



# GOODWIN COLLEGE

## POLICY AND PROCEDURE

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<b>TITLE:</b>	<b>Gender-based and Sexual Misconduct Policy</b>
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### **POLICY STATEMENT:**

In compliance with Title IX of the Education Amendments of 1972, Goodwin College prohibits discrimination based on sex in all educational programs or activities. Members of the College community, guests and visitors have the right to be free from sexual violence. This includes sex discrimination, sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual exploitation, and other behaviors when gender-based. The Department of Education further requires that every school designate a Title IX Coordinator to oversee all aspects of Title IX compliance. Goodwin College's Title IX Coordinator is Megan Monahan. She can be reached at [mmonahan@goodwin.edu](mailto:mmonahan@goodwin.edu) and (860)727-6741. Goodwin College also complies with The Violence Against Women Act (VAWA) amendments to the Clery Act and has policies prohibiting sexual assault, domestic violence, dating violence (defined here as intimate partner violence), and stalking.

### **PROCEDURE DETAILS:**

The procedure described in the Appendix governs the implementation of the Gender-based and Sexual Misconduct Policy. When a violation of the policy has occurred students, faculty, staff, and visitors must have a clear mechanism for reporting violations and obtaining relief. Those in violation of the policy must be aware of how violations will be handled.

### **PUBLISH POLICY STATEMENT (CLICK ON BOX NEXT TO OPTION-SELECT ALL THAT APPLY):**

COLLEGE CATALOG

STAFF HANDBOOK

FACULTY HANDBOOK

STUDENT HANDBOOK

### **DEFINITIONS:**

See Appendix

### **EXCLUSIONS:**

NA- This policy applies to all member of the College community.

### **OFFICES DIRECTLY AFFECTED BY THE POLICY:**

Director of Compliance and Title IX Coordinator, Director of Campus Safety and Security, Dean of Students, Vice President for Academic Affairs, Vice President for Physical Facilities and IT, Executive Vice President and Provost

**HISTORY:** Policy created and approved June 2013; Policy reviewed, updated, and approved June 2014; Policy reviewed June 2015; Policy updated and approved July 2015  
July 2015 update includes expanded definitions of sexual harassment and new definitions of domestic violence,

intimate partner violence, and stalking. Policy reviewed, updated, and approved August 2016. Policy reviewed, updated, and approved August 2017.

<b>EFFECTIVE DATE:</b>	Fall Semester 2015
<b>RESPONSIBLE OFFICE (ONLY ONE):</b>	Director of Compliance and Title IX Coordinator
<b>REVIEW DATE:</b>	Annually, Summer

## **APPENDIX:**

Please see the complete policy included below.

### TITLE IX: GENDER-BASED AND SEXUAL MISCONDUCT POLICY

#### INTRODUCTION

Title IX of the Education Amendments of 1972 is a federal law that prohibits discrimination based on the sex of employees and students of educational institutions that receive federal financial assistance. In compliance with Title IX, Goodwin College prohibits sex-based discrimination in all of its programs and activities. As such, members of the College community, guests and visitors have the right to be free from sex discrimination, sexual harassment, sexual violence, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, and other sex-based behaviors at all times.

All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Goodwin College believes in a zero tolerance policy for gender-based misconduct. When an allegation of misconduct is brought to an appropriate administrator's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

Goodwin College also complies with The Violence Against Women Act (VAWA) amendments to the Clery Act and has policies prohibiting sexual assault, domestic violence, dating, and stalking.

#### TITLE IX COORDINATOR

The college's Title IX Coordinator oversees compliance with all aspects of the sex/gender harassment, discrimination and misconduct policy. The Coordinator reports directly to the Executive Vice President and Provost of the College, and is housed in the Administration department. Questions about this policy should be directed to the Title IX Coordinator. Anyone, students, employees, guests, and visitors, wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the Goodwin College Title IX Coordinator:

Megan Monahan, Director of Compliance and Title IX Coordinator One Riverside Drive, 1st Floor, Office 144-F East Hartford, CT 06118 (860) 727.6741 [mmonahan@goodwin.edu](mailto:mmonahan@goodwin.edu)

#### OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO PHYSICAL SEXUAL MISCONDUCT

The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must active, clear, and voluntary consent

prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence without actions demonstrating permission—cannot be assumed to show consent. Consent is defined in the Additional Applicable Definitions section of this policy.

