



# CONNECTICUT COLLEGE

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## **I. POLICY SUMMARY**

Connecticut College's Title IX Policy reflects compliance with various federal and state laws, including Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972.

The College's Honor Code and Principles of Community emphasize that members of our community act with equity and respect for the dignity of all human beings. Sexual misconduct, intimate partner violence, and other forms of discrimination based on sex or gender (including gender identity, expression, or characteristics) are forms of unwelcome conduct that create an intimidating and offensive work, residential, study or social environment and therefore violate this policy.

Members of the College community and visitors have the right to be free from all types of such misconduct, as defined in this policy. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

Acts of sexual misconduct, intimate partner violence, and stalking may be committed by any person upon any other person, regardless of the sex, gender, gender identity and/or sexual orientation of those involved.

When a report of sexual misconduct, intimate partner violence, or other Title IX related violation is brought to the College's attention, the College will take steps to end the misconduct, prevent its recurrence, and address its effects. When accused individuals are determined to have violated this policy, serious sanctions will be imposed, up to and including termination for faculty and staff members. Sanctions for student conduct complaints typically differ based on the circumstances of the complaint. For example, a finding of responsibility for non-consensual sexual intercourse typically result in suspension or expulsion; non-consensual sexual contact typically result in a range of sanctions from warning to expulsion; intimate partner violence typically results in a range of sanctions from disciplinary probation to expulsion.

This policy has been written to affirm the College's goal of maintaining a positive learning, living, and working environment. This policy addresses issues particular to faculty, staff, and students as well as the intersection of these constituencies. It applies in all College settings, including off-campus settings in which individuals are engaged in College-related business or educational programs. The policy may also apply to situations occurring off campus that negatively impact the College community.

This policy incorporates other College policies relating to specific behaviors that are covered by Title IX. Those behaviors are listed here; the policies relating to them are included below:

- Sexual Misconduct
  - Sexual Harassment
  - Non-consensual Sexual Intercourse
  - Non-consensual Sexual Contact or Activity
  - Sexual Exploitation
- Intimate Partner Violence
- Stalking
- Retaliation; and
- Consensual Sexual Relations

Any Connecticut College policy may fall within this Title IX Policy and Procedure when the violation of the policy results in a discriminatory effect caused in whole or in part on the basis of the victim's actual or perceived sex or gender. When behaviors not covered under this policy occur in concert with covered behaviors, the College reserves the right to address all misconduct jointly under these procedures.

Individuals who believe they have, or may have, experienced any of the behaviors covered by this policy, or who have witnessed such behavior, are strongly encouraged to report their experience to one of the Title IX Coordinators. All faculty and supervisory staff are mandated to promptly report any potential violations of this policy to one of the Title IX Coordinators. The Mandatory Reporting Policy can be found on CamelWeb.

Connecticut College has designated four staff members as Title IX Coordinators. Melissa Pierce, Title IX Coordinator, oversees all Title IX compliance for the institution, oversees compliance for faculty, and may receive complaints by students, faculty and staff. Sarah Cardwell, Deputy Title IX Coordinator, focuses primarily on issues of reporting by students for incidents between students and oversees educational outreach to students. Eva Kovach, Associate Director of Athletics and Deputy Title IX Coordinator, focuses primarily on issues of Title IX compliance within athletics. Cheryl Miller, Assistant Vice President for Human Resources and Professional Development and Deputy Title IX Coordinator, focuses primarily on issues of Title IX compliance for staff. Inquiries regarding applications of Title IX on campus may be directed to any of the following individuals:

- Melissa Pierce, Title IX Coordinator, Crozier Williams 218, 860-439-2597 or [Melissa.pierce@conncoll.edu](mailto:Melissa.pierce@conncoll.edu)
- Sarah Cardwell, Senior Associate Dean of Student Life and Deputy Title IX Coordinator, Crozier Williams 218, 860-439-2825 or [scardwel@conncoll.edu](mailto:scardwel@conncoll.edu)

- Eva Kovach, Associate Director of Athletics and Deputy Title IX Coordinator  
Athletic Center, 860-439-2557 or [edkov@conncoll.edu](mailto:edkov@conncoll.edu)
- Cheryl Miller, Assistant Vice President for Human Resources and Professional  
Development and Deputy Title IX Coordinator, Human Resources, 860-439-2085 or  
[cmiller5@conncoll.edu](mailto:cmiller5@conncoll.edu)

When a person is involved in a Title IX complaint, if there is perceived bias or conflict of interest regarding a deputy Title IX Coordinator or others handling the Title IX grievance procedures, those concerns should be shared with the Title IX Coordinator. If there is perceived bias or conflict of interest regarding the Title IX Coordinator, those concerns should be shared with the Dean of Institutional Equity and Inclusion. If bias or a conflict of interest is demonstrated, substitute officials will be identified to address that complaint.

