using the app to stay safe every day.



[CONTACT US](#)

[MAPS](#)

[ADA ISSUES](#)

[EMERGENCY](#)

[JOBS AT EASTERN](#)

[DISCLAIMER](#)

[COOKIE POLICY](#)

[PRIVACY NOTICES](#)

[FREEDOM OF INFORMATION](#)

[NON-DISCRIMINATION NOTICE](#)

Eastern Connecticut State University engages students from diverse backgrounds in a transformative, liberal arts learning experience that provides knowledge and skills to lead enriching, purposeful lives.

Accredited by the New England Commission of Higher Education
83 Windham Street, Willimantic, Connecticut 06226

Emergency numbers

Police Emergency Number
911 CT Safe
Connect
1.888.774.2900

www.ctsafeconnect.org

Telephone numbers in your area

Eastern Police Department 860.465.5310

Willimantic Police Department
860.465.3135 (Off campus incidents)

-Confidential Tipline

860.465.0242

Campus Health Center
860.465.5263

Office of Equity and Diversity
860.465.5112

Campus Counseling Center and
Psychological Services (Non Emergency)

860-465-0181

Dean of Students: 860.465.5247

Women's Center: 860.465.4314

Info Line: 211

Windham Hospital Emergency Room
860.465.6715

Office of Student Conduct
860.465.0063

United Services
860.456.9476
www.unitedservicesct.org

Sex Assault Crisis Center of Eastern
CT 860.456.3595
www.saccec.org

Title IX: 860.465.5012

STAYING SAFE ON CAMPUS

PERSONAL SAFETY PLAN

Take precautions and make a plan to
stay safe.



Staying Safe in the Dorms/Suites

I can seek assistance through equity and
diversity Title IX office of student conduct
along with campus police.

I can tell these people about what is going on
in my relationship.

When my dorm/suite mate is gone, I can have
people stay with me. If I feel unsafe, I can
ask:

The safest way for me to leave my dorm/suite
in an emergency is:

If I have to leave, this is where I can go:

Commuting Safely

I can use the emergency blue phones located
on campus and download and use the ECSU
"Live safe" app :

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

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

Name: _____

Number: _____

Name: _____

Number: _____

Why Do You Need a Safety Plan?

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

Staying Safe on Campus

The safest way for me to get to class is:

These are places on campus where I often
run into my abusive partner/ex-partner:

If I need to go to one of those places, I will
ask a friend to escort me. I will ask:

If I feel threatened or unsafe, I can go to these
public areas where I feel safe:

I could talk to the following people if I need
help, need to arrange my schedule or transfer
to another dorm:

- Dean of Students
- Campus Police/Public Safety
- Counseling/Health Services
- Title IX Coordinator

• Other:

This project was supported by Grant No. 2015-X1406-CT-WA awarded by the
Office on Violence Against Women, U.S. Department of Justice. The opinions,
findings, conclusions, and recommendations expressed in this publication are
those of the author(s) and do not necessarily reflect the views of the
Department of Justice, Office on Violence Against Women.

Increase your support network

- I can talk to someone I trust. Tell a family member, friend, co-worker, professor, clergy member or your doctor.
- I can speak with an expert by contacting my local domestic violence agency at **888.774.2900**.
- I can call the campus police if I am afraid, I will be abused or have been abused.

If I have an order of protection

- I can give campus police a copy?
- I can keep a copy of my protective order with me at all times.
- I can tell my resident HD, my employer, my closest friend and _____ that I have an order of protection.
- If my partner violates the order, I can call the police and report the violation.

Staying Safe Emotionally

If I feel confused, scared, anxious or depressed, I can call the following friends or family members:

Name: _____

Number: _____

Name: _____

Number: _____

Name: _____

Number: _____

Things I can do to keep myself safe electronically and online

- I can set all my online profiles to the maximum privacy settings.
- I can save and track any abusive, threatening, or harassing comments, messages, posts, or texts.
- I can ask my friends and family not to let my partner know where I am or to alert him/her of changes in my contact information.
- I can change all of my passwords and can choose not to give new passwords to anyone. I can change or create a voicemail password.
- I will not answer calls from unknown, blocked, or private numbers.
- I can see if my phone company can block my partner’s phone number from calling or texting my phone.
- I can seek support from the university to end harassing communications that have been coming to me through any university email, or university phone systems.

What is safety planning?

Safety planning is a process to help reduce your risk based on your individual life and relationship. While you can’t control your partner’s behavior, you can still take steps to help keep yourself safe. You are most likely doing many of the things outlined in this guide already, and safety planning is a tool to help you gather your thoughts and prepare for how you might react in certain situations.

No one has control over their partner’s abuse and violence but there are ways to reduce your risk of harm.

Things I can do to keep myself safe in social situations

- I can ask my friends to keep their phones with them while they are with me in case we get separated and I need help.
- I can ask friends who are having gatherings if my partner has been invited or ask them not to invite us both.
- No matter where I go, I can be aware of how to leave safely in case of an emergency.
- I can leave if I feel uncomfortable, as I know I should trust my instincts.
- If I plan on drinking, I can be sure to have a sober driver who is not my partner or have the number for a safe ride.
- I can spend time with people who make me feel safe, supported, and good about myself.
- I can change my telephone number and my social media account passwords.