Additionally, there is a difference between seduction and coercion. Coercion happens when someone is pressured unreasonably for sex. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if s/he cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because s/he lacks the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but an active, clear, and voluntary consent to any sexual activity is equivalent to a "No."

#### OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS

Goodwin College's strict policy is that administrators, staff and faculty members must maintain professional boundaries in personal relations with other colleagues and students. Social meetings with students either individually or in a group are not permitted except for school-sponsored events. Connecting with students directly through social media websites, such as Facebook, Twitter, Instagram, or Snapchat, is also prohibited. Exceptions to this policy may be made for websites that are purely designed for professional networking, such as LinkedIn. Romantic relationships with students are strictly prohibited.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor. This will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

#### SEXUAL VIOLENCE RISK REDUCTION TIPS

Risk reduction tips can often take a victim-blaming tone, even unintentionally. Only those who commit sexual violence are responsible for those actions. We offer the tips below with no intention to victim-blame, with recognition that these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. Below, suggestions to avoid committing a non-consensual sexual act are also offered:

If you have limits, make them known as early as possible.

Tell a sexual aggressor "NO" clearly and firmly.

Try to remove yourself from the physical presence of a sexual aggressor.

Find someone nearby and ask for help.

Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/ drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.

Give thought to sharing your intimate content, pictures, images and videos with others, even those you may trust. If you do choose to share, clarify your expectations as to how or if those images may be used, shared or disseminated.

Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

Clearly communicate your intentions to your sexual partner and give him/her a chance to clearly relate their intentions to you.

Understand and respect personal boundaries.

DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. Your partner's consent should be affirmative and continuous. If there are any questions or ambiguity then you DO NOT have consent.

Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

Don't take advantage of someone's drunkenness or altered state, even if they willingly consumed alcohol or substances.

Realize that your potential partner could feel intimidated or coerced by you. You may have a power advantage simply because of your gender or physical presence. Don't abuse that power.

Do not share intimate content, pictures, images and videos that are shared with you.

Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.

Silence, passivity, or non-responsiveness cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

## HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found. If there is immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe to interrupt.

- Watch out for friends and fellow students/employees. If there is someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance

## SEXUAL MISCONDUCT OFFENSES INCLUDE, BUT ARE NOT LIMITED TO

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation
5. Dating Violence
6. Domestic Violence
7. Stalking
8. Other Misconduct that is Gender-based

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

## DEFINITIONS

Sexual Harassment is:

- unwelcome,
- sexual, sex-based and/or gender-based verbal, written, online and/or physical conduct.

Anyone experiencing sexual harassment in any College program is encouraged to report it immediately to the Title IX Coordinator. Remedies, education and/or training will be provided in response.

Sexual harassment may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment.

A hostile environment is created when sexual harassment is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it: unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the College's educational and/or employment program.

Quid Pro Quo Harassment is:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature,
- By a person having power or authority over another constitutes sexual harassment, when
- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development, or performance.
- This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational or employment program.

Examples include: to attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual-based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; gender-based bullying.

Non-Consensual Sexual Contact is:

- any intentional sexual touching,
- however slight,
- with any object,
- by a man or a woman upon a man or a woman,
- that is without consent and/or by force.

Sexual Contact includes:

Intentional contact with the breasts, buttock(s), groin, or genitals, or touching another with any of these body parts, or making another 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.

Non-Consensual Sexual Intercourse is:

- any sexual intercourse
- however slight,
- with any object,
- by a man or woman upon a man or a woman,
- that is without consent and/or by force.

Intercourse includes:

Vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her 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 other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- invasion of sexual privacy;
- prostituting another student;
- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STI or HIV to another student;
- exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is defined as a felony or misdemeanor crime 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 cohabiting with, or has cohabited 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 in which the crime of violence occurred;
- 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 in which the crime of violence occurred.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

**OTHER MISCONDUCT OFFENSES (WILL FALL UNDER TITLE IX WHEN GENDER-BASED)**

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the college community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity;

- Bullying, defined as Repeated and/or severe, aggressive behavior, likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally, that is not speech or conduct otherwise protected by the 1st Amendment;
- Any other College policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender.

