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UNIVERSITY OF HARTFORD

**“TITLE IX SEXUAL HARASSMENT” AND “COMMUNITY
STANDARDS SEXUAL MISCONDUCT” POLICY AND
PROCEDURES**

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I. STATEMENT OF NON-DISCRIMINATION

The University of Hartford prohibits discrimination in admissions, educational programs and services, and employment on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, gender, sexual orientation, gender identity or expression, disability, genetic information, veteran status, and any other basis protected by law. The University is committed to preventing or eliminating all forms of gender-based discrimination in its education programs or activities in accordance with its commitment to Title IX of the Education Amendments of 1972.

II. STATEMENT OF POLICY

The University of Hartford is committed to fostering a living, learning and working environment free of discrimination and harassment. University of Hartford is subject to Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §§1681, *et seq.*, which states that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

The University adopts this Policy in furtherance of 1) preventing, eliminating, or addressing the effects of Prohibited Conduct; 2) fostering a climate where all individuals are well-informed and supported in preventing or reporting Prohibited Conduct; and 3) providing clear standards and a fair and impartial process for all parties by which violations of this Policy will be addressed and disciplinary action imposed. The University will take prompt and effective action to eliminate Prohibited Conduct, prevent its reoccurrence, and remedy its effects.

III. SCOPE OF POLICY

The University of Hartford’s Title IX Sexual Harassment and Community Standards Sexual Misconduct Policy and Procedures (“Policy”) applies to all the University of Hartford community members, including students, faculty, staff and third parties, such as volunteers, contractors, and visitors. Alleged misconduct subject to this Policy (“Prohibited Conduct”) includes both Title IX Sexual Harassment (which is defined by law) and Community Standards Sexual Misconduct (which includes allegations that do not meet the definitions under Title IX, but nonetheless violate the University’s community standards), as discussed further in the Definitions (Section V) below.

IV. TITLE IX COORDINATOR

The following individuals are responsible for coordinating the University’s efforts to comply with Title IX and this Policy:

Kenna Grant, MS

Executive Director Equal Opportunity Programs and Title IX Compliance

Division of Student Success

200 Bloomfield Avenue

HJG Library room: 307

860.768.4880

mckenna@hartford.edu or title9@hartford.edu

Please contact either of the above with questions regarding Title IX or this Policy. Questions may also be directed to:

Assistant Secretary for Civil Rights
U.S. Department of Education
Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Telephone: 800-421-3481
Email: OCR@ed.gov

Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: (800) 669-4000
Fax: (617) 565-3196
TTY: (800) 669-6820
Web: <https://www.eeoc.gov/>

V. DEFINITIONS

Terms used in this Policy have the following meanings:

Advisor: A person who has agreed to provide support and advice to a Complainant or Respondent, subject to the provisions of Section XI(C).

Appeal Officer: The individual responsible for determining an appeal under Section XIII. The Appeal Officer may be an employee or a non-employee such as an external contractor or consultant. The Appeal Officer shall not be the University's Title IX Coordinator, the Investigator, or Hearing Officer assigned to the matter that is the subject of the Appeal.

Community Standards Sexual Misconduct: Conduct by an individual that does not constitute Title IX Sexual Harassment, but that (a) has continuing adverse effects on or creates a hostile work environment or hostile environment for individuals participating or attempting to participate in the University of Hartford's education program or activity, or otherwise has a reasonable connection to the University of Hartford; and (b) constitutes one of the following:

- **Community Standards Sex Discrimination:** Discrimination on the basis of sex.
- **Community Standards Sexual Harassment:** Pursuant to Connecticut law, any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic grade, salary, benefit, or service; (2) submission to or rejection of such conduct by an individual is used as the basis for employment, academic grading, or other decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.
- **Community Standards Gender-Based Harassment:** Harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature.

Examples of conduct that may constitute Sexual or Gender-Based Harassment include, but are not limited to:

- Physical assaults of a sexual nature, such as (1) rape, sexual battery, molestation or attempts to commit these assaults; or (2) intentional physical contact which is sexual in nature, such as patting, pinching, brushing against another's body, etc.;
 - Unwanted sexual advances, propositions or other sexual comments and jokes, including remarks about the individual's body or gender;
 - Inappropriate verbal conduct, such as lewd or sexually suggestive comments, jokes, or innuendoes, or unwelcome comments about an individual's gender, sexual orientation, gender identity, or gender expression;
 - Inappropriate written conduct, such as letters, notes, or electronic communications, containing comments, words, jokes, or images that are lewd or sexually suggestive or relate in an unwelcome manner to an individual's gender, sexual orientation, gender identity, or gender expression;
 - Inappropriate physical conduct, such as unwelcome touching or sexual advances on campus or within the working or learning environment;
 - Persistent and inappropriate personal attention from one colleague to another in the face of rejection;
 - Sexual or discriminatory displays, publications, or other visual material on the University of Hartford property;
 - Sexual gestures through body movements or hands or other types of nonverbal sexually explicit behavior.
- **Community Standards Sexual Assault:** Pursuant to Connecticut Law, penetration or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration or attempted penetration by a sex organ of another person, without consent.
 - **Community Standards Non-Consensual Sexual Contact:** Pursuant to Connecticut law, intentional sexual touching however slight with any body part or object by a person upon another person that is without consent.
 - Sexual touching includes: Intentional contact with private parts of the body such as the breasts, groin, genitals, anus, or mouth of another, or making another touch you or their private parts.
 - **Community Standards Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent pursuant to Connecticut law.
 - **Community Standards Intimate Partner/Dating/Domestic Violence:** Pursuant to Connecticut law, relationship violence is a pattern of behavior in a domestic, intimate or dating relationship that is used to establish power and control over another person through fear and intimidation. This behavior can be verbal, emotional, or physical. Examples include, but are not limited to: striking another person, property damage, public humiliation, harassment, and verbal or physical threats. It includes threatening or causing

physical harm or engaging in other conduct that threatens or endangers the health or safety of another person. Any such conduct or any offense under the University's Code of Community Standards will be considered Prohibited Conduct and resolved under this Policy if it arises out of an intimate partner, dating or domestic relationship (even if such relationship has ended). The University will evaluate the existence of the relationship taking into consideration such as the length of the relationship, the type of relationship, and the frequency of interaction between the individuals involved in the relationship.