I will have a bag ready with the following items if I need to leave unexpectedly:

- Cell phone and charger
- Spare cash
- Keys
- Driver’s license and/or passport, student ID, birth certificate and/or social security card
- Immigration papers and other important documents,
- Change of clothes
- Medications
- Special and irreplaceable items

Things I can do to keep myself safe every day

- I can carry my cell phone and important numbers with me at all times.
- I can keep in touch with someone I trust about where I am or what I am doing.
- I can try to stay around people I trust and public places.
- If I feel comfortable, I will alert someone about what is happening in my relationship so they can help keep me safe on campus.
- I can go to different places where my partner or his/her friends are likely not to be or know about.
- I don’t have to wait for an emergency to ask for help, it’s okay to plan ahead if I’m concerned.
- If I am no longer with my partner and we must speak, I will make sure that others are around in case of danger.
- I can pursue an order of protection to have legal support in keeping my partner away.
- I can remember that his/her behavior is not my fault and that I deserve to be safe and healthy on campus and in my relationships.





Your Rights & Resources as a Complainant

A guide for students who experience sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking.

EASTERN CONNECTICUT STATE UNIVERSITY

Office of Equity & Diversity/Title IX

DEFINITIONS

Title IX

Title IX states 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. Title IX declares sexual harassment as a form of discrimination and requires educational institutions to respond promptly and effectively to reports of sexual misconduct.

Consent

Consent is the equal approval, given freely, willingly and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision — to engage in mutually accepted sexual contact. Consent cannot be assumed because there is no physical resistance or other negative response.

Sexual Harassment

Sexual harassment can include any unwanted 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 individuals' education or employment; submission to or rejection of such conduct by an individual is 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.

Sexual Assault

Sexual assault is any attempted or forcible sexual act (sexual contact or sexual intercourse) directed against another person without their consent (as defined herein) including instances when that person is not capable of giving consent.

Sexual Exploitation

Sexual exploitation occurs when a person takes a nonconsensual 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.

Intimate Partner Violence/ Domestic and/or Dating Violence

Intimate partner, domestic and/or dating violence means any emotional, physical or sexual harm against an individual by a current or former spouse or in a dating or cohabitating relationship. Intimate partner violence may also include physical abuse, threat of abuse and emotional abuse.

Stalking

Stalking is defined as repeatedly contacting another person when the contacting person knows or should know 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 when the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

WHAT CAN I DO IF AN INCIDENT OCCURS

1. **Go to a safe place.** Go to a friend's room, an RA's room or any open office you feel comfortable in. If you are not safe, call University Police at (860) 465-5310 or call 911.
2. **Contact someone you can trust.** A friend, a family member or a victim's advocate are good resources to call. In addition, there are 24-hour hotlines available for support.

Sexual Assault Crisis Center of Eastern Connecticut (860) 456-2789

United Services Domestic Violence Program (860) 456-2261
3. **Preserve evidence.** If you think you might want to report the crime to the police, do not shower, douche, eat, brush your teeth or

wash your clothes. If the incident involves any written or electronic evidence such as pictures, texts, emails, social media posts or videos, try to preserve copies.

4. **Seek medical attention as soon as possible.** You do not need to make a formal report to the University or press charges to receive medical attention and treatment. You will have options for prevention of pregnancy and sexually transmitted infections.
5. **Receive a forensic exam.** If you are unsure about whether you want to report the crime to the University or the police, you can have evidence collected at the local hospital and then decide about reporting at a later date.

RIGHTS OF THOSE WHO REPORT

1. All reports of sexual misconduct will be treated seriously and with dignity by the University.
2. Referrals are available to immediate and confidential off-campus counseling and medical services. These referrals are available whether or not those who report feel ready to make a decision about reporting to police, a University employee or the campus's Title IX coordinator.
3. Those who have been affected by sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.
4. Those who seek confidentiality may contact: a University counseling center counselor, a University health center care provider, a clergy member(s), 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.
5. Any student, under the influence of alcohol at the time of an incident, or at the time of reporting, may not be subject to the Code of Conduct process related to alcohol violations. *It is never too late to seek help and support.*
6. As stated by the Board of Regents of Higher Education, retaliation against any person who made a complaint, testified, assisted, participated or refused to participate in an administrative or criminal process, is strictly prohibited and will not be tolerated.

REPORTING OPTIONS

Reporting is both a right and an individual choice. You have different reporting options available to you. *Please note you do not need to choose only one option.* You may choose as many options you feel you need. It is, however, important to understand that each option has its own procedures and mandated processes. No two processes are the same nor will they produce the same outcome.