#### ADDITIONAL APPLICABLE DEFINITIONS

Consent must be given affirmatively. Affirmative consent is an active, clear, and voluntary agreement by a person to engage in sexual activity with another person.

Affirmative consent is not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

Consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.

Previous relationships or prior consent cannot imply consent to future sexual acts. The existence of a past or current dating or sexual relationship between the student or employee reporting or disclosing the alleged violation and the responding student or employee, in and of itself, shall not be determinative of a finding of affirmative consent.

It is the responsibility of each person to ensure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the 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 or employee reporting or disclosing the alleged violation consented to the sexual 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 such 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.

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 coercion that overcome resistance or produce consent ("Have sex with me or I'll hit you. Okay, don't hit me, I'll do what you want.").

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced. In order to give effective consent, one must be of legal age.

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

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack 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, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>

Use of alcohol or other drugs will never function as a defense for any behavior that violates this policy.

The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy.

## SANCTION STATEMENT

Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) may receive a recommended sanction of probation, suspension, or dismissal, depending on the severity of the incident, and taking into account any previous campus conduct code violations.\*

Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse may receive a recommended sanction of suspension or dismissal.\*

Any student found responsible for violating the policy on sexual harassment, sexual exploitation, dating violence, domestic violence, stalking, or the other gender-based offenses may receive a recommended sanction of verbal warning, written warning, requirement to seek counseling, probation, suspension, or dismissal, depending on the severity of the incident, and taking into account any previous campus conduct code violations.\*

\*The conduct body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

To report violations of this policy contact Megan Monahan, Director of Compliance and Title IX Coordinator at (860) 727.6741.

## ACCOMMODATION STATEMENT

- If you have been a victim of gender-based or sexual misconduct you have the right to file a complaint with the Title IX Coordinator and to have that complaint investigated and resolved as appropriate. The Title IX Coordinator may be contacted at (860) 727.6741 or [mmonahan@goodwin.edu](mailto:mmonahan@goodwin.edu)
- You have the right to receive assistance in changing academic, living, transportation, and working situation, if available.
- You have the right to receive reasonable accommodations from instructors in completing your coursework/course.
- You have the right to a campus no-contact directive against another student who has engaged in or threatens to engage in stalking, threatening, harassing, or other improper behavior that presents a danger to the welfare of the complaining student or others.
- You have the right to access confidential services at the Goodwin College Counseling Center. More information about these services can be found on the Counseling Services website at <http://www.goodwin.edu/Counseling> or call 860.913.2072 or 860.913.2043.
- You have the right to be informed of community-based support services and resources outside of the college that may be of assistance to you.
- You have the right to be assisted by the college in contacting the local police, as well as the right not to involve law enforcement authorities.

## SEXUAL MISCONDUCT CONFIDENTIALITY, PRIVACY, AND REPORTING POLICY

Institutions must clearly articulate who are “responsible employees” under Title IX for purposes of initiating notice and/or investigation, and those who have more discretion on how they act in response to notice of gender-based discrimination. Different people on campus have different reporting responsibilities and different abilities to maintain confidentiality, depending on their roles at the college and upon college policy.

When consulting campus resources, all parties should be aware of confidentiality, privacy and mandatory reporting in order to make informed choices. On campus, some resources can offer you confidentiality, sharing options and advice without any obligation to tell anyone unless you want them to. Other resources are expressly there for you to report crimes and policy violations and they will take action when you report your victimization to them.

### TO REPORT CONFIDENTIALLY:

If one desires that details of the incident be kept confidential, s/he should speak with the on-campus counselor, Stephanie Frascadore, or off-campus rape crisis resources who can maintain confidentiality. The campus counselor is available to help you, free of charge, and can be seen on an emergency basis.

#### NON-CONFIDENTIAL REPORTING:

You are encouraged to speak to the Title IX Coordinator to make formal reports of incidents. This can be done in person, via email, via telephone, or via the online reporting form. Faculty and staff of Goodwin College are also "responsible employees." Notice to them is official notice to the institution. Staff and faculty are required to report incidents of sexual misconduct of which they become aware to the Title IX Coordinator. You have the right and can expect that incidents of sexual misconduct be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual. Faculty and staff will keep your information private, but they are obligated to report instances of sexual misconduct to the Title IX Coordinator for investigation.