- **Community Standards Stalking:** Stalking includes any conduct prohibited by Connecticut General Statutes 53a-181 or any course of conduct directed to a specific person that would cause a reasonable person to (A) fear for the person's safety or the safety of others; or (B) suffer emotional distress, including but not limited to, two or more acts directly or through a third party which monitors, observes, surveils, threatens, or communicates to or about a person. This misconduct can involve, but is not limited to: (i) lying in wait or knowingly repeatedly running into the person; (ii) unwelcome excessive phone calls, text messages, notes, etc.; (iii) watching or recording the person; (iv) threats to harm a person or a person's family, friends, teachers, pets, or property whether the threats are delivered personally or through a third party; (v) vandalism of the person's property; (vi) sending unwanted gifts, or leaving items that hold significance within the relationship between the person and stalker. It also includes **CYBERSTALKING**, which occurs through electronic devices and includes, but is not limited to: (i) posting online, the use of websites, email, text messaging, online social media, phone calls, and instant messaging; (ii) creating multiple online accounts to harass a person; (iii) hacking into the person's personal website, email account(s), phone account(s) or social media account(s); or (iv) continuous posting of malicious or untrue information online to websites or social media.

- **Community Standards Sexual Exploitation:** Taking advantage of a person due to their sex or gender identity for personal gain or gratification, such as abuse of a position of vulnerability, differential power, or trust for sexual purposes. Examples include, but are not limited to:
 - Recording, photographing, disseminating, or posting images of private sexual activity or a person's intimate parts (such as genitalia, groin, breasts, or buttocks) without consent;
 - Threatening to disseminate sensitive personal material of a sexual nature (e.g. photos, videos) by any means to any person or entity without consent;
 - Allowing third parties to observe private sexual activity from a hidden location without consent (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
 - Stealing articles of clothing for personal sexual gain or satisfaction;
 - Manipulation of contraception;
 - Peeping or voyeurism;
 - Prostituting another person;
 - Intentionally or knowingly exposing another person to a sexually transmitted infection or virus without the other's knowledge; or
 - Possessing, distributing, viewing or forcing others to view illegal pornography.

- **Community Standards Conflicts of Interest arising from Faculty/Staff Consensual Relationships with Students:** Faculty, administrators, coaches, and other employees must avoid and refrain from romantic or sexual relationships, even if consensual, with students whom they teach, advise, or supervise (or whom they may teach or supervise in the future). The relationship between teacher, advisor, or mentor and student must be protected from influences or activities that can interfere with learning and personal development. In addition to creating the potential for coercion, any such relationship jeopardizes the integrity of the educational process by creating an actual or potential conflict of interest and may impair the educational environment for other students. Employees or students with questions about this policy are advised to consult with the University's Title IX Coordinator or Deputy.
- **Community Standards False Claims:** Deliberately false or malicious reports under this Policy (as opposed to allegations found to be erroneous but made in good faith) are a serious offense subject to disciplinary action under this Policy.
- **Community Standards Other Prohibited Conduct:** Other forms of misconduct, when gender-based, are Prohibited Conduct under this Policy, including but not limited to:
 - Sex offenses (other than those listed above) under applicable federal and state law;
 - Gender-based Hazing;
 - Assisting another person in committing Prohibited Conduct;
 - Gender-based threats or actions which inflict physical injury or emotional distress on others;
 - Gender-based acts injurious or creating a risk of injury to a person under the age of 18.

Complainant: An individual who is alleged to be the person of Prohibited Conduct.

Consent: A knowing, voluntary and mutual decision among participants to engage in sexual activity, as discussed further in Section VII.

Formal Complaint: A document submitted by a Complainant and bearing the Complainant's physical or digital signature, or otherwise indicating that the Complainant is the one filing the Formal Complaint, requesting that the University of Hartford investigate allegations of Prohibited Conduct. The Title IX Coordinator also may sign a Formal Complaint, as discussed in Section IX, but does not become the Complainant by doing so. In order to file a Formal Complaint for Title IX Sexual Harassment, a Complainant must be an individual participating in or attempting to participate in the University of Hartford's education program or activity at the time a Formal Complaint is filed.

Hearing Officer: The individual responsible for conducting the Hearing under Section XII(D), reaching a decision on responsibility, and assigning sanctions, if appropriate. The Hearing Officer may be a University of employee or non-employee such as an external contractor or

consultant. The Hearing Officer shall not be the Institution's Title IX Coordinator, Deputy, or the Investigator who investigated the matter that is the subject of the Hearing.

Informal Resolution Facilitator: The individual responsible for facilitating Informal Resolution, as discussed in Section XI(D). The Informal Resolution Facilitator may be a University employee or non-employee such as an external contractor or consultant.

Investigator: The individual responsible for conducting the investigation of alleged Prohibited Conduct, as discussed in Section XII(A). The Investigator may be the University of Hartford's employee or an external contractor. The Title IX Coordinator or Deputy may serve as the Investigator.

Party or Parties: Party refers to a Complainant or a Respondent. Parties refers to Complainant and Respondent collectively.

Prohibited Conduct: Prohibited Conduct includes Title IX Sexual Harassment and Community Standards Sexual Misconduct.

Respondent: An individual who has been reported to have engaged in any form of Prohibited Conduct.