1. Filing a formal complaint with the Office of Equity and Diversity/Title IX

You have the right to file a formal complaint with the Office of Equity and Diversity/Title IX which initiates an administrative investigation of alleged behavior that violated our Sexual Misconduct Policy stated in the Student Code of Conduct. *This process does not investigate violations of criminal law.*

- a. All investigations of violations of Title IX and our Sexual Misconduct Policy are designed to be prompt, fair, impartial and to equitably protect the rights of individuals participating in the process. If you choose to submit a complaint, you have the right to have a support person present with you throughout the complaint, investigation and hearing process.
- b. As the reporting party you have the choice to participate in the investigation process.
 - It is important to know that in certain cases, the Title IX coordinator may choose to move forward with the investigation even if the reporting party wishes to not participate. The reporting party will not be forced to participate but will be notified if an investigation will continue.
- c. For more information on filing a formal complaint, please contact the Title IX coordinator at (860) 465-5012 or (860) 576-1483.

2. Third party/anonymous reporting

Any individual has the right to file a report on the **Title IX: Sexual Misconduct, Interpersonal Violence or Stalking Form** which can be found on https://cm.maxient.com/reportingform.php?EasternCTStateUniv&layout_id=1

- a. The Title IX Sexual Misconduct, Interpersonal Violence or Stalking form gives

the option to file anonymously without any identifying information.

- b. University employees are required to file a *Title IX: Sexual Misconduct, Interpersonal Violence or Stalking Form* when made aware of an incident related to sexual assault, sexual harassment, stalking and intimate partner violence.
- c. For more information on anonymous reporting please contact the Title IX coordinator at (860) 465-5012 or (860) 576-1483.

3. Contacting the University police department

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

- a. *Criminal complaint* - Students may make criminal complaints with the University police department. The police will inform the students of their rights and options. University police will investigate and will keep the student apprised about any decision to prosecute.
Note: A criminal investigation will be done through the police department within the jurisdiction of the area that the crime was committed.
- b. *State's attorney* - The police will review all cases with the State's attorney's office. The State's attorney will make the final decision to prosecute under State law.
- c. If you wish to have the accused prosecuted, the police and district attorney's office will handle the legal proceedings without expense to you. *You do not need to hire an attorney.*
- d. You may have a victim's advocate present with you while making a complaint to the police.

REPORTING OPTIONS, CONT'D

e. *Protective and/or Restraining Orders*

- i. Campus police and advocates can help you explore safety options such as protective or restraining orders that can be requested and issued by a judge from the criminal courts related to any of the above incidents.
- ii. A court issued protective or restraining order prohibits someone from communicating with a complainant, from entering the complainant's residence, workplace, school or

property as well as any place the complainant may frequent.

- iii. When informed that a protective or restraining order has been issued, Eastern will take immediate steps to enforce the order as it relates to activities on the campus. It is important that students alert Eastern police that such an order has been issued (*providing the police with a copy of the order is strongly encouraged*).

SUPPORTIVE MEASURES

Supportive measures are non-disciplinary and non-punitive services offered to restore or preserve equal access to the University's educational program or activity without unreasonably burdening the other party. Students have the right to receive supportive measures from Eastern, regardless of whether they decide to file a complaint. Students should not hesitate to make these requests, which will be addressed in a timely manner by the Office of Equity and Diversity/Title IX. Some supportive measures include, but are not limited to:

1. Assistance in changing living arrangements, class schedules or on-campus work schedules
2. Campus escort services
3. No contact orders. Restrictions on contact between involved parties. (*Please note, this is not the same as a protective or restraining order*)
4. Leave of absence
5. Increased security and monitoring of certain areas of campus

OVERVIEW OF THE TITLE IX GRIEVANCE PROCESS

The time frame for the Title IX grievance process will be concluded within ninety (90) school calendar days after the filing of the formal complaint. The process may be extended for good reason. Any delays to the process, along with reason, will be directly communicated to all parties by the Title IX investigator and coordinator. *Any student who is going through the process has the right to have a support person present at any meeting. Students may choose their own support person or the University can provide one.*

1. **Filing a formal complaint** When a formal complaint is filed, the Title IX coordinator will meet with the complainant to review and better understand what occurred and what allegations are being reported. Once the allegations are determined, the person accused of alleged behavior (also referred to as the respondent) will receive a notice of allegations from the Title IX investigator and start the formal investigation process.

choose to move forward with the investigation even if the complainant wishes not to participate. The complainant will not be forced to participate but will be notified if an investigation will continue or not.

- a. It is important to know that in certain cases, the Title IX coordinator may

2. **Investigations** The investigator will set up interviews with both the complainant and respondent and any witnesses each party wants interviewed. During the interview the investigator will request each party to provide any relevant evidence to be reviewed. This

OVERVIEW OF THE TITLE IX GRIEVANCE PROCESS, CONT'D

may include, but is not limited to documents, emails, texts or social media communications. Any relevant and related evidence submitted will be included in the final report. *All parties have the right to have a support person present during the investigation interview.*

Once the investigations are concluded, the investigator will write up a report with all the facts gathered and relevant evidence. Both the complainant and respondent as well as their support persons will receive a copy of the report. Each party will be given 10 days to review the report and respond with any feedback.

