A GUIDE TO ADDRESSING SEXUAL MISCONDUCT ON CAMPUS

Sexual Violence
Sexual Harassment
Stalking
Intimate Partner Violence/Dating Violence
Domestic Violence

UNIVERSITY OF HARTFORD
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At the University of Hartford, we strive to provide an environment free from sexual violence and other sexual misconduct.

This booklet explains options available if you or someone you know is a victim of sexual assault, rape, intimate partner violence, domestic violence, sexual harassment, or stalking.

It also explains both on- and off-campus resources available to you for support, helps you understand your rights and options, and explains levels of confidentiality of administrators and staff on campus. We will support and help you through any steps you decide to initiate while doing our best to protect your privacy and confidentiality while providing due process.
TITLE IX COORDINATOR: SUSAN FITZGERALD

The Title IX coordinator is the designated agent of the University with responsibilities for coordinating Title IX compliance efforts. The Title IX coordinator oversees the implementation of the grievance procedures, including notification, investigation, and disposition of complaints, ensuring a fair and neutral process for all parties. The Title IX coordinator will work with specific offices on campus to determine and provide academic and residential accommodations as well as no-contact orders.

Title IX coordinator for incidents involving students, visitors, and third parties is:

Susan Fitzgerald  
Office of the President  
fitzgeral@hartford.edu  
860.768.4011

Deputy Title IX coordinator for incidents involving faculty and staff is:

Lisa Belanger-Buoniconti  
Human Resource Development  
belanger@hartford.edu  
860.768.4156

You may access the full policy in its entirety at:  
http://www.hartford.edu/student_affairs/title_IX/
WHAT ARE MY RIGHTS?

You have the right to disclose to a confidential resource or report the incident to the University. If the University receives notice about an incident, it is obligated to take action to protect the health and safety of the University community.

You have the right to contact law enforcement. The University will not contact law enforcement unless requested or unless a threat of imminent danger exists.

You have the right to apply for a protective order or a temporary restraining order. All victims have the right to request a protective order or temporary restraining order, or seek enforcement of existing orders, including, but not limited to, orders issued pursuant to Connecticut state statute. Victims will be afforded options and be assisted in making decisions in regard to any lawful protective or temporary restraining orders.

You have the right to access medical treatment. If a victim has been assaulted and needs emergency medical attention or wishes to have evidence collected, these services can be performed at St. Francis Hospital and Medical Center or Hartford Hospital emergency rooms. Non-emergency and follow-up care can be provided on campus at Health Services.

You have the right to access available support services. The University will take reasonable steps to protect the victim’s well-being by creating a safety plan and taking steps to protect the victim from retaliation or harm. These steps can include, but are not limited to, issuing a no-contact order, arranging a change of living or working arrangements, changing a course schedule, or making adjustments for assignments and tests.

You have the right to a fair and impartial internal disciplinary process should you choose to make a formal complaint. The Title IX coordinator will ensure that both the complainant and the respondent receive due process. Both accuser and accused
are entitled to have an advisor of their choosing present at any meeting or in-person proceeding under the process, so long as the advisor does not cause a postponement or delay of the meeting or proceeding. The advisor shall not be permitted to speak during any meeting or proceeding. From the filing of a complaint under this process through to the completion of the investigation and assessment and, where applicable, determination of sanctions shall normally not take longer than 60 days, unless the Title IX coordinator determines more time is needed, for example, to allow for sufficient investigation of facts.

You and the accused have the right to file an appeal of the findings to the Title IX coordinator within five business days of notification.

WHAT CAN I DO?

There are various options if you or a friend is ever a victim of sexual misconduct. These options are outlined below.

You can report the incident to the University.

Any incident, 24 hours a day, 7 days a week:

» Call Public Safety, 860.768.7985

Incidents involving students, visitors, and third parties:

» Contact University Title IX coordinator for students, visitors, and third parties: Susan Fitzgerald, Senior Advisor to the President, fitzgerald@hartford.edu, 860.768.4011

Incidents involving faculty and staff:

» Contact Deputy Title IX coordinator for faculty and staff: Lisa Belanger-Buoniconti, Human Resource Development, belanger@harford.edu, 860.768.4156

Any incidents:

» Contact Kenna Grant, Director of Connections Health Education and Wellness Center: mckenna@hartford.edu, 860.768.4077
While these offices and individuals are specifically trained to respond to reports of sexual violence and other sexual misconduct and to assist victims of these incidents, if a victim chooses to inform other University staff and administration, the University employee will make sure that a designated University official is informed. Notice to any University employee other than confidential resources triggers an obligation for that employee to report to a designated University official.