Title IX Sexual Harassment: (a) Definition. Title IX Sexual Harassment is defined as conduct on the basis of sex that involves an employee of the University of Hartford conditioning the provision of an aid, benefit, or service of the University of Hartford on an individual's participation in unwelcome sexual conduct; or an individual engaging in unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the University of Hartford's education program or activity. Title IX Sexual Harassment also includes the following:

- **Title IX Sexual Assault:** Title IX Sexual Assault includes the following:
 - Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the alleged person.
 - The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the alleged person.
 - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Title IX Dating Violence:** Violence, including sexual or physical abuse or the threat of such abuse, committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the alleged person; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the

length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship.

- **Title IX Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the alleged person, by a person with whom the alleged person shares a child in common, by a person who is cohabitating with or has cohabitated with the alleged person as a spouse or intimate partner, by a person similarly situated to a spouse of the alleged person under the domestic or family violence laws of Connecticut, or by any other person against an adult or youth alleged person who is protected from that person's acts under the domestic or family violence laws of Connecticut.
- **Title IX Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. For purposes of this definition, (a) course of conduct means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property; (b) reasonable person means a reasonable person under similar circumstances and with similar identities to the person; and (c) substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(b) Jurisdiction. In order to constitute Title IX Sexual Harassment, the alleged misconduct must have occurred (i) in the United States, and (ii) in the University of Hartford's education program or activity, which is defined as locations, events or circumstances over which the University of Hartford exercised substantial control over both Respondent and the context in which the misconduct occurred, or any building owned or controlled by a student organization officially recognized by the Institution.

VI. NON-RETALIATION POLICY

Retaliation against an individual for participating in any way in a report, investigation, Hearing, or other proceeding under this Policy is strictly prohibited. Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. No one may intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or Hearing under this Policy. In evaluating whether retaliation has occurred, the University of Hartford may consider factors including, but in no way limited to whether the conduct in question constituted the exercise of rights protected under the First Amendment or was covered by another Institutional policy, including with respect to freedom of expression or academic freedom.

VII. CONSENT

Pursuant to Connecticut law, affirmative consent is the standard used to determine whether sexual activity was consensual. For purposes of determining whether or not Prohibited Conduct has occurred, **Consent** is defined as an active, knowing and voluntary exchange of affirmative words or actions, which indicate and effectively communicate a willingness to participate in a particular sexual activity. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement.

- Consent must be freely and actively given.
- Silence, the lack of resistance, or the lack of a negative response is not alone consent.
- A person, who is incapacitated by alcohol or drugs, whether voluntarily or involuntarily consumed, cannot give consent.
- A person who is asleep cannot give consent.
- Consent to one form of sexual activity does not indicate consent to another form of sexual activity.
- Neither past consent nor a past relationship indicates current or future consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be withdrawn at any time.
- Coercion, force, or threat of either invalidates consent.

Consent must be freely and meaningfully given. Consent cannot be freely and meaningfully given if the person whose consent is needed is incapacitated, or if the consent is obtained by means of force or coercion. For purposes of this Policy:

- **Incapacitation** is a state where someone cannot make rational, reasonable decisions due to a lack of capacity to give knowing consent (e.g., to understand the “who, what, when, where, why, and how” of the sexual interaction).
 - Sexual activity with someone who is mentally or physically incapacitated (i.e., by alcohol or drug use, unconsciousness or blackout) constitutes a violation of this Policy.
 - A person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the consumption (voluntary or otherwise) of incapacitating drugs cannot give consent.
 - Alcohol-related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication.
 - In evaluating consent, the University will evaluate whether a reasonable sober person in the Respondent’s position knew or should have known that the person was incapacitated.
- **Force** is the use or threat of physical violence or intimidation to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a Party resists the sexual advance or request, but resistance will be viewed as a clear demonstration of non-consent.

- **Coercion** is the improper use of pressure to compel another to initiate or continue sexual activity against that individual's will. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion existed, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

Alcohol and Drugs impair a person's ability to engage in decision-making. Engaging in sexual activity while under the influence of alcohol or drugs can result in confusion or disagreement over whether consent was freely and clearly given. Therefore, it is especially important to be cognizant regarding the other person's level of intoxication before engaging in sexual activity and, in cases of doubt, it is prudent to refrain from such activity. A person's intoxication is never an excuse for violent or harassing conduct or for failing to obtain consent.

VIII. REPORTING

Any person may report possible Prohibited Conduct to the Title IX Coordinator or Deputy in person, by mail, by telephone, by email, or online at hartford.edu/about/policies/title-ix or hartford.ethicspoint.com. The Title IX Coordinator or Deputy will promptly contact the Complainant to discuss the availability of Supportive Measures (*see* Section X) and to explain the process for filing a Formal Complaint.

Complainants are encouraged, but not required, to proceed with a Formal Complaint. If the Complainant desires to proceed with a Formal Complaint, the Title IX Coordinator or designee will begin the Formal Complaint Processes (*see* Section XI). If the Complainant decides not to submit a Formal Complaint, the Title IX Coordinator or designee may sign a Formal Complaint when the Title IX Coordinator deems doing so is necessary to address the possible Prohibited Conduct, including in order to provide a safe and nondiscriminatory environment for all members of the University of Hartford's community. In deciding whether to sign a Complaint if the Complainant elects not to do so, the Title IX Coordinator or designee may, but is not required to, consider factors such as whether the conduct alleged included threats, violence, serial predation, or weapons. A Complainant is not required to submit a Formal Complaint in order to receive Supportive Measures.

A. Anonymous Reporting

With the exception of Authorized and Responsible Employees, discussed in Section VIII(B), any individual may anonymously report allegations of Prohibited Conduct by telephone, email, or online at hartford.edu/about/policies/title-ix or hartford.ethicspoint.com. Depending on the information provided, the University of Hartford's ability to take action in response to an anonymous report may be limited.