3. Informal resolution If appropriate, a complainant who files a formal complaint may elect, at any time, to address the matter through the University's informal resolution process. All parties to a formal complaint must agree to enter the informal resolution process through an informed written consent. Information about the different options within the informal resolution process will be discussed with the Title IX coordinator.

4. Hearing If a case is not resolved under an informal resolution, it will be taken to a hearing. If a hearing occurs, each party must have a support person who will orally ask questions of the other party and witnesses. There will be pre-hearing meetings with all parties (*individually with their support person*) with the assigned hearing officer to review the process and provide an overview of how the hearing will proceed.

Once the hearing is concluded, the hearing officer will write an outcome report explaining their findings and a rationale for their decision. This report will be sent out to both the complainant and respondent and their support people.

5. Possible sanctions/disciplinary actions If a respondent is found in violation for alleged behavior, sanctions for them can include: loss of privileges, an ongoing no contact order and/or disciplinary probation. For matters that go to a hearing, suspension and dismissal are also possible sanctions.

6. Appeals Each party has the right to appeal. Information on how to proceed with an appeal will be included in the hearing outcome report. You may submit an appeal if:

- a. You believe there is a procedural irregularity that affected the outcome of the matter (*i.e. a failure to follow institution's own procedures*).
- b. There is new evidence that was not reasonably available at the time of the hearing that could affect the outcome of the matter.
- c. 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 in general that affected the outcome of the case.
- d. The severity of sanctions are not commensurate with violations.

RESOURCES

If you are someone who experienced sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking, we want to make sure you are aware of the resources available to you. There are both confidential and non-confidential resources available to make a disclosure. These offices will be able to provide you with support and an overview of resources, options and supportive measures available.

Confidential Resources

Confidential resources are defined as “personnel who are bound by state law and professional ethics from disclosing information about reports/disclosures without written releases. These resources also serve as members to Eastern’s Sexual Assault and Interpersonal Violence Response Team. Confidential resources include:

Counseling and Psychological Services (CAPS)

182 High Street | (860) 465-0181

Student Health Services

185 Birch Street, Room 102 | (860) 465-5263

Campus Ministry

Newman Hall, 290 Prospect Street
(860) 423-0856

***The United Service Domestic Violence Program**

140 North Frontage Road
Mansfield Center, CT 06250 | (860) 456-2261
(860) 774-2900 (24/7 hotline)

***Sexual Assault Crisis Center of Eastern Connecticut**

90 South Park Street, Willimantic, CT 06226
(860) 465-2789 (24/7 hotline)

***Connecticut office of Victim Services**

225 Spring Street, Fourth Floor
Wethersfield, CT 06109
(800) 822-8428
(Monday - Friday, 8a.m. - 4:30 p.m.)

*(*Indicates off-campus confidential resources)*

Non-Confidential Resources

Non-confidential resources are staff members on campus who are considered mandated reporters and are required to inform the University of any disclosure of sexual misconduct, sexual assault, sexual harassment, intimate partner violence and/or stalking. These resources also serve on Eastern’s Sexual Assault and Interpersonal Violence Response and Resource Team. These offices will be able to provide you with support and an overview of resources, options and supportive measures available

Vice President of Equity and Diversity, Chief Title IX officer

Gelsi Young Hall, Office Suite 254
(860) 465-0072

Title IX coordinator, co-chair of the Sexual Assault & Interpersonal Violence Response Team

Gelsi Young, Office Suite 254
(860) 465-5012 | (860) 576-1483

University Victims Advocate, co-chair of the Sexual Assault & Interpersonal Violence Resource Team

Student Center, Room 116
(860) 465-4314 | (860) 576-5466

Public Safety/Campus Police

Public Safety Building
44 Charter Oak Road, Room 205
(860) 465-5310

Dean of Students

Gelsi Young Hall, Room 222
(860) 465-5244

Director of Student Conduct

Woods Support Services, Room 207
(860) 465-0063

Director of AccessAbility Services (OAS)

Wood Support Services, Room 201
(860) 465-0189

Director of Housing and Residential Life

Wood Support Services, Room 245
(860) 465-0147

Associate Dean of Arts and Sciences

Webb Hall, Room 263
(860) 465-5383



**EASTERN
CONNECTICUT
STATE UNIVERSITY**

Office of Equity & Diversity/Title IX

EASTERN CONNECTICUT STATE UNIVERSITY

Sexual Assault and Interpersonal Violence Response Team (SAIV-RT)

We provide trauma-informed and confidential support focused on ending all forms of gender-based violence. If you or someone you know has been a victim, the following services are available:

- Advocacy and Support
- Medical Assistance
- Counseling Services
- Resources and Options
- Reporting and Investigations
- Violence Prevention

You Have A Right To Confidentiality.

www.easternct.edu/title-ix

Campus Responders | Monday-Friday | 8 a.m.-5 p.m.