**You can file an external complaint with the appropriate law enforcement and press criminal charges.**

All victims have the right to report the incident to both on-campus authorities and the local law enforcement jurisdiction. Victims also have the right to be assisted by the Department of Public Safety, or Campus Advocate, or other appropriate staff for filing such complaints. (Department of Public Safety, Victim Rights brochure 2014.)

» West Hartford Police Department, 860.523.5203
» Hartford Police Department, 860.757.4000
» Bloomfield Police Department, 860.242.5501

**You can contact the University’s Department of Public Safety.**

The Department of Public Safety at 860.768.7985 is a mandated reporter. The department must report all relevant details of the incident, including names of individuals involved, to any and all pertinent campus officials (Title IX coordinator, dean of students, office of student conduct). If you do not want to fully disclose or do not want your name or the name of the offender reported, you have other options. You can speak to full confidential resources or semi-confidential resources (see below).

**You can disclose in full confidence. No report will be filed.**

The University’s Counseling and Psychological Services Center (CAPS/860.768.4482 Health services, Campus Advocate, CONNECTIONS, 860.768.4077) staff and the 24-hour statewide hotline (CONNSACS 1.888.999.5545 and Interval House 860.527.0550) advocates have privileged
communication under the law. They do not file reports to the Title IX coordinator. They will keep your information and name confidential unless it is determined that you and/or the campus are in imminent danger.

**You can disclose privately and in semi-confidence. No names will be reported.**

The University’s Connections Health Education and Wellness Center and the Women and Gender Resource Center offer guidance and support and referrals. Their reports to the Title IX coordinator will not contain your name or the name of the accused person/s unless they deem it necessary due to a threat of imminent danger to the student or the campus or have knowledge that the accused person/s is a repeat offender. Contact Kenna Grant, Connections director, mckenna@hartford.edu, 860-768-4315.

**You can file an internal complaint with the University’s Title IX coordinator.**

The University encourages you to file a complaint with the Title IX coordinator. The University’s Title IX coordinator, campus advocate, and other campus officials will support you throughout this process. The full process will be explained to you in detail, including any accommodations that may be provided to you such as a no-contact order, possible change in residential assignment, transportation, employment, or classroom accommodation. The University will conduct an investigation in advance and a panel convened by the Title IX Coordinator will review the incident. This process must take place within 60 days of the complaint. The University will then discuss the result of the panel and appropriate sanctions will be administered. Both parties have the right to appeal the decided sanctions within a specific timeframe.

**How to bring a complaint against a faculty or staff member.**

If you wish to bring a complaint against a member of the faculty, staff, or administration, you should consult with the Title IX coordinator, who will consult with the appropriate resources for support.

Contact University Title IX Coordinator for Students, Visitors, and Third Parties: Susan Fitzgerald, Office of the President, fitzgeral@hartford.edu, 860.768.4011.
When the University receives notice of an incident, whether from the victim, a third party, or anonymously, the University has an obligation to take action in order to protect the health and safety of the University community. Normally this includes an investigation even if the victim does not wish to file a formal complaint, although other options might be available in addition to, or, where clearly appropriate, instead of investigation, such as educational programming.

Any time a report of sexual violence or and other sexual misconduct is investigated, only people with a need to know about the incident will be informed, and information will be shared only as necessary with investigators, witnesses, and the accused person. However, investigations by their nature cannot be entirely confidential: in order to properly investigate a report of a possible violation of this sexual violence policy, the identity of the victim, when known, may be revealed.

If the University must investigate in spite of a victim’s request for confidentiality, the University will inform the victim prior to starting an investigation and will, to the extent possible, maintain as much privacy as possible and only share information with people as necessary to meet the University’s obligations.

The University may not require a victim to participate in any investigation or disciplinary proceeding. Under all circumstances, the University will take all reasonable steps to be protective of the victim’s well-being.

The Title IX Coordinator or designee will discuss options regardless of whether the victim wishes to maintain confidentiality, and regardless of whether the victim wishes to file a complaint under the University Complaint Process or with law enforcement. However, some options may not be available while maintaining confidentiality or without filing under the University Complaint process. For example, an option that involves formal sanctioning of another University student or staff or faculty member cannot occur without giving that other individual the procedural rights described in the Sexual Violence Policy.
ON-CAMPUS SUPPORT SERVICES

Title IX Coordinator
Office of the President, Susan Fitzgerald, fitzgeral@hartford.edu, 860.768.4011

Campus Advocate
Connections Health Education and Wellness, Kenna Grant mckenna@hartford.edu, 860.768.4077

Deputy Title IX Coordinator
Human Resources Development, Lisa Belanger-Buoniconti belanger@hartford.edu, 860.768.4156

The Department of Public Safety
» 860.768.7777 (emergency)
» 860.768.7985 (non-emergency)

The Office of Residential Life
» 860.768.7792

The Dean of Students Office
» 860.768.4285

Counseling and Psychological Services
» 860.768.4482

Health Services
» 860.768.6601

CONFIDENTIAL OFF-CAMPUS RESOURCES

Connecticut Sexual Assault Crisis Services, Inc
All services are free and confidential. There are various centers throughout Connecticut and each provides:

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

Statewide 24-Hour Toll-Free Hotline
When you dial the number below, your call is routed to the center closest to your location.