B. Reports to Authorized and Responsible Employees

There may be instances when a student or employee discloses alleged Prohibited Conduct to an employee of the University of Hartford. Whether that disclosure constitutes actual notice to the University of Hartford, triggering its response obligations under this Policy, depends on the role of the employee to whom the disclosure is made as follows:

- **Authorized Employees:** A disclosure or report of Prohibited Conduct made to an Authorized Employee (regardless of whether the disclosure is made by the Complainant or a third party) constitutes a report to the Institution (*i.e.*, actual knowledge), triggering a response under this Policy. All Authorized Employees are required to promptly report disclosures of Prohibited Conduct to the Title IX Coordinator or Deputy, including all information that has been disclosed to the Authorized Employee, such as the names of those involved, the location of the incident, the alleged Prohibited Conduct, etc. The following individuals are Authorized Employees:
 - Title IX Coordinator and Deputy
 - President
 - Provost (including assistant and associate provosts)
 - Deans of colleges
 - Athletic Director
 - Dean of Students
 - CFO
 - COO
 - Any cabinet level administrator

- **Responsible Employees:** A disclosure or report of Prohibited Conduct made to a Responsible Employee (regardless of whether the disclosure is made by the Complainant or a third party) does not constitute a report to the Institution (*i.e.*, is not “actual knowledge”) triggering a response under this Policy. The University of Hartford, as a matter of policy, requires Responsible Employees to promptly report disclosures of Prohibited Conduct to the Title IX Coordinator or Deputy, including all information that has been disclosed to the Responsible Employee, such as the names of those involved, the location of the incident, the alleged Prohibited Conduct, etc. With the exception of those expressly identified as confidential resources in this Policy, all employees are considered Responsible Employees.

All students and employees, even if not Authorized or Responsible Employees, are encouraged to report instances of possible Prohibited Conduct to the Title IX Coordinator or Deputy.

C. Privacy and Confidentiality

The University of Hartford respects the privacy of individuals involved in any report of alleged Prohibited Conduct, meaning the Title IX Coordinator and others responsible for carrying out this Policy will disclose information only as required to implement this Policy or by law. If a Complainant requests that a report of Prohibited Conduct remain confidential (*i.e.*, with the Complainant’s identity not being disclosed to the Respondent and an investigation not being commenced), the Title IX Coordinator or designee will evaluate that request in the context of the

University of Hartford's responsibility to provide a safe and nondiscriminatory environment for all members of its community. The University of Hartford may question an employee-Respondent about alleged Prohibited Conduct without disclosing the identity of the Complainant, provided that it does not take disciplinary action against that Respondent without implementing the Formal Complaint Processes in Section XII.

The Complainant is not required to file a Formal Complaint to receive Supportive Measures (*see* Section X), but there may be instances when disclosing the Complainant's identity is necessary to provide certain Supportive Measures (*e.g.*, where the Respondent would need to know the identity of the Complainant in order to comply with a no-contact order). The University of Hartford will maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair its ability to provide the Supportive Measures.

Only certain professionals at University of Hartford are legally required to keep information shared by an individual truly confidential, without reporting it to the Title IX Coordinator.¹ Those confidential resources and support services are discussed further in Section XV.

IX. EMERGENCY REMOVALS

If at any point following the receipt of a report of Prohibited Conduct, the University of Hartford determines that the Respondent poses an immediate threat to the physical health or safety of the Complainant or any other person(s), including the Respondent, the University of Hartford may temporarily remove the Respondent from any or all of its programs or activities. The imposition of an Emergency Removal does not suggest a finding of responsibility for any Prohibited Conduct.

Before imposing an Emergency Removal, the Behavioral Intervention Team (BIT) will undertake an individualized safety and risk analysis concerning Respondent at the request of the Title IX Coordinator or designee. An Emergency Removal will be imposed only if the BIT concludes that the threat to physical health or safety arises from the allegations of Prohibited Conduct and warrants the removal.

An Emergency Removal may involve the denial of access to some or all of the University of Hartford's campus facilities, academic programs, or other programs or activities. While the University of Hartford may provide alternative academic or employment opportunities during an Emergency Removal, it is not required to do so. Non-punitive actions taken as Supportive Measures (*e.g.*, changes in housing) do not constitute Emergency Removals.

The Title IX Coordinator or designee will notify Respondent of the terms imposed in connection with an Emergency Removal. Respondent has the opportunity to challenge the Emergency Removal upon receipt of that notice. In order to challenge the Emergency Removal, Respondent shall submit an appeal via email to title9@hartford.edu within three (3) calendar days from the date of the notice of Emergency Removal, explaining why Emergency Removal is not

¹ Examples might include counseling services, clergy, etc.

appropriate. In deciding the appeal, the Dean of Students, may seek additional information from Respondent or any other individual. The Emergency Removal will remain in place while the appeal is pending. The Dean of Students shall issue a decision as soon as possible under the circumstances. The decision is final and not subject to further appeal.

Separate from the Emergency Removal process, the Title IX Coordinator may request that the Provost place an employee-Respondent on an administrative leave, with or without pay.

X. SUPPORTIVE MEASURES

Supportive Measures are non-disciplinary, non-punitive individualized services that may be provided to Complainants or Respondents upon request, when deemed by the Title IX Coordinator or designee to be appropriate and reasonably available. Supportive Measures may also be imposed at the initiative and in the sole discretion of the Title IX Coordinator or designee. Supportive Measures are available beginning at any time after the submission of a report of Prohibited Conduct.

A Complainant may seek and be provided Supportive Measures prior to or without ever filing a Formal Complaint.

Supportive Measures are designed to restore or preserve equal access to the University of Hartford's educational programs and activities, without unreasonably burdening the other Party. Supportive Measures may be of any duration and may be modified at the discretion of the Title IX Coordinator or designee, as circumstances warrant. Supportive Measures will be kept confidential to the extent doing so does not impair the University of Hartford's ability to provide them.