University Victim Advocate (860) 465-4314

Counseling and Psychological Services (860) 465-0181

Student Health Services (860) 465-5263

Office of Equity and Diversity & Title IX Coordinator (860) 465-5112



24 Hour Helplines

Eastern Public Safety 911 (Emergency) (860) 465-5310 (Non-Emergency)

Willimantic Police 911 (Emergency) (860) 465-3135 (Non-Emergency)

Office of Victim Services (800) 822-8428

Windham Hospital Emergency Room (860) 456-6715

112 Mansfield Ave., Willimantic, CT

Sexual Assault Crisis Services

(888) 999-5545

Domestic Violence Crisis Services

(888) 774-2900



EASTERN
CONNECTICUT
STATE UNIVERSITY

Sexual Assault & Interpersonal Violence Response Team (SAIV-RT)

Seek an Advocate

ECSU Victim Advocate
860-465-4314
Off-Campus Member:
The Sexual Assault Crisis
Center of Eastern
Connecticut *
860-456-2789

Off-Campus
Members: United
Services, Domestic
Violence Program *
860-456-9476

Connecticut Office of
Victim Services *
860-822-8428

Get Medical Assistance

Student Health Services *
860-465-5263

Windham Hospital *
860-456-6715

Contact Law Enforcement

Eastern Police Dept.
911 | 860-465-5310

Local Police Dept.
911 | 860-465-3135

Make a Report

Title IX Coordinator
860-465-5012

Student Conduct
860-465-0063

Eastern Connecticut State University Sexual Assault & Interpersonal Violence Response Team Members (On-Campus)

LaMar Coleman, Vice President of Equity and Diversity
Sara Madera, Title IX Coordinator
Kemesha Wilmot, Dean of Students
Dwayne Cameron, Director of Student Conduct
Starsheemar Byrum, ECSU Victim Advocate
Tim Viens, Detective, Eastern Police Dept.
Lisa Hamilton, Police Sergeant, Eastern Police Dept.
Amy Coffey, Associate Dean of Arts and Sciences
Chris Drewry, Associate Dean of Professional Studies
Bryce Crapser, Director of CAPS, *
Joe Breton, Dir. of Student Health Services *
Father Larry LaPointe, Campus Minister *

Request Accommodations

Title IX Coordinator
860-465-5012

ECSU Victim Advocate
860-465-4314

You can request for:

- a housing change
- a class reassignment
- a no-contact directive
- extensions on class assignments
- others changes

Recieve Counseling

Counseling and
Psychological Services *
860-465-0181

Campus Ministry *
860-423-0856

All members of the SAIV-RT will use discretion and honor confidentiality to the best of their ability. **Members with an asterisk* by their name or department are empowered by law to maintain confidentiality.** If you observe behavior that is of concern, tell somebody.



EASTERN
CONNECTICUT
STATE UNIVERSITY

Sexual Assault & Interpersonal Violence Response Team (SAIV-RT)

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Off-Campus
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Services, Domestic
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860-456-9476

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Alyssa Gwinnett, Associate Dean of Professional Studies
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Joe Breton, Dir. of Student Health Services *
Father Larry LaPointe, Campus Minister *

All members of the SAIV-RT will use discretion and honor confidentiality to the best of their ability. **Members with an asterisk by their name or department are empowered by law to maintain confidentiality.** If you observe behavior that is of concern, tell somebody.



+ Navigation

If you observe behavior that is of concern, tell somebody.

Please click to submit your Tell Somebody report

In an effort to enhance already existing processes, the University has created a Threat Assessment Team (TAT) to complement the existing Student Intervention Team (SIT) to deal with concerning, troubled, and/or at risk faculty, staff, and students.

The charge of these teams is to assess circumstances, enhance communication, and initiate appropriate responses to specific behavioral problems that may involve threats to the safety and security of the University community.

THE STUDENT INTERVENTION TEAM (SIT) INCLUDES THE FOLLOWING MEMBERS:

- **Brooks K. Scavone**, Director of AccessAbility Services
- **Angela Bazin**, Director of Housing and Residential Life
- **Kemesha Wilmot**, Interim Dean of Students
- **Lisa Hamilton**, Sergeant in University Police Department
- **Sandra Rose-Zak**, Coordinator of Wellness Education and Promotion
- **Dwayne Cameron**, Director of Student Conduct
- **Christi Craig**, Counselor in Counseling and Psychological Services

THE THREAT ASSESSMENT TEAM (TAT) INCLUDES THE FOLLOWING MEMBERS:

- **Michelle Delaney**, Interim Vice President for Student Affairs

- **Bryce Crapser**, Director of Counseling and Psychological Services
- **LaMar Coleman**, Vice President for Equity and Diversity
- **Stephen Tavares**, Director of Public Safety/Chief of Police
- **James Howarth**, Vice President for Finance and Administration
- **William Salka**, Provost and Vice President for Academic Affairs

If a member of the University community observes any behavior that is concerning and that needs to be brought to the attention of the above stated teams, individuals may report the behavior using the online report form which will then be forwarded to the appropriate team for review.

This is not a system to be used for emergencies!