This policy includes a list of relevant definitions; a list of resources for emotional, physical and academic support; a description of the process for reporting incidents; and a brief description of formal procedures for addressing violations of this policy, both for students and members of the faculty and staff. The procedures to be followed are based on whichever process has jurisdiction over the accused and may be found in the Student Handbook (students), IFF (faculty), or Human Resources (staff).

## II. DEFINITIONS

### A. Sexual Activity

Sexual activity is defined as intentional contact with the breasts, buttocks, groin, or genitals, or touching another person(s) with any of these body parts, or making another person(s) touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

### B. Consent

**Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.** Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. **For consent to be valid**, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct.

What is not consent?

- Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse).
- A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.

- Silence, passivity or the absence of resistance alone cannot be taken as consent.
- A person can withdraw consent at any time during sexual activity by expressing in words or actions that he or she no longer wants the act to continue, and, if that happens, the other person must stop immediately.
- A person who is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs cannot consent. An individual who engages in sexual activity when that individual knows, or should know (by a reasonable person standard), that the other person is physically or mentally incapacitated has violated this policy. It is not an excuse that the individual responding party of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.
  - Incapacitation is defined as a state where someone cannot make rational, reasonable decisions because that person lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction). This policy also covers a person whose incapacity results from mental disability, involuntary physical restraint and/or from the taking of incapacitating drugs.
- The decision to be sexually intimate must be made without coercion (unreasonable pressure for sexual activity). Both partners must be equally free to act.
- A verbal “no” (no matter how indecisive) or resistance (no matter how passive) constitutes a lack of consent. A forced sexual act is considered without consent except in the rare case where force is explicitly consented to.
- A person cannot consent if he or she is under the age of 16 years. In Connecticut, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old may be a crime, as well as a violation of this policy, even if the minor wanted to engage in the act.

### **C. Unwelcome Conduct**

Conduct is unwelcome if a person 1) did not request or invite it, and 2) regarded the unrequested and uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on another occasion. Sexual conduct that is nonconsensual is by definition unwelcome as that term is used throughout this policy.

## **III. SEXUAL MISCONDUCT, INTIMATE PARTNER VIOLENCE, STALKING, AND RETALIATION**

### **A. Sexual Misconduct**

Connecticut College defines “sexual misconduct” as any sexual contact or activity that occurs without the *consent* of any individual involved.

Some types of sexual misconduct are more harmful than others, and are therefore perceived as more serious.

Individuals accused of sexual misconduct do not avoid or mitigate responsibility by claiming they were under the influence of alcohol or other drugs. The College considers Non-Consensual Sexual Intercourse violations to be the most serious, and, therefore, typically imposes the most severe sanctions, including suspension or expulsion for students and termination for employees. Predatory, pattern and/or repeat offenders face either expulsion or termination.

### **1. Sexual Harassment**

Both the Equal Employment Opportunity Commission and the State of Connecticut regard sexual harassment as a form of sex/gender discrimination and, therefore, as an unlawful discriminatory practice. Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the College's Title IX Coordinator or Deputy Coordinators (see p.2 for contact information). The College does not condone sexual harassment among members of the College community and/or within College programs because it creates an unacceptable working and/or educational environment.

**Definition.** Sexual harassment is unwelcome sexual, sex-based or gender-based conduct that is verbal, written, or physical, or occurs online.<sup>1</sup>

Sexual harassment creates a hostile environment, and may be disciplined when it is sufficiently severe or pervasive that it unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the College's educational program/and or activities or to perform one's job. This interference is based on power differentials (*quid pro quo*); the creation of an intimidating, hostile or offensive environment<sup>2</sup>; or retaliation.

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<sup>1</sup> Some examples of possible sexual harassment include the following:

- A professor insists that a student have sex with him/her in exchange for a good grade (*quid pro quo*).
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit pictures are displayed in a professor's office, on the exterior of a residence hall door or on a computer monitor in a public place.
- A professor engages students in discussion in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.

<sup>2</sup>Not all workplace or educational conduct that may be described as "harassment" affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic,

***Quid Pro Quo Harassment.*** When a member of the community uses his or her position of authority to pressure or cause a student, staff member, or faculty member to submit to unwelcome sexual attention, the College's ability to carry out its mission is undermined. In such situations, sexual harassment exploits unfairly the power inherent in a community member's position. Through grades, wage increases, recommendations for graduate study, promotion and the like, a member of the community with more authority can have a decisive influence on a student's or subordinate's career at the College and beyond.

***Hostile Environment Harassment.*** While sexual harassment can take place in situations in which there is a power differential between the persons involved, the College also recognizes that sexual harassment may occur between persons of like status. A hostile environment can be created by unwelcome sexual behavior such as, but not limited to, unwelcome persistent requests for dates, displays of pictures of a sexual nature online or in physical form where they can be viewed by others, or repeated sexual comments or jokes.

***Considerations.*** Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Although repeated incidents generally create a stronger claim of sexual harassment, a serious incident, even if isolated, can be sufficient.