Supportive Measures may include, but are not limited to, the following:

- Access to counseling services;
- Extensions of deadlines or other course-related adjustments;
- Modification of work or class schedules;
- Mutual restrictions on contact between the Parties (*i.e.*, “no contact” orders);
- Changes in work or housing locations;
- Leaves of absence;
- No Contact Orders;
- Employee Assistance Program (“EAP”);
- Escorts;
- Increased security and monitoring of certain areas; or
- Any other measures deemed appropriate by the Title IX Coordinator or designee to preserve equal access to the University of Hartford's programs and activities.

A student or employee's failure to abide by the terms of any Supportive Measure may result in discipline and, depending on the circumstances, could be deemed to constitute Retaliation.

XI. FORMAL COMPLAINT PROCESS

Alleged misconduct that falls under Title IX Sexual Harassment or Community Standards Sexual Misconduct will be subject to the same Formal Complaint Processes described in this Policy unless otherwise noted.

In order to commence Formal Complaint Processes, a Complainant must file a Formal Complaint with the Title IX Coordinator or Deputy. Alternatively, if the Title IX Coordinator or Deputy has received a report of Prohibited Conduct, but the Complainant elects not to submit a Formal Complaint or the Complainant is unknown, or for any other reason, the Title IX Coordinator or designee, has the discretion to sign the Complaint if the Title IX Coordinator, Deputy, or designee deems doing so is necessary to address Prohibited Conduct, including in order to provide a safe and nondiscriminatory environment for all members of its community. In doing so, the Title IX Coordinator, Deputy, or designee does not become the Complainant.

There is no time limit within which a Complainant must file a Formal Complaint. However, at the time a Formal Complaint is filed for Title IX Sexual Harassment, the Complainant must be participating or attempting to participate in the University of Hartford's programs or activities.

Pursuing a Formal Complaint does not preclude a Complainant from pursuing the filing of criminal charges. However, it is important to understand that the standard for criminal prosecution is different from that used in student and employee conduct proceedings. As a result, decisions rendered in either forum are not determinative of what will happen in the other.

If the Title IX Coordinator or Deputy receives Formal Complaints against more than one Respondent or by more than one Complainant against one or more Respondents, or by one Party against the other Party (i.e., "counterclaims"), where the allegations of sexual harassment arise out of the same facts or circumstances and are so intertwined that the allegations directly relate to all of the Parties, the Title IX Coordinator or Deputy has the discretion to consolidate the Formal Complaints. If Formal Complaints are consolidated, all Parties must receive the same version of the written determination.

A. Written Notice

Upon the submission of a Formal Complaint, the Title IX Coordinator or Deputy will provide written notice to the Complaint and Respondent, if known, including the following:

- A copy of this Policy;
- Notice of the allegations of conduct that may constitute Prohibited Conduct, with sufficient detail for the Respondent to prepare a response before any initial interview, including, if known, the identities of the Parties involved and the date and location of the incident;
- Notice of option of Informal Resolution;
- The presumption that the Respondent is not responsible for the alleged Prohibited Conduct unless a determination of responsibility is reached at the conclusion of the Formal Resolution Process;
- Notice of the Parties' entitlement to an Advisor of their choice at any meeting, interview

- or other proceeding related to the Formal Complaint, as discussed in Section XI(C).
- The identity of the Investigator as described in Section XII(A);
- Notice that the Parties may inspect and review evidence gathered during the investigation as discussed in Section XII(B);
- Notice that the University of Hartford prohibits knowingly making false statements or knowingly submitting false information during the Formal Complaint Processes.

If additional allegations of conduct that might constitute Prohibited Conduct are identified during the course of the investigation and will be included in the Formal Complaint Processes, the Title IX Coordinator or Deputy will issue an updated notice.

B. Dismissal for Purposes of Title IX Sexual Harassment

If any of the following circumstances are met, the Title IX Coordinator or Deputy will dismiss the Formal Complaint for purposes of any form of Title IX Sexual Harassment:

- Even if proved, the misconduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment as defined in Section V;
- The misconduct alleged in the Formal Complaint did not occur in the University of Hartford's education program or activity, which is defined as locations, events or circumstances over which the University of Hartford exercised substantial control over both Respondent and the context in which the misconduct occurred, or any building owned or controlled by a student organization officially recognized by the University of Hartford; or
- The misconduct alleged in the Formal Complaint is not alleged to have occurred in the United States.

Further, if any of the following circumstances are met, the Title IX Coordinator or Deputy may dismiss the Formal Complaint for purposes of any form of Title IX Sexual Harassment, in their sole discretion:

- Complainant notifies the Title IX Coordinator or Deputy in writing that Complainant wishes to withdraw the Formal Complaint or any allegation in it;
- Respondent is no longer enrolled or employed at the University of Hartford; or
- Specific circumstances prevent the University of Hartford from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegation.

The Title IX Coordinator or Deputy will promptly send notice of the dismissal, including the reasons for dismissal, to the Complainant and Respondent via email. The notice will advise the Parties whether the Formal Complaint will proceed as possible Community Standards Sexual Misconduct.

Both the Complainant and Respondent may appeal any decision to dismiss the Formal Complaint for purposes of Title IX Sexual Misconduct by submitting a request for appeal to the Title IX Coordinator or Deputy by email within three (3) calendar days. The appeal will be determined

using the procedures set forth in Section XIII. The decision whether the matter will proceed as potential Community Standards Sexual Misconduct is not subject to appeal.

C. Advisors

The Parties are entitled to identify an Advisor of their choice, who may accompany them to all investigative interviews, Hearings and other meetings or proceedings held in connection with a Formal Complaint (“Formal Complaint Process Proceedings”). An Advisor is a person who has agreed to provide support and advice to a Complainant or Respondent. The Parties are responsible for identifying their own Advisor, if they wish to have one. The University of Hartford will maintain a list of employees who have agreed to serve as Advisors at no cost to Complainants or Respondents, whom the Complainant or Respondent may, but are not required to contact to determine whether they are available for that purpose.