If you are in an emergency situation that requires medical, psychological, or police services, please:

Call 911

Even when there is no threat to harm, it is recommended to involve others to discuss concerning behavior. Below is an additional list of contacts with whom you may consult:

- If you don't know whether to be concerned about a student's behavior, contact the Dean of Students at 860-465-5247 for guidance and support.
- If you need to consult with someone about a student in emotional distress, contact the Counseling and Psychological Services Office (CAPS) at 860-465-0181.
- If you need to consult with someone about a student's disruptive behavior and the University disciplinary system, contact Student Conduct at 860-465-0405.
- If you don't know whether to be concerned about a faculty or staff



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Eastern Connecticut State University engages students from diverse backgrounds in a transformative, liberal arts learning experience that provides knowledge and skills to lead enriching, purposeful lives.

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member's behavior, contact Human Resources at 860-465-4650 for guidance and support.



Title IX

+ Navigation

Title IX is a federal law that requires education institutions to respond promptly and effectively to reports of sexual misconduct that occur within the institution's education program or activity. Sexual misconduct can take many forms, including sexual harassment, sexual assault, intimate partner violence, or stalking, along with other forms of sex- or gender-based misconduct and/or discrimination.

Eastern's Title IX Office encourages students and other members of the campus community to report Title IX incidents and is committed to responding promptly, including making referrals to other services.



GET ASSISTANCE



SUPPORT & RESOURCES



Title IX Incident Reporting Form

Faculty, staff, and students can self-report if they have been the victim of sexual harassment or misconduct or they can report on behalf of another individual who has disclosed being a victim.

Title IX Incident Reporting Form



CONTACT INFORMATION

- Dr. LaMar Coleman, Vice President for Equity and Diversity
Gelsi Young 255
(860) 465-0072
colemanla@easternct.edu
- Dr. Indira Petoskey, Assistant Dean
Gelsi Young 252B
(860) 465-5066
petoskeyi@easternct.edu
- Sara Madera, Title IX Coordinator
Gelsi Young 253
(860) 465-5012
maderas@easternct.edu
- Sandra Rodriguez, Administrative Assistant
Gelsi Young 254
(860) 465-5112
rodriguezsar@easternct.edu



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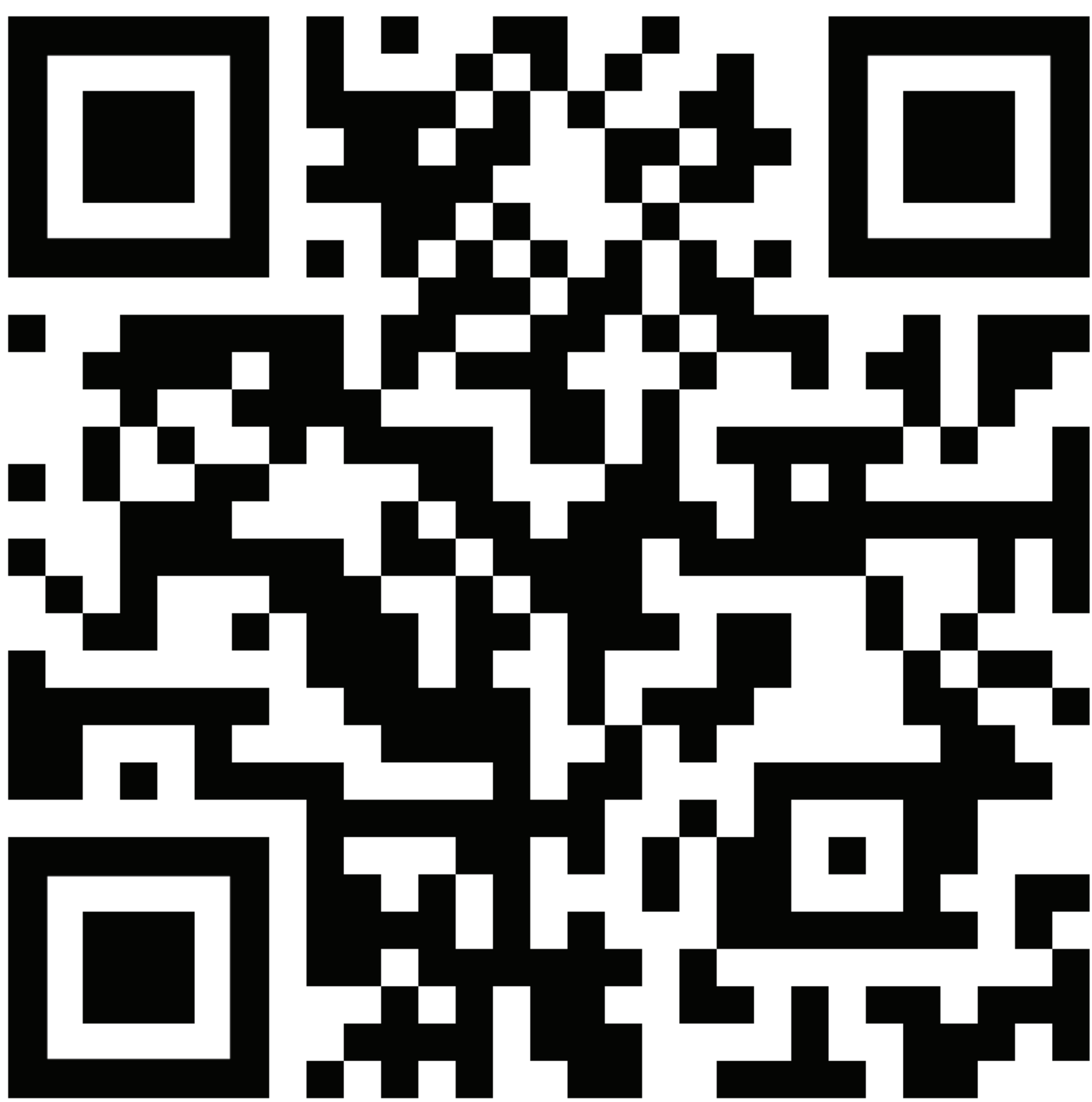
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KNOW YOUR TITLE IX RIGHTS