English: 1.888.999.5545
Espanola: 1.888.568.8332
YWCA of New Britain Sexual Assault Crisis Service

**Hartford Office:**
175 Main Street
Hartford, CT 06106
Office: 860.241.9217
Hotline: 860.547.1022 (Local)

**New Britain Office:**
22 Glen Street
P.O. Box 2545
New Britain, CT 06051
Office: 860.225.4681
Hotline: 860.223.1787 (Local)
Email: nbsacs@snet.net

Connecticut Coalition Against Domestic Violence

Connecticut Coalition Against Domestic Violence (CCADV) is the state’s leading voice for victims of domestic violence and those agencies that serve them. CCADV is a membership organization of Connecticut’s 18 domestic violence service agencies that provide victims with critical support, including counseling, support groups, emergency shelter, court advocacy, safety planning, and lethality assessment, among other services.

24/7 hotline: 1.888.774.2900 (English and Spanish)

Interval House

Interval House is dedicated to providing services to prevent and break the cycle of family and intimate partner abuse, striving to reach all persons at risk and bring about social change.

24-hour domestic violence hotline: 860.527.0550 or 1.888.774.2900

Office of Victim Services

The Office of Victim Services (OVS), Connecticut Judicial Branch, is the state’s lead agency established to provide services to victims of violent crime. OVS contracts with non-profit and public organizations to provide services to crime victims. These services include, but are not limited to, information and referral, criminal justice support/advocacy, therapy, safety planning, group treatment/support, personal advocacy, and assistance in filing applications for victim compensation. For more information, call 711 or 1.800.833.8134; go to 225 Spring Street, Fourth Floor, Wethersfield, Conn.; or visit jud.ct.gov/crimevictim/.
The following are sanctions that may be levied upon a student found responsible for a violation of Title IX misconduct at the University.
The following are possible sanctions for incidents reviewed under this Sexual Violence Policy:

» Students found responsible for committing Sexual Violence in violation of this Sexual Violence Policy will likely receive a sanction ranging from probation to expulsion, depending upon the severity of the incident and any previous violations of the Student Code of conduct. Faculty or staff found responsible for violating the prohibition against Sexual Violence will likely receive a sanction ranging from suspension to termination.

» Students found responsible for committing Other Sexual Misconduct or other misconduct prohibited under this Sexual Violence Policy will likely receive a sanction ranging from an official reprimand to expulsion, depending upon the severity of the incident and any previous violations of the Student Code of Conduct. Faculty or staff found responsible for violating the prohibition against Other Sexual Misconduct will likely receive a sanction ranging from a written warning to termination.

» Faculty who are terminated under this Sexual Violence Policy and who are tenured or in the middle of a contract term are entitled to additional procedural rights under Section 10, Dismissal, of the Faculty Policy Manual.

» The committee will sanction students found responsible for violations of the Student Code of Conduct not related to this Sexual Violence Policy in accordance with sanctions used in the general Student Conduct Process.

The final outcome letter will also include detail of all sanctions imposed. The final outcome letter will also advise the complainant and accused of their right to appeal the findings.
Rules for Bystander Intervention

» Do not put yourself at risk.
» Do not make the situation worse.
» Intervene at the earliest point possible.
» Look for early warning signs of trouble.
» Intervening does not necessarily mean confronting.
» Ask for help!
We are a University that is “committed to community.” We all share in the responsibility to watch out for and take care of one another. Everyone has a role to play in preventing sexual violence on our campus and within our campus community.

We encourage all community members to educate themselves about interpersonal violence, and share the information with friends. Confront friends who make excuses for other people's abusive behavior, and speak up against racist, sexist, and homophobic jokes and remarks. Model pro-social behaviors and actually intervene when a potentially violent situation occurs. Bystander intervention involves developing the awareness, skills, and courage needed to intervene in a situation when another individual needs help. Bystander intervention allows individuals to send powerful messages about what is acceptable and expected behavior in our community.