#### FEDERAL STATISTICAL REPORTING OBLIGATIONS:

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: campus law enforcement, local police, coaches, athletic directors, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

#### FEDERAL TIMELY WARNING REPORTING OBLIGATIONS:

Victims of sexual misconduct should also be aware that College administrators must issue immediate, timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

#### POLICY PROVISIONS

##### a. Attempted Violations

In most circumstances, the College will treat attempts to commit any of the violations listed in the Gender-based and Sexual Misconduct Policy as if those attempts had been completed.

##### b. False Reports

Goodwin College will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

##### c. Amnesty for Victims and Witnesses

The College community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to College officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to College officials, and that witnesses come forward to share what they know. To encourage reporting, the College pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.

Sometimes, students are hesitant to offer assistance to others for fear that they may get themselves in trouble. The College pursues a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, the College will provide educational options, rather than punishment, to those who offer their assistance to others in need.

##### d. Parental Notification

The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The College may also

notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or drug policy violations. Where a student is non-dependent, the College will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about individual conduct reports pursuant to the Family Educational Rights and Privacy Act.

#### MEDICAL TREATMENT FOR RESPONDING TO SEXUAL ASSAULT

If a student has been sexually assaulted, medical attention should be sought as soon as possible after the assault. The purpose is multi-fold:

- To treat physical injuries.
- To ascertain the risk of sexually transmitted diseases or pregnancy and intervene accordingly.
- To gather evidence that could aid prosecution.

Evidence should be collected immediately. After the first 24 hours, the quality of evidence usually decreases, but can be collected up to 72 hours after the assault. This evidence collection can be performed at any of the area hospital emergency rooms: St. Francis (860.714.4001) and Hartford Hospital (860.524.2525).

A support person may be present during the exam.

\*NOTE: If you seek treatment at a local hospital and police are contacted, this does not mean you have to proceed with criminal charges.

Follow up with your gynecologist/physician.

You can take a support person with you to the hospital. Also a sexual assault complainant advocate from the CT Alliance to End Sexual Violence (Formerly CONNSACS) can accompany you or meet you at the hospital. Call 24 hours a day 888.999.5545 to request an advocate. Hospitals can also call and request an advocate for you.

#### IMPORTANCE OF PRESERVING EVIDENCE

Hospital staff will ask to collect evidence. Whether or not you decide to have evidence collected, it is important that you DO NOT do the following prior to arriving at the hospital: change clothes, shower or bathe, douche, drink, eat, smoke, brush your teeth, use the bathroom unless absolutely necessary. Taking these precautions before the medical exam allows you to keep your legal options open as long as possible. These activities can destroy vital evidence. If you have not changed your clothes, bring a change of clothes with you. If you've changed your clothes since the assault, place the clothes you wore at the time of the attack in a paper bag (not plastic). Bring them with you to the emergency room. Let your nurse or doctor know you have them, and tell them if you have done anything else (washed, etc. before you arrived).

#### RESOURCES FOR PREVENTABLE SEXUALLY TRANSMITTED DISEASES

Burgdorf Health Center, Hartford STD Clinic, Disease Prevention and Health Promotion 131 Coventry Street, 1st Floor 860.757.4830 or 860.757.4772 No appointment necessary. Fee for service.

CT Alliance to End Sexual Violence (Formerly CONNSACS) 96 Pitkin Street East Hartford, CT 06108 <http://www.endsexualviolencect.org>

24-Hour Hot Line 888.999.5545 All services are FREE and CONFIDENTIAL and services provided include:

- Hotline Services 24 hours/day 7 days/week
- 24-hour crisis counseling
- Information & referral
- Advocacy for children and non-abusing parent
- Short-term counseling for complainants 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.

#### PROCEDURES

When a potential violation of the Gender-based and Sexual Misconduct Policy is reported that report will be investigated and remedied appropriately in a prompt, effective, and equitable manner by trained individuals.

The following describes the specific steps that will be taken in the event that the potential violation reported in one of the VAWA (Violence Against Women Act) crimes of Sexual Assault, Domestic Violence, Dating Violence, and Stalking). The procedures are the same for students, faculty, and staff.