As discussed in Section XII(D)(5), the Parties must have an Advisor for purposes of conducting cross-examination at the Hearing. If a Party has not identified an Advisor to accompany them to the Hearing for purposes of conducting cross-examination the University of Hartford will provide one for that limited purpose.

Except when conducting cross-examination as discussed in Section XII(D), Advisors may not speak aloud during any Formal Complaint Process Proceedings, including by addressing anyone other than the individual for whom they are an Advisor. The Advisor may confer with the individual whom they are advising quietly or by means of written notes. Parties may request a brief recess to consult with their Advisor, which may be granted at the sole discretion of the person conducting the Formal Complaint Process Proceeding. An Advisor whose presence is deemed by the person conducting the Formal Complaint Process Proceeding’s sole discretion to be improperly disruptive or to be behaving in a manner inconsistent with Rules of Decorum established by the University of Hartford, as discussed in Section XII(D)(7), will be required to leave and may be prohibited from participating in future Formal Complaint Process Proceedings.

If a Party or witness does not attend or does not submit to cross-examination at the hearing, the Decision Makers may nevertheless rely on any relevant statement of that Party or witness in reaching a Determination Regarding Responsibility

While the University of Hartford may consider short delays in scheduling to reasonably accommodate an Advisor’s availability, whether to grant such a request is in the sole discretion of the University of Hartford representative responsible for the event in question.

D. Informal Resolution

Informal Resolution presents the opportunity for the Complainant and Respondent to resolve allegations of Prohibited Conduct without an investigation or Hearing. Participation in Informal Resolution in lieu of the Formal Resolution Process is voluntary, and must be agreed upon by both Parties. Informal Resolution is available only when a Formal Complaint has been filed and the Parties agree to its use in writing. Informal Resolution may be used only with the approval of the Title IX Coordinator or Deputy. Informal resolution is not available to resolve a student-

Complainant's allegations that an employee has engaged in Title IX Sexual Harassment. Prior to initiating Informal Resolution, the Title IX Coordinator or Deputy will provide the Parties with written notice disclosing the allegations, the requirements of the process, the right to withdraw from Informal Resolution to pursue formal resolution, and any consequences of participation (e.g., as it relates to any subsequent formal resolution if Informal Resolution is not achieved).

Informal Resolution can be commenced at any point prior to the conclusion of the time for appeal under the Formal Resolution Processes. It is conducted by an Informal Resolution Facilitator appointed by the Title IX Coordinator or Deputy. The Complainant, Respondent, Title IX Coordinator, Deputy, or Facilitator may terminate the Informal Resolution at any time prior to its completion. If Informal Resolution is terminated, the Formal Resolution Process will promptly commence or resume, as appropriate.

Informal Resolution may take many forms as agreed to between the Complainant, Respondent and Title IX Coordinator or Deputy, including, but not limited to:

- Mediation: Mediation may involve the Complainant and Respondent being in the same or different rooms, but they will never be required to be in the same room. Mediation does not require an admission of responsibility for the Prohibited Conduct by the Respondent.
- Restorative Justice: Restorative Justice may involve the Complainant and Respondent being in the same or different rooms, but they will never be required to be in the same room. Restorative Justice typically requires an admission of responsibility for the Prohibited Conduct, or certain allegations, by the Respondent.

If the Informal Resolution is terminated such that the matter resumes the Formal Resolution Processes, documents and other information produced or exchanged during the Informal Resolution can be used in the Formal Process. Additionally, the Informal Resolution Facilitator may serve as a witness in the Hearing.

The outcome of the Informal Resolution will be documented in an agreement or other form that is signed by both the Complainant and the Respondent.

The Informal Resolution process typically should be completed within thirty (30) calendar days of the Parties documenting their agreement to participate. That period may be extended at the discretion of the Title IX Coordinator or Deputy.

XII. FORMAL RESOLUTION PROCESS

The University of Hartford strives to resolve Formal Complaints within a reasonable time after the submission of a Formal Complaint, but balances its desire to achieve a prompt resolution with the need to conduct a thorough and complete investigation, which may delay that timeframe. Delays might also result from a number of factors, including but not limited to the appeal of a dismissal as discussed in Section XI(B), impacts of concurrent criminal processes, or an attempt at Informal Resolution. The Title IX Coordinator or Deputy may extend the time for

completion of the Formal Resolution Process as determined in the sole discretion of the Title IX Coordinator or Deputy.

At the discretion of the Title IX Coordinator or Deputy, possible violations of the Student Code of Conduct or other policies that occurred directly in connection with the alleged Prohibited Conduct may be, but are not required to be, addressed under the Formal Resolution Processes here in lieu of engaging in a separate decision-making process for those possible violations.

A. Investigation

The Title IX Coordinator or designee will also assess, pursuant to the standards on confidentiality discussed above, any request by the Complainant not to investigate.

The written notice described in Section XI(A) will identify the Investigator. Either Party may object to the Investigator on the grounds of conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, by submitting an objection to the Title IX Coordinator or Deputy in writing within three (3) calendar days of receipt of the issuance of the written notice. The Title IX Coordinator or Deputy, in their sole discretion, shall determine whether a different Investigator should be appointed.

The Investigator will conduct an investigation of the allegations in the Formal Complaint, and is responsible for interviewing the Parties and witnesses, and gathering relevant inculpatory and exculpatory evidence. The Investigator may not access, consider, disclose, or otherwise use records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Complainant or Respondent, unless the Investigator obtains the Complainant's or Respondent's, as appropriate, voluntary written consent to do so.

All Parties will have an equal opportunity to identify witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, for the Investigator. Parties will be provided with written notice of the date, time, and location of their interview, as well as who will be present, and the purpose of the investigative interviews. Parties may be accompanied by an Advisor of their choice at any investigative interview, as described in Section XI(C).

B. Investigation Report

The Investigator will prepare an investigation report summarizing all relevant evidence. The report will exclude all non-relevant evidence, as well as any evidence not subject to disclosure for reasons set forth herein (*e.g.*, medical records the Party has not authorized for disclosure).

Prior to completing the investigation report, the Investigator will send to both Complainant and Respondent, and their Advisors, if identified, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, regardless of whether it is anticipated that the evidence will be used at the Hearing or in connection with any decision on responsibility. The Parties are strictly prohibited from disclosing or disseminating the evidence

to any third parties, except their Advisor, and from using it for purposes other than carrying out the Formal Resolution Processes. Complainant and Respondent will have ten (10) calendar days to provide a written response by email to the Investigator concerning the evidence to the Investigator, including identifying additional evidence for the Investigator's consideration prior to completing the investigation report. The response must be by the Party, not the Party's Advisor. A Party's response will be shared with the other Party.

After receipt of the Parties' responses concerning the evidence and at least ten (10) calendar days before the Hearing, the Investigator will provide the Complainant and Respondent, and their Advisors, if identified, a copy of the investigation report. The Complainant and Respondent may, but are not required to, provide written responses to the investigation report. The Complainant and Respondent will have five (5) calendar days to submit a written response to the investigative report by email to the Investigator. Any response must be by the Party, not the Party's Advisor. A Party's response will be shared with the other Party.

C. Hearing Notice

After the investigation report has been provided to the Parties and not fewer than five (5) calendar days before the Hearing, the Title IX Coordinator or Deputy will issue a Hearing notice via email advising the Parties of the following:

- The date, time and location of the Hearing;
- The specific charges of Prohibited Conduct subject to disposition at the Hearing and a brief description of the conduct resulting in the charges. In appropriate circumstances, such charges may include both Title IX Sexual Harassment and Community Standards Sexual Misconduct, as separate or alternative charges;
- The individual who will serve as the Hearing Officer; and
- That at the request of either Party, the Hearing will take place with Parties located in separate rooms with technology enabling the Parties to simultaneously see and hear the Party or witness answering questions. Requests for separate rooms must be submitted to the Title IX Coordinator or Deputy via email at least three (3) calendar days before the Hearing.

Any Party may challenge the appointment of the Hearing Officer for bias or conflict of interest by submitting a written objection to the Title IX Coordinator or Deputy via email within three (3) calendar days of the Title IX Coordinator or Deputy issuing the Hearing Notice. The Title IX Coordinator or Deputy, in their sole discretion, shall determine whether the Hearing Officer should be removed. Once the Hearing Officer is confirmed, the Title IX Coordinator or Deputy will provide the Hearing Officer with a copy of the investigation report.

D. Hearing

Hearings are governed by the procedures set forth below. The formal Rules of Evidence that may apply to any courtroom proceeding do not apply to Hearings conducted under this Policy.

The only individuals who may appear at a Hearing are the Complainant and Advisor, Respondent and Advisor, and witnesses called by the Hearing Officer. The Parties and their Advisors may be present throughout the entire Hearing, with the exception of any recesses for which they are excused by the Hearing Officer. Witnesses are permitted to be present only when providing testimony. The Investigator, Title IX Coordinator, or Deputy may be present throughout the Hearing, as may other University of Hartford representatives at the discretion of the Hearing Officer, Title IX Coordinator, or Deputy. If a Party fails to attend a Hearing, the Hearing may be held in the Party's absence, at the discretion of the Hearing Officer.

1. Witnesses

At least three (3) days before the Hearing, the Hearing Officer will advise the Parties which witnesses will be requested to provide testimony at the Hearing. No later than two (2) calendar days after such notice, the Parties may request that additional witnesses be requested to be present at the Hearing. The request must be submitted to the Title IX Coordinator or Deputy in writing, including a brief description of why the information is relevant to the determination of responsibility. Whether or not to approve such request as potentially providing relevant information shall be in the sole discretion of the Hearing Officer. The Title IX Coordinator or Deputy will advise the requesting Party of the final decision. If the request is approved, the Title IX Coordinator or Deputy will advise the other Party as well.

2. Documents

All documentary evidence provided to the Parties under Section XII(B) will be made available at the Hearing, as well as all evidence produced by the Parties in their response. The availability of such evidence does not suggest a determination on relevance, which shall be made by the Hearing Officer.

3. Relevance

The Hearing Officer is responsible for making all determinations of relevance as to witnesses, questions and documentary evidence presented at the Hearing. For purposes of this Policy, "relevant" means that the evidence is probative of any material fact.

Evidence that is not relevant will be excluded at the Hearing and may not form the basis for any decision by the Hearing Officer. Evidence that is duplicative of evidence already in the Hearing record may be deemed not relevant. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct or if the questions and evidence concern a specific incident of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

4. Standard of Proof

The Hearing Officer will make decisions on responsibility using a preponderance of the evidence standard of proof.

5. Advisors at Hearing

The Parties may be accompanied by their Advisor at the Hearing. As discussed in Section XI(C), the Advisor may not address the Title IX Coordinator, Deputy, Investigator, Hearing Officer, other Advisor, or any other individuals participating in the Hearing. The only exception is with respect to cross-examination as discussed below. Like the Parties, Advisors are required to adhere to the Rules of Decorum applicable to Hearings, as outlined in Section XII(D)(7). An Advisor who fails to do so may, at the sole discretion of the Hearing Officer, be required to leave the Hearing.

The Parties shall inform the Title IX Coordinator or Deputy whether they will be accompanied at the Hearing by their Advisor of choice by no later than five (5) business days before the Hearing. If a Party has not identified an Advisor, the University of Hartford will provide one for the sole purpose of conducting cross-examination as discussed below. The Parties may not conduct cross-examination themselves; cross-examination must be performed by an Advisor. If an Advisor is required to leave a Hearing for failure to adhere to the Rules of Decorum or for any other reason, the Hearing Officer shall recess the Hearing until the University of Hartford appoints an Advisor for purposes of cross-examination. Advisors provided by the University of Hartford will be adults with an understanding of the purpose of cross-examination, but will not be attorneys or have training commensurate to attorneys with respect to conducting cross-examination.

6. Hearing Procedures

The below procedures provide the general framework for any Hearing. The Title IX Coordinator, Deputy, or Hearing Officer may alter certain procedures as deemed appropriate in their sole discretion to aid in the equitable resolution of the matter.

a) Recording

The Hearing will be recorded by means of audiovisual technology. Recesses taken or approved by the Hearing Officer, including for the Hearing Officer to consult with the Title IX Coordinator, Deputy, Investigator, or any other University of Hartford representative, will not be recorded.

b) Opening Statements

Each Party will have the opportunity to make a brief opening statement. The Parties will make statements themselves, not through their Advisor.

c) Parties

Generally, the Hearing Officer will hear from the Complainant first, followed by the Respondent. Each Party will have the opportunity to provide relevant evidence to the Hearing Officer. The Hearing Officer will ask relevant follow-up questions of each Party. Each Party's Advisor will have the opportunity to ask cross-examination questions of the other Party. Advisors are reminded of the importance of adhering to the Rules of Decorum in cross-examining the Parties and any witnesses. The Hearing Officer cannot draw an inference regarding responsibility based solely on a Party's absence from the Hearing or refusal to answer questions.

With respect to cross-examination, Advisors are limited to asking only relevant questions. The Hearing Officer will determine whether questions are relevant prior to the Party answering the question. If the question is deemed not relevant, the Hearing Officer will provide a brief explanation and the question will be precluded. The Hearing Officer's decision is not subject to challenge or objection during the Hearing.

d) Witnesses

A similar process and the same rules that apply to Parties will apply to the testimony of witnesses. Like the Parties, any witness may appear remotely, with technology allowing the Hearing participants to simultaneously see and hear the witness.

The Hearing Officer cannot draw an inference regarding responsibility based solely on a witness's absence from the Hearing or refusal to answer questions.

The Investigator may be called as a witness. At the Hearing Officer's discretion, the Investigator may be asked to testify before the Parties to facilitate an efficient presentation of evidence.

e) Closing Statement

Each Party will have the opportunity to make a brief closing statement. The Parties will make any statements themselves, not through their Advisor.

7. Rules of Decorum

The following Rules of Decorum apply to Parties, Advisors and witnesses participating in any Hearing. Individuals failing to follow the Rules of Decorum may be directed to leave the Hearing, at the Hearing Officer's sole discretion. Although the Hearing Officer may provide warnings or reminders of the Rules of Decorum before such removal, a pre-removal warning or reminder will not necessarily be provided depending on the nature of the conduct in question.

a) Expectations of Decorum

The following Expectations of Decorum are to be observed in the Hearing and applied equally to all Parties, Advisors and witnesses:

- Questions must be conveyed in a neutral tone.

- Parties and Advisors will refer to other Parties, witnesses, Advisors, and institutional staff using the name and gender used by the person and shall not intentionally mis-name or mis-gender that person in communication or questioning.
- No Party may act abusively or disrespectfully during the Hearing toward any other Party, witness, Advisor, Hearing Officer, or person.
- While an Advisor may be an attorney, no duty of zealous advocacy should be inferred or enforced within this forum.
- The Advisor may not yell, badger, or physically “lean in” to a Party or witness’s personal space. Advisors may not approach the other Party or witnesses without obtaining permission from the Hearing Officer.
- The Advisor may not use profanity or make irrelevant ad hominem attacks upon a Party or witness. Questions are meant to be interrogative statements used to test knowledge or understand a fact; they may not include accusations within the text of the question.
- The Advisor may not ask repetitive questions. This includes questions that have already been asked by the Hearing Officer, the Advisor in cross-examination, or the Party or Advisor in direct testimony. When the Hearing Officer determines a question has been “asked and answered” or is otherwise not relevant, the Advisor must move on.
- Parties and Advisors may take no action at the Hearing that a reasonable person in the shoes of the affected Party would see as intended to intimidate that person (whether Party, witness, or official) into not participating in the process or meaningfully modifying their participation in the process.

E. Hearing Outcome Letter

Within a reasonable time after the conclusion of the Hearing, the Title IX Coordinator or Deputy will provide the Hearing Outcome Letter via email to the Parties simultaneously.

The Hearing Outcome Letter will include:

- A description of the allegations that lead to the Hearing, as potentially constituting Prohibited Conduct.
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination.
- A statement of factual findings supporting the determination.
- A statement of the conclusions regarding the application of this Policy to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility.
- An explanation of the disciplinary sanctions imposed on the Respondent, if any.
- A statement of whether remedies designed to restore or preserve equal access to the University of Hartford’s education program or activity will be provided to the Complainant. Specific remedies will be identified in the Hearing Outcome Letter only to the extent those remedies directly affect the Respondent. The Title IX Coordinator, Deputy, or designee is responsible for implementing such remedies.
- The procedures and permissible bases for the Complainant and Respondent to appeal.

The Hearing Outcome becomes final following the determination of the appeals, if any, or upon the date following the deadline for filing an appeal, if no appeal is pursued. No further appeals of any kind are permitted.

F. Sanctions and Remedies

1. Sanctions

If the Respondent is found responsible for any Prohibited Conduct, the Title IX Coordinator or Deputy will provide the Hearing Officer with the Respondent's prior conduct record for consideration in the Hearing Officer's