If verbal or physical conduct of a sexual nature takes place in the teaching/learning context, it must also be persistent, pervasive and not germane to the subject matter of a course, research or other academic endeavor to constitute sexual harassment. The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the pedagogically appropriate content and presentation of academic and artistic material.<sup>3</sup>

This policy covers intentional conduct. It also covers conduct that results in negative effects even if such negative effects were unintended. Sexually-related conduct forms the basis of a sexual harassment claim if a reasonable person, in view of all the surrounding circumstances, would consider it sufficiently offensive to interfere unreasonably with academic, other educational, or employment performance or participation in a College activity or living environment.

## **2. Non-consensual Sexual Intercourse**

Non-consensual sexual intercourse is defined as

- any sexual penetration or intercourse (anal, oral or vaginal)
- however slight

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gender-based or racial epithet which may be offensive to an employee or student would not normally affect the terms and conditions of their employment or education.

<sup>3</sup> The two sentences in this paragraph are adapted from the AAUP standard.

- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger or object, or oral copulation by mouth to genital contact or genital to mouth contact.

### **3. Non-consensual Sexual Contact**

Non-consensual sexual contact is defined as

- any intentional sexual touching
- however slight
- with any object
- by a person upon another person
- that is without consent and/or by force

Sexual touching includes any bodily contact with the breasts, groin, genitals, mouth or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

### **4. Sexual Exploitation**

Sexual exploitation occurs when a person takes sexual advantage of another for his or her own advantage. Exploitation can include any behavior other than non-consensual sexual intercourse, sexual harassment, or non-consensual sexual contact. Examples of sexual exploitation include, but are not limited to:

- Sexual voyeurism (such as watching a person undressing, using the bathroom or engaged in sexual acts without the consent of the person observed)
- Taking pictures or video or audio recording another in a sexual act, or in any other private 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)
- Prostitution
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease (STD) and without informing the other person of the infection.
- Administering alcohol or drugs (such as "date rape" drugs) to another person without his or her knowledge or consent.

## **B. Intimate Partner Violence**

Intimate partner violence may occur between individuals who are currently or who have been in a past intimate or romantic relationship. Such relationships may also be referred to as dating violence, domestic violence, or power-based personal violence.

Intimate partner violence is defined as any kind of physically violent and/or emotionally/psychologically abusive behaviors that occur in an intimate relationship. Such



behaviors may include, but are not limited to, the following:

- Restraining or blocking a person from leaving/exiting a room/building/space
- Physical assault (i.e. slapping, punching, or pulling hair)
- Threat of harm to self or others
- Destruction or theft of property

While some emotional and psychological behaviors may not be perceived as violent, they may be abusive and also constitute intimate partner violence. Such behaviors include, but are not limited to the following:

- Blackmail
- Interfering with a person's ability to participate in the College's academic or social programs (i.e. classes, clubs/organizations, events)
- Monitoring or controlling access to a person's communication (i.e. phone calls, texts, emails, or social media such as Facebook, Instagram, or Twitter™)

Violations of this policy may occur as a single incident or a pattern of behavior. Intimate partner violence may also encompass other kinds of honor code violations such as non-consensual sexual contact, non-consensual sexual intercourse, sexual harassment, or sexual exploitation.

### **C. Stalking**

Stalking is defined as a pattern of actions directed at a specific person over time that would cause a reasonable person to feel fear. Stalking behaviors can occur within or outside of partner relationships.

This conduct includes, but is not limited to, the following stalking behaviors:

- Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on Web sites, written letters, gifts, or any other communications
- Following, pursuing, waiting or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by an individual
- Surveillance and other types of observation, whether by physical proximity or electronic means
- Trespassing
- Vandalism
- Non-consensual touching
- Direct physical and/or verbal threats against an individual or an individual's loved ones
- Gathering of information about an individual from family, friends, co-workers, and/or classmates
- Manipulative and controlling behaviors such as threats to harm oneself, the individual, or someone close to an individual

- Defamation or slander against an individual

Stalking is a crime in Connecticut and is subject to criminal prosecution.

#### **D. Retaliation**

Retaliation is defined as any adverse action taken against a complainant, witness or third-party supporter because of their involvement in protected activity, such as filing a complaint of sexual misconduct. It is unlawful to retaliate against any member of the Connecticut College community for filing a sexual misconduct or Title IX related complaint or for cooperating in an investigation of sexual misconduct or Title IX related matter. Any student, employee, or any other person in the College who is found to have engaged in retaliation is subject to discipline up to and including termination of employment or expulsion.

#### **IV. CONSENSUAL SEXUAL RELATIONS\***

*\*The consensual sexual relations policy is a DRAFT pending faculty approval in Fall 2015.*

There are inherent risks in any sexual relationship or any type of non-professional intimate/sexual activity between individuals in unequal positions. Concerns about conflict of interest and unfair treatment of others may arise. These relationships or interactions may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome.

Connecticut College prohibits sexual or intimate activities and/or relationships between:

- Any faculty member<sup>4</sup> and a student
- Any staff member<sup>5</sup> and a student
- Any supervisor and a subordinate

All reported violations of this policy will be investigated, and if it is determined that a violation occurred, the faculty and/or staff member(s), and in certain situations the student(s), will be subject to disciplinary proceedings.

If sexual activity or a relationship occurs between a supervisor and a subordinate<sup>6</sup>, the supervisor may bear the primary burden of accountability, and both employees may be subject to disciplinary action up to and including termination of employment.

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<sup>4</sup> Faculty includes anyone with instructional responsibilities, including some athletic coaches, guest artists, postdocs.

<sup>5</sup> Staff includes graduate interns and AmeriCorps VISTAS.

Even when there is no supervision or evaluative authority, sexual activity or relationships between employees may lead to workplace difficulties. If such a relationship negatively impacts the workplace, the matter may be referred to the appropriate office (Human Resources, Dean of the Faculty, or Student Life) for resolution. The person in the position of greater authority or power may bear the primary burden of accountability.

## **V. STUDENT PROCEDURES**

*Additional information may be found in the Connecticut College Student Handbook.*

### **A. SUPPORT FOR STUDENTS WHO HAVE EXPERIENCED SEXUAL MISCONDUCT, INTIMATE PARTNER VIOLENCE, OR STALKING**

Students have several choices in terms of information, support, and reporting. The following sections outline all the available options. None of these options is mutually exclusive; a student may pursue any or all options.

#### **1. Confidential Support and Advocacy**

The following offices can assist a student with the emotional and physical healing process. These college professionals can help students decide whether or not to pursue the Title IX complaint process or to file a criminal charge. The people listed below can assist with room changes, arranging to dissolve a housing contract and pro-rating a refund, exam, paper, or assignment rescheduling, taking an incomplete in a class, transferring class sections when available, temporary withdrawal, alternative course completion options, a no-contact order, counseling assistance, escorts or other campus safety protections.

- Director of Sexual Violence Prevention and Advocacy (439-2219)
- Student Counseling Services (439-4587)
- Student Health Services (439-2275)
- College Chaplain (439-2450)

When an individual comes to one of these people for support and advice, the information remains confidential and does not constitute official notice to the College of sexual misconduct. These staff members, with the exception of Student Counseling Services and College Chaplains, must inform the College that an incident was reported without revealing details that could identify those involved, per the federal Clery Act.

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<sup>6</sup> a. Occasionally student workers are in a supervisory role - one in which they hire, evaluate, direct the work and approve time sheets of another student worker. This does not include the relationship between Residential Education and Living student-staff and their residents.

b. The term “supervisor” includes faculty members who have departmental oversight or supervision of an assistant (i.e. administrative, lab, etc.).

The individual filing a complaint may be accompanied by an advisor of his/her choosing to guide and accompany them throughout the campus resolution process. The complainant is entitled to be accompanied by the advisor in all meetings and interviews at which the complainant is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the process, the advisor will be removed from the process. The Title IX Coordinator or the Deputy Title IX Coordinator will determine whether or not the advisor may be reinstated, replaced, or whether the right to an advisor has been forfeited for the remainder of the process. Specific guidelines for support persons may be found in the Student Handbook.

## **2. Recommended First Response**

To assist in the decision-making process, the following information is important for a student who has experienced a Title IX policy violation and those assisting that student.

### ***Medical Attention***

When students experience any kind of sexual misconduct, intimate partner violence or stalking and feel medical services are needed, they may seek medical care at Student Health Services or Lawrence and Memorial (L& M) Emergency Room (365 Montauk Avenue, New London).

Physical evidence of a criminal sexual assault must be collected within 120 hours. However, students are also strongly encouraged to seek medical attention after that time period. Staff at Student Health Services can provide support and can arrange for transportation and an escort to the Lawrence and Memorial (L&M) Emergency Room. If Health Services is closed, students may go directly to L&M Hospital. It is important that they not wash themselves or their clothing before an examination, though doing so does not always destroy evidence, which may still be collectible. These resources can also offer treatment in addition to evidence collection, for any injuries, STDs, and pregnancy intervention options.

- The Sexual Assault Nurse Examiner (a specially trained nurse) at L&M is on call 24 hours a day, 7 days a week.
- A Rape Crisis Counselor from the Sexual Assault Crisis Center of Eastern CT can also meet an individual at L & M Hospital - the 24-hour State Hotline can be reached at 888-999-5545.
- The Director of Sexual Violence Prevention and Advocacy is available 24 hours/7 days a week (during the academic year) through the college on-call system and may be reached by requesting Campus Safety to contact the director. There is no need to disclose any information to Campus Safety.

### ***Think S.A.F.E. at Connecticut College***

The Director of Sexual Violence Prevention and Advocacy is a trained advocate with knowledge of sexual assault, intimate partner violence, and stalking. She can be reached at 439-2219, or found in Cro 222. After business hours students may contact Campus Safety, who will be able to contact the director. The Director is a confidential reporting option and is typically available during the academic year to assist students who have experienced sexual misconduct, stalking or intimate partner violence. She also serves as a resource for friends and faculty and staff members who are supporting students. She offers assistance with the following:

- Support
- Connecting students with the appropriate services (medical, counseling, and legal)
- Providing information about the reporting procedures, both on and off campus
- Securing an on-campus no-contact directive

### **Amnesty**

The health and safety of students is the College's primary concern. At the discretion of the Senior Associate Dean of Student Life or the Dean of Students, the College typically extends amnesty to students for minor violations when the student chooses to bring related serious violations (such as hazing, sexual misconduct, drug distribution) to the dean's attention. The Senior Associate Dean of Student Life or the Dean of Students may implement educational options, but they will not initiate conduct proceedings. Please refer to the Medical Amnesty Policy for alcohol and other drugs in the Student Handbook.

### **No Contact Orders**

Students may also consider requesting a campus no-contact order from the Senior Associate Dean of Student Life. The Director of Sexual Violence Prevention and Advocacy can discuss this process with students. With a no-contact order in effect, a student is instructed not to engage in either direct or indirect contact with the complainant(s) and/or witnesses. Methods of contact include verbal exchange, telephone, email, letter, and communication via another party on the student's behalf.

## **B. REPORTING TITLE IX POLICY VIOLATIONS**

### **1. Reporting Procedures**

#### ***On Campus***

Formal complaints alleging violations of sexual misconduct, intimate partner violence, and stalking may be filed orally, in person and/or in writing with the Senior Associate Dean of Student Life or Campus Safety. Complaints will be resolved through the Title IX Complaint Investigation Process. Stalking complaints not related to Title IX may be referred to the Dean's Grievance process. The College may be limited in pursuing and/or resolving complaints involving students no longer at the institution.

In addition to its responsibilities under Title IX, the College may have an obligation under state law to report instances of sexual abuse or exploitation of a person under the age of 18

to local police or the Connecticut Department of Children and Families, and it may report to the police instances of sexual activity with a minor that that would constitute a crime under Connecticut law. Otherwise, cases are reported to the police only if the individual requests it or if there is an imminent health or safety risk.

The College reserves the right to take whatever measures it deems necessary in response to complaints of stalking, intimate partner violence, and/or sexual misconduct in order to protect the rights and personal safety of the members of the campus community. Such measures include, but are not limited to, modification of living arrangements and class schedules, summary removal from campus pending an investigation, restricting/prohibiting contact with person(s) on campus, transportation assistance, reporting to the local police, and pursuing an investigation without the participation of the victim. The College has the responsibility to consider the concerns and rights of both the complainant and the person accused.

Sanctions for student conduct complaints typically differ based on the circumstances of the complaint. For example, a finding of responsibility for non-consensual sexual intercourse typically result in suspension or expulsion; non-consensual sexual contact typically result in a range of sanctions from warning to expulsion; intimate partner violence typically results in a range of sanctions from disciplinary probation to expulsion.

For the purposes of Title IX, sexual assault and rape are considered forms of sexual harassment, defined under College policy as sexual misconduct; these actions oblige the College to respond to reported incidents. Once an institution has received notice of a possible Title IX Policy violation, the US Department of Education, Office for Civil Rights requires it to take immediate and appropriate steps to investigate what occurred, and if a violation is found, to take prompt and effective action to end the harassment, remedy the effects and prevent reoccurrence. This course of action is the institution's responsibility whether or not the student who was harassed makes a formal complaint or otherwise asks the school to take action. Students have a right to file a complaint with the Office of Civil Rights concerning alleged failures by the College to comply with the requirements of Title IX. Complaints may be filed at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Names and contact information for the Title IX Coordinators are found in Section I.

### ***Off Campus***

The New London or Waterford Police Departments are available if a student would like to report sexual misconduct, stalking, or intimate partner violence, and, possibly, initiate a criminal investigation. The Police Department can also assist the student with obtaining a protective order through the court. The College will honor any court-issued protective order by implementing its own equivalent no contact directive. Connecticut College encourages students to report all crimes to the appropriate district police department and will assist the complainant in making such a report. Again, this option of reporting is not exclusive; a student may seek internal College support and also file a formal complaint with the Senior Associate Dean of Student Life in addition to reporting to the police.

The Director of Sexual Violence Prevention and Advocacy works with specific members of the New London and Waterford police departments and can initiate contact and arrange a meeting between a student and the police. A representative of the College may accompany the student, upon request. When a student reports a criminal incident to the police, the police may initiate a criminal investigation. During the police investigation, the College may briefly suspend its own investigation to accommodate the needs of the police. The College has no control over the police investigation and the legal process that may result.

## **2. Federal Timely Warning Obligations**

Individuals who have experienced Title IX Policy violations need to be aware that the College must issue timely warnings for incidents reported that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure that a complainant's name and other identifying information are not disclosed while still providing enough information for community members to make safety decisions in light of the danger (see Safety Alert Procedures in the Student Handbook).

## **C. SUPPORT FOR STUDENTS ACCUSED OF TITLE IX POLICY VIOLATIONS**

If a complaint has been filed alleging misconduct by a student, the student should make an appointment immediately to meet with Senior Associate Dean of Student Life Sarah Cardwell. She will explain the resolution process in detail and assist in contacting a support person or other trained professional staff members who can provide support throughout the process. Students may enlist any of these staff members or anyone else to be a support person.

The individual responding to a complaint may be accompanied by an advisor of his/her choosing to guide and accompany them throughout the campus resolution process. The responding individual is entitled to be accompanied by the advisor in all meetings and interviews at which the responding individual is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the

process, the advisor will be removed from the process. The Title IX Coordinator or the Deputy Title IX Coordinator will determine whether or not the advisor may be reinstated, replaced, or whether the right to an advisor has been forfeited for the remainder of the process. Specific guidelines and options for support persons may be found in the Student Handbook.

When a student has been charged with a Title IX Policy violation, that student may wish to make an appointment with Counseling Services as soon as possible.

The Chaplains in the Office of Religious and Spiritual Life may also be a resource. They are experienced in helping students who are going through traumatic and distressing situations. Call 860-439-2450 for an appointment.

## **VI. STAFF PROCEDURES**

### **A. SUPPORT FOR STAFF MEMBERS WHO HAVE EXPERIENCED SEXUAL MISCONDUCT, INTIMATE PARTNER VIOLENCE, OR STALKING**

#### **Medical Attention**

When individuals experience any kind of sexual misconduct, intimate partner violence or stalking and feel medical services are needed, they may seek medical care at Lawrence and Memorial (L&M) Emergency Room (365 Montauk Avenue, New London).

Physical evidence of a criminal sexual assault must be collected within 120 hours. However, individuals are also strongly encouraged to seek medical attention after that time period. It is important that they not wash themselves or their clothing before an examination, though doing so does not always destroy evidence, which may still be collectible. These resources can also offer treatment in addition to evidence collection, for any injuries, STDs, and pregnancy intervention options.

- The Sexual Assault Nurse Examiner (a specially trained nurse) at L&M is on call 24 hours a day, 7 days a week.
- A Rape Crisis Counselor from the Sexual Assault Crisis Center of Eastern CT can also meet an individual at L & M Hospital - the 24-hour State Hotline can be reached at 888-999-5545.

#### **Support**

The individual filing a complaint may be accompanied by an advisor of his/her choosing to guide and accompany them throughout the campus resolution process. The complainant is entitled to be accompanied by the advisor in all meetings and interviews at which the complainant is present.



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The Staff Ombudsman is a neutral party whose role it is to ensure the fairness of College actions and is available to advise a staff member filing a complaint during this process.

## **B. REPORTING TITLE IX POLICY VIOLATIONS**

### **1. On Campus**

Employees who have experienced any type of sexual misconduct, intimate partner violence, or stalking should immediately report (orally, in person, or in writing) the incident to a supervisor. This applies as well to anyone impacted by an employee who engages in any type of sexual misconduct, intimate partner violence, or stalking. The supervisor receiving the report will in turn notify Human Resources (HR) of the allegations, and HR will investigate the incident(s). Human Resources will notify the Title IX Coordinator. If for some reason the complaint cannot be reported to a supervisor, it may be reported to the supervisor's supervisor, or alternatively, to Liz Eames, Associate Director of Human Resources; Cheryl Miller, Assistant Vice President for Human Resources and Professional Development and Deputy Title IX Coordinator; or to Melissa Pierce, the Title IX Coordinator. Reports of misconduct by the Title IX Coordinator or a Deputy should be made to the Dean of Institutional Equity and Inclusion.

For the purposes of Title IX, sexual assault and rape are considered forms of sexual harassment, defined under College policy as sexual misconduct; these actions oblige the College to respond to reported incidents. Once an institution has received notice of a possible Title IX Policy violation, the US Department of Education, Office for Civil Rights requires it to take immediate and appropriate steps to investigate what occurred, and if a violation is found, to take prompt and effective action to end the harassment, to remedy the effects and prevent reoccurrence. This course of action is the institution's responsibility whether or not the individual who was harassed makes a formal complaint or otherwise asks the school to take action. Individuals have a right to file a complaint with the Office of Civil Rights concerning alleged failures by the College to comply with the requirements of Title IX. Complaints may be filed at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg

400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Names and contact information for the Title IX Coordinators are found in Section I.

## **2. Off Campus**

The New London or Waterford Police Departments are available to receive reports of sexual misconduct, stalking, or intimate partner violence, and, possibly, initiate a criminal investigation. The police department can also assist with obtaining a protective order through the court. The College will honor any court-issued protective order. Connecticut College encourages individuals to report all crimes to the appropriate district police department. Again, this option of reporting is not exclusive; a staff member may file a formal complaint with Human Resources in addition to reporting to the police.

### **C. SUPPORT FOR STAFF MEMBERS ACCUSED OF SEXUAL MISCONDUCT, INTIMATE PARTNER VIOLENCE, OR STALKING**

If a member of the College community, guest or visitor makes a complaint of sexual misconduct, intimate partner violence, or stalking involving a staff member, that individual will typically be informed as part of the investigation. The investigator will explain the investigation procedures.

The individual responding to a complaint may be accompanied by an advisor of his/her choosing to guide and accompany them throughout the campus resolution process. The responding individual is entitled to be accompanied by the advisor in all meetings and interviews at which the responding individual is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the process, the advisor will be removed from the process. The Title IX Coordinator or the Deputy Title IX Coordinator will determine whether or not the advisor may be reinstated, replaced, or whether the right to an advisor has been forfeited for the remainder of the process.

The Staff Ombudsman is a neutral party whose role it is to ensure the fairness of College actions and is available to advise a staff member responding to a complaint during this process.

## **VII. FACULTY PROCEDURES**

### **A. SUPPORT FOR FACULTY MEMBERS WHO HAVE EXPERIENCED SEXUAL MISCONDUCT, INTIMATE PARTNER VIOLENCE, OR STALKING**

#### **Medical Attention**

When individuals experience any kind of sexual misconduct, intimate partner violence or stalking and feel medical services are needed, they may seek medical care at Lawrence and Memorial (L&M) Emergency Room (365 Montauk Avenue, New London).

Physical evidence of a criminal sexual assault must be collected within 120 hours. However, individuals are also strongly encouraged to seek medical attention after that time period. It is important that they not wash themselves or their clothing before an examination, though doing so does not always destroy evidence, which may still be collectible. These resources can also offer treatment in addition to evidence collection, for any injuries, STDs, and pregnancy intervention options.

- The Sexual Assault Nurse Examiner (a specially trained nurse) at L&M is on call 24 hours a day, 7 days a week.
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#### **Support**

The individual filing a complaint may be accompanied by an advisor of his/her choosing to guide and accompany them throughout the campus resolution process. The complainant is entitled to be accompanied by the advisor in all meetings and interviews at which the complainant is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the process, the advisor will be removed from the process. The Title IX Coordinator or the Deputy Title IX Coordinator will determine whether or not the advisor may be reinstated, replaced, or whether the right to an advisor has been forfeited for the remainder of the process.

The Faculty Ombudsman is a neutral party whose role it is to ensure the fairness of College actions and is available to advise a faculty member filing a complaint during this process. The Faculty Ombudsman is Jason Nier (x5057), [jason.nier@conncoll.edu](mailto:jason.nier@conncoll.edu).

## **B. REPORTING TITLE IX POLICY VIOLATIONS**

### **1. On Campus**

Faculty members who have experienced any type of sexual misconduct, intimate partner violence, or stalking should immediately report (orally, in person, or in writing) the incident to their department chair, or Abby Van Slyck, Dean of the Faculty; Jeff Cole, the Associate Dean of the Faculty or to Melissa Pierce, the Title IX Coordinator. The person receiving the report will in turn notify the Dean of the Faculty. The Dean of the Faculty will notify the Title IX Coordinator and initiate an investigation.

For the purposes of Title IX, sexual assault and rape are considered forms of sexual harassment, defined under College policy as sexual misconduct; these actions oblige the College to respond to reported incidents. Once an institution has received notice of a possible Title IX Policy violation, the US Department of Education Office for Civil Rights requires it to take immediate and appropriate steps to investigate what occurred, and if a violation is found, to take prompt and effective action to end the harassment, to remedy the effects and prevent reoccurrence. This course of action is the institution's responsibility whether or not the student who was harassed makes a formal complaint or otherwise asks the school to take action. Students have a right to file a complaint with the Office for Civil Rights and/or the EEOC concerning alleged failures by the College to comply with the requirements of Title IX. Complaints may be filed with the Office for Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html> or the EEOC at <http://www.eeoc.gov/employees/charge.cfm> .

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Names and contact information for the Title IX Coordinators are found in Section I.

### **2. Off Campus**

The New London or Waterford Police Departments are available to receive reports of sexual misconduct, stalking, or intimate partner violence, and, possibly, initiate a criminal investigation. The police department can also assist with obtaining a protective order through the court. The College will honor any court-issued protective order. Connecticut College encourages individuals to report all crimes to the appropriate district police

department. Again, this option of reporting is not exclusive; a faculty member may file a formal complaint with the Dean of the Faculty in addition to reporting to the police.

### **C. SUPPORT FOR FACULTY MEMBERS ACCUSED OF SEXUAL MISCONDUCT, INTIMATE PARTNER VIOLENCE, OR STALKING**

If a member of the College community makes complaint of sexual misconduct, intimate partner violence, or stalking involving a faculty member, that individual will typically be informed as part of the investigation. The investigator will explain the investigation procedures.

The individual responding to the complaint is entitled to be accompanied by the advisor in all meetings and interviews at which the responding individual is present.

All advisors are subject to the same campus rules whether or not they are attorneys. Advisors may not address campus officials in a meeting, interview, or other process unless invited to participate. Advisors may confer quietly with their advisees as long as the process is not disrupted. If an advisor becomes disruptive in meetings or at any point in the process, the advisor will be removed from the process. The Title IX Coordinator or the Deputy Title IX Coordinator will determine whether or not the advisor may be reinstated, replaced, or whether the right to an advisor has been forfeited for the remainder of the process.

The Faculty Ombudsman is a neutral party whose role it is to ensure the fairness of College actions and is available to advise a faculty member responding to a complaint during this process. The Faculty Ombudsman is Jason Nier (x5057), [jason.nier@conncoll.edu](mailto:jason.nier@conncoll.edu).

## **VIII. INVESTIGATION AND RESOLUTION PROCESSES**

### **A. INVESTIGATIONS OF SEXUAL MISCONDUCT, STALKING, AND INTIMATE PARTNER VIOLENCE INVOLVING STUDENT RESPONDENTS**

Connecticut College refers all formal investigations in which students are alleged to have violated the sexual misconduct, stalking (gender-based), intimate partner violence, other Title IX related violations to the Title IX Complaint Process outlined in the Student Handbook. An external investigator will partner with an internal trained investigator who is a member of the Student Life staff to conduct the investigation. The investigator(s) will write a report detailing the investigation and the findings. A Sanctioning Panel composed of trained staff members will review the investigation report and determine the sanctions. The complainant(s) and respondent(s) have the right to request a review of the decision according to guidelines found in the Student Handbook.

## **B. INVESTIGATIONS OF SEXUAL MISCONDUCT, STALKING, AND INTIMATE PARTNER VIOLENCE INVOLVING ACCUSED STAFF MEMBERS**

Investigations of sexual misconduct, stalking, intimate partner violence, or other Title IX related violations involving accused staff members will typically be investigated internally by staff members trained in conducting Title IX investigations, under the supervision of the Title IX Coordinator with the guidance of legal counsel. Extremely complex or sensitive cases may be investigated by an external investigator.

## **C. INVESTIGATIONS OF SEXUAL MISCONDUCT, STALKING, AND INTIMATE PARTNER VIOLENCE INVOLVING ACCUSED FACULTY MEMBERS**

Investigations of sexual misconduct, stalking, intimate partner violence, or other Title IX related violations involving accused faculty members will typically be investigated internally by investigators trained in conducting Title IX investigations, under the supervision of the Title IX Coordinator and with the guidance of legal counsel. Extremely complex or sensitive cases may be investigated by an external investigator.

# **IX. DETERMINING SANCTIONS/DISCIPLINE**

## **A. DETERMINING SANCTIONS FOR STUDENTS FOUND RESPONSIBLE**

As outlined in the Student Handbook, when a student is found responsible for violating this policy, based on an investigation and using the preponderance of evidence standard of proof, the investigators submit their report to the Sanctioning Panel. The Panel is composed of three members drawn from a pool of seven trained staff members. Both the complainant and respondent may present impact statements to the Sanctioning Panel. After considering both the investigation report and any impact statements, the Panel determines appropriate sanctions. The Title IX Coordinator may review the investigation/decision for any additional remedies that may be necessary beyond the disciplinary process to assure compliance with Title IX.

## **B. DETERMINING DISCIPLINE FOR STAFF MEMBERS FOUND RESPONSIBLE**

When a staff member is found responsible for violating this policy, based on an investigation and using the preponderance of evidence standard of proof, the investigator(s) share their report with the Associate Vice President for Human Resources and Professional Development/Deputy Title IX Coordinator, who determines appropriate disciplinary action. The Title IX Coordinator may review the investigation/decision for any additional remedies that may be necessary beyond the disciplinary process to assure compliance with Title IX.

## **C. DETERMINING DISCIPLINE FOR FACULTY MEMBERS FOUND RESPONSIBLE**

When a faculty member is found responsible for violating this policy, based on an investigation and using the preponderance of evidence standard of proof, the

investigator(s) share their report with the Dean of the Faculty. IFF (the faculty handbook) outlines the specific procedures to be followed. The Title IX Coordinator may review the investigation/decision for any additional remedies that may be necessary beyond the disciplinary process to assure compliance with Title IX.

## **X. AMENDING THIS POLICY**

The College reserves the right to make changes to this policy as necessary and once those changes are posted online, they are in effect. Members of the College community are encouraged to check online for the updated versions of all policies and procedures. In the event that any portion of this policy conflicts with local, state or federal law, the prevailing law will control, and this policy will be considered modified accordingly. This policy does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.

Revised August 21, 2015