Federal Title IX regulations declare that sexual harassment is a form of discrimination and requires educational institutions to respond promptly and effectively to reports of sexual misconduct.



For more information
or to submit an
online report:
Scan this code
to go to the
Title IX website.



TITLE IX RESOURCES

- Victim Advocates
- Support Advisors
- Academic Accommodations
- Interim Supportive Measures
- Connection to Law Enforcement

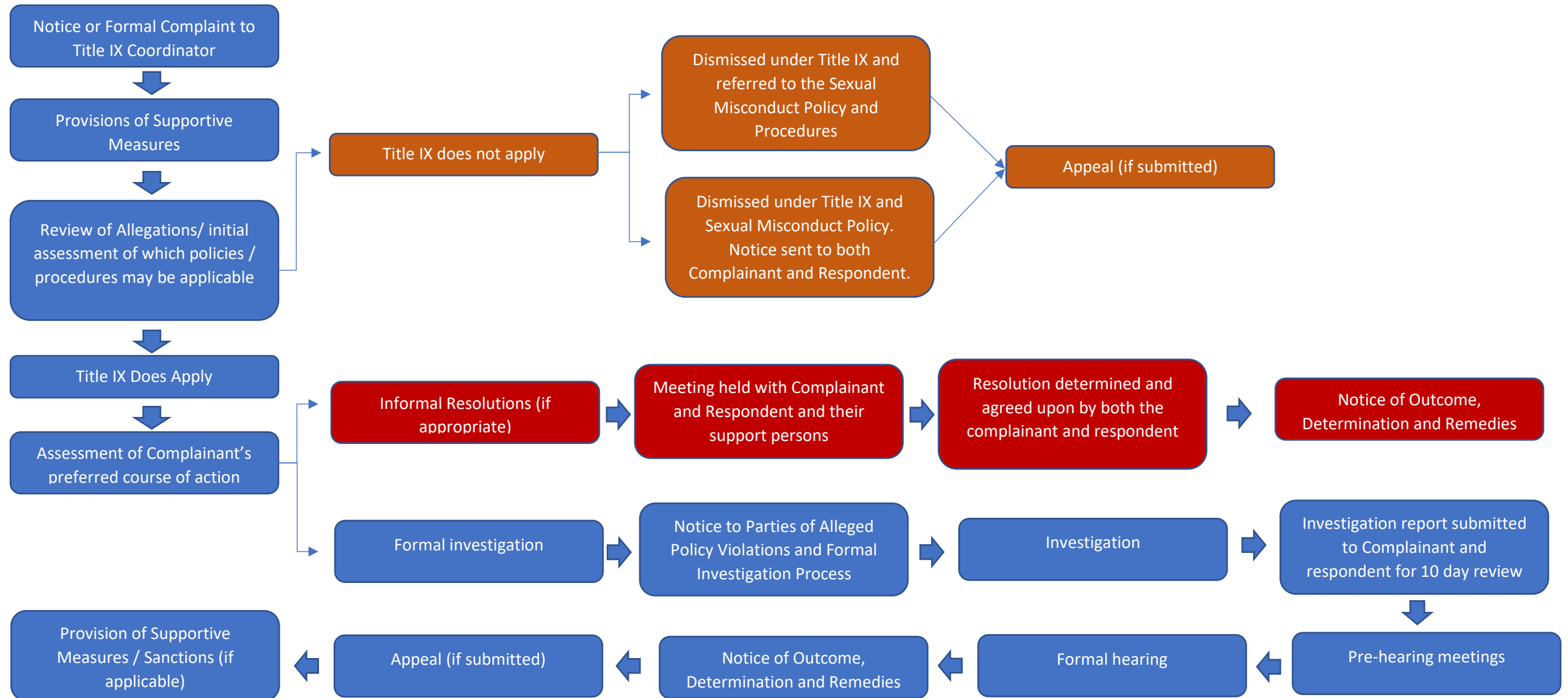


GELSI-YOUNG HALL
ROOM 254
(860) 465-5112



Eastern Connecticut State University

Title IX Grievance Process Flow for Students





Title IX: Sexual Misconduct, Interpersonal Violence, or Stalking

If this is an emergency situation that requires medical, psychological, or police services, call 911. Do not use this reporting form if an immediate response is required.

This form may be used to report incidents of sexual misconduct (sexual harassment, sexual assault, intimate partner violence, sexual exploitation, or stalking), as well as possible discrimination related to sex, gender, or gender identity/expression. The report is submitted directly to the Title IX Coordinator, who will respond via email or phone within 48 hours when the University is open, in order to conduct additional inquiry and ensure the well being of the affected individual(s) and campus community.

Responsible employees (all University faculty/staff, and Advocates) are required to include their name and contact information when completing the form. Any other person may submit this form anonymously but should understand this may significantly limit the University's ability to respond.


Background Information

Provide your name and contact information so the appropriate staff can follow-up with you as needed.

Enable additional features by logging in. https://cm.maxient.com/reportingform.php?EasternCTStateUniv&layout_id=1&promptforauth=true

Reporter's full name:

Your Status:

 Learn more

Your phone number:

Your email address:

Your physical address:

Date of incident (Required):

Time of incident:

Location of incident (Required):

Specific location:

Involved Parties

Involved parties: Please list the individuals or organization involved in the situation, including any witnesses or others with knowledge of the incident. Include as many of the listed fields as you can provide. Additional information may be provided during the follow up with the Title IX Coordinator.

Name or Organization

Select Gender

Select Role

ID Number

Email address

Hall/Address

Add another party

Incident Narrative

Fill out the information below:

Please Select the nature of the incident (choose as many as apply)

☐ Sex/Gender Based discrimination

- ☐ Sexual Harassment
- ☐ Unwanted Sexual Contact
- ☐ Sexual Assault
- ☐ Sexual Exploitation
- ☐ Interpersonal/Intimate Partner Violence
- ☐ Inappropriate Amorous Relationship
- ☐ Stalking
- ☐ Bullying/Cyber bullying
- ☐ Violation of No Contact
- ☐ Retaliation
- ☐ Unsure

Please provide a description of the incident or concern, including as much information as you know (i.e. timeline of events, description of where incident occurred, relevant context, etc.). (Required)

Did the Police respond to this incident? (Required)

- ☐ Yes
- ☐ No

List the Police report number, if known.

How did you become aware of the incident? (If you are reporting it on behalf of the alleged victim)

Please provide any information related to why you are submitting the report and the outcome you are hoping to achieve.

I understand by submitting this form the Office of Equity and Diversity/Title IX will initiate its follow-up process with the affected individuals. I also understand that submitting this form does not equate to filing a formal complaint with the the Title IX Office. Overview of the formal Title IX complaint and investigation process will be discussed with affected parties during the follow-up meeting. (Required)

☐ I hereby attest the facts asserted in this form are true and accurate to the best of my knowledge.

Supporting Documentation

Photos, video, email, and other supporting documents may be attached below. 5GB maximum total size.

Attachments require time to upload, so please be patient after submitting this form.

Choose files to upload

Choose Files

☐ Email me a copy of this report

Submit report

Appendix C

Prevention, Awareness, and Risk Reduction
Programs and Campaigns

ECSU Campus Prevention & Response Programs – 2024 Report

Number of Programs
& Trainings

28

Student Participation

2,527

Employee Participation

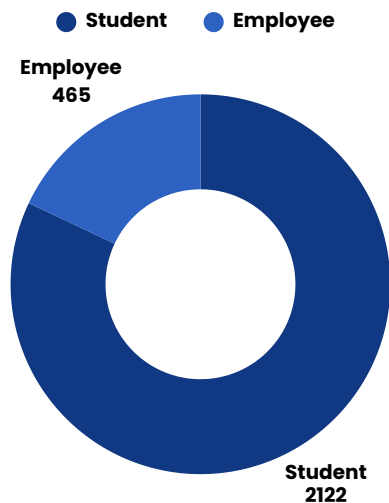
482

Program & training Topics

● Sexual Assault	24 Total
● Domestic/ Dating Violence	18 Total
● Stalking	5 total

**Total number of programs by behavior includes overlaps; some programs address multiple issues.

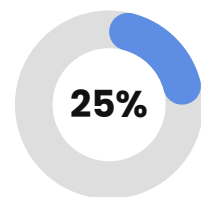
Trainings Completion



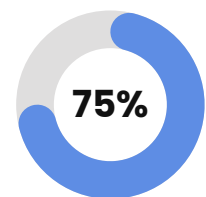
Summary of Programming & Training Efforts

- Sexual assault (SA) is covered in nearly all programs, often in combination with other prohibited behaviors.
- Domestic and dating violence (DoV, DaV) are addressed in awareness events, campaigns, and training.
- Stalking is covered in a smaller number of programs, usually alongside SA and DoV/DaV.
- Primary programs (single-event) dominate, but there are ongoing initiatives like Red Flag Campaign and Bringing in the Bystander to sustain learning and engagement.
- Students are the primary audience, but targeted employee training ensures compliance with Title IX and response preparedness.

Training Overview



Online Training



In-Person