The Five-Step Decision Making Model

1. Notice the event: Are you alone or with others? Is there a group of people?
2. Interpret the event as a problem: Do you see the problem as having a negative impact, and/or do you relate in some way (for example, same gender or race)?
3. Take personal responsibility to intervene: You can intervene safely and responsibly and without harm.
4. Decide how you are going to intervene: What are your options? Calling for help, enlisting the help of others?
5. Decide to intervene.

The “Three Ds” of Bystander Intervention

Direct  Directly intervene, in the moment, to prevent a problem situation from happening.

Delegate Seek help from another individual, often someone who is authorized to represent others, such as a police officer or campus official.

Distract  Interrupt the situation without directly confronting the offender.
**Nonconsensual Sexual Intercourse:** Rape (or attempt to commit) is penetration of a bodily orifice with any object(s) or body part that is without consent and/or by force or threat of force. Examples of non-consensual sexual intercourse include, but are not limited to:

- Vaginal penetration by a penis, object, tongue, or finger
- Anal penetration by a penis, object, tongue, or finger
- Oral copulation (mouth-to-genital contact or genital-to-mouth contact)

**Nonconsensual Sexual Contact:** Sexual Assault is any intentional sexual touching with any object(s) or body part that is without consent and/or by force or threat of force. Examples of non-consensual sexual contact include, but are not limited to:

- Intentional contact with the breasts, buttocks, groin, or genitals
- Intentional touching of another with breasts, buttocks, groin, or genitals
- Making another person touch someone or themselves in a sexual manner
- Any intentional bodily contact in a sexual manner

**Sexual Harassment** is unwanted conduct of a sexual nature (physical, verbal, written, electronic, photos) that is severe or pervasive and creates an intimidating or hostile education and/or work environment; or, unwelcome demands or requests for sexual favors or pressure for dates that occurs between people of differing power (student/professor) and becomes a term or condition of one’s education or employment, i.e., quid pro quo sexual harassment.

**Sexual Exploitation** occurs when a person takes advantage of another without that individual's consent for the initiator’s own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Domestic Violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. It includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic of family violence law. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.

**Intimate Partner Violence/Dating Violence** is similar to domestic violence and constitutes a pattern of behavior in an intimate relationship that is used to establish power and control over another person through fear and intimidation. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person. This behavior can be verbal, emotional, psychological, and/or physical.

**Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation, and coercion that overcomes resistance or produces consent.

**Coercion** is unreasonable pressure for sexual activity. Coercion is the use of emotional manipulation to persuade someone to do something he or she may not want to do, such as being sexual or performing certain sexual acts. Being coerced into having sex or performing sexual acts is not consenting sex and is considered sexual misconduct.
Stalking is engaging in a course of conduct directed at a specific person(s) 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. Such behaviors or activities may include, but are not limited to, non-consensual communications (i.e., face-to-face, telephone, email, and social media), threatening or obscene gestures, surveillance, or showing up outside the targeted individual’s classroom, residence, or workplace.

Consent is an active, knowing, and voluntary exchange of affirmative words and/or actions that indicates a willingness to participate in a particular sexual activity. Consent must be freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. The lack of a negative response is not consent. A person who is incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Neither consent to one form of sexual activity nor past relationships implies consent to future sexual activity.

» Consent is a voluntary agreement to engage in sexual activity
» Someone who is incapacitated cannot consent
» Past consent does not imply future consent
» Silence or an absence of resistance does not imply consent
» Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another
» Consent can be withdrawn at any time, and
» Coercion, force, or threat of either invalidates consent

Incapacitation is a state in which someone cannot make rational, reasonable decisions due to a lack of capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, and how” of the sexual interaction).

» Sexual activity with someone who is, or based on circumstances should reasonably have known to be, mentally or physically incapacitated (i.e., by alcohol or other drug use, unconsciousness, or blackout) constitutes a violation of this policy.

» A person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the consumption (voluntary or otherwise) of incapacitating drugs cannot give consent.

» In order to give consent, a person must be of the legal age of consent. Under most circumstances, the age of consent in the state of Connecticut is 16. See Connecticut General Statutes § 46b-120, § 46b-127, § 46b-133d, § 53a-70, § 53a-71, and § 54-76b.

» Alcohol-related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication. Evidence of incapacity may be detected by physical cues, such as:

- slurred speech
- bloodshot eyes
- the odor of alcohol on a person’s breath or clothing
- inability to maintain balance
- vomiting
- unusual or irrational behavior
- unconsciousness

» Context is important in helping to determine incapacitation. Any one of these particular cues alone does not necessarily indicate incapacity.

For Connecticut Penal Code Offenses, including definitions of first, second, and third degree felonies, please see: http://www.cga.ct.gov/2011/pub/chap952.htm#Sec53a-72.htm (shorten this link)