**Sexual Assault** including Non-Consensual Sexual Contact (or attempts to commit same) and Non-Consensual Sexual Intercourse (or attempts to commit same):

1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care
2. Institution will assess immediate safety needs of complainant
3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
4. Institution will provide complainant with referrals to on and off campus mental health providers
5. Institution will assess need to implement interim or long-term protective measures, including but not limited to housing changes, change in class schedule, "No Contact" directive between both parties, "No Trespass" orders to the accused party
6. Institution will issue interim actions limiting an accused student's access on campus if deemed appropriate
7. Institution will provide guidance on how a complainant can pursue criminal or civil Protective Orders
8. Institution will provide to information about resources and the investigation procedure complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

#### **Domestic Violence**

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
3. Institution will provide guidance on how a complainant can pursue criminal or civil Protective Orders
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide a "No trespass" directive to accused party if deemed appropriate

#### **Dating Violence**

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
3. Institution will provide guidance on how a complainant can pursue criminal or civil Protective Orders
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide a "No trespass" directive to accused party if deemed appropriate

#### **Stalking**

1. Institution will assess immediate safety needs of complainant
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
3. Institution will provide written instructions on how to apply for Protective Order
4. Institution will provide written information to complainant on how to preserve evidence
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. Institution will provide a "No trespass" directive to accused party if deemed appropriate

## AWARENESS AND EDUCATION

Goodwin College recognizes that awareness and educational efforts are important tools in sexual misconduct prevention. The College engages in the following prevention initiatives:

- This and related policies are included in faculty, staff and student handbooks.
- The Director of Campus Safety and Security, via an instructional video, briefs all new students at New Student Orientation regarding security procedures at Goodwin College. All students are notified of the Emergency Procedure Guide, which contains instructions to follow in the event that an emergency occurs. The Emergency Procedure Guide is posted in every classroom as well as in hallways/corridors. This information is also available on the Goodwin College website at <http://www.goodwin.edu/campus-safety/>
- The Title IX Coordinator, via an instructional video, speaks at each New Student Orientation about the Gender-based and Sexual Misconduct Policy, examples of sexual misconduct, and how to file a complaint with the Title IX Coordinator. Further information is provided during "Welcome Week". New employees are also given written information about sexual assault, dating violence, domestic violence, and stalking at New Employee Orientation, which occurs every six weeks. This information is also available on the Goodwin College website at <http://www.goodwin.edu/title-ix/>
- Goodwin College, through its Student Services and Counseling Services, along with the Title IX Coordinator, provides on-campus workshops which are designed to promote the awareness of sexual assault and other forcible and non-forcible sex offenses, including domestic violence, dating violence, and stalking.
- Goodwin College has a strong relationship with Connecticut Alliance to End Sexual Violence and a campus advocate comes to campus multiple times each year. The advocate sets up tables, hands out information, and makes herself available to students. The advocate is integrated into the curriculum and presents on issues of sexual assault to all our sociology students. The advocate speaks to MOVE and WISE students about issues of sexual assault and leads a special initiative with the MOVE students on how men can prevent sexual assault.
- Many male students took the Where Do You Stand? Pledge as part of the Where do you Stand? Campaign, where they addressed the importance of bystander intervention.
- WISE students participate in I AM: The Empowerment Program which includes awareness and prevention information regarding sexual assault and intimate partner violence, including domestic violence and stalking.
- Goodwin College participates in the Green Dot program of bystander intervention which trains key constituencies on how to address power-based personal violence across environments.
- Goodwin College has a Sexual Assault Response Team (SART) which includes members of the faculty, staff, and administration. The Sexual Assault Response Team is trained by the Connecticut Alliance to End Sexual Violence.
- Goodwin College participates in the Green Dot program of bystander intervention which trains key constituencies on how to address power-based personal violence across environments.
- Members of the community have the opportunity to participate in organizations such as Women Achieving Voices of Empowerment (WAVE), which is a club that holds a women support group.

- The College observes Domestic Violence Awareness Month in October, Sexual Assault Awareness Month in April, and Stalking Awareness Month in January. The College also hosts an annual Fresh Check Day where students and members of the community can connect with emotional and mental health support services
- Brochures and information on sexual assault, dating violence, domestic violence, and stalking are made available in key locations including the Counseling and Wellness Center, the Office of the Dean of Students, and the Office of the Title IX Coordinator.
- Emergency phones can be found throughout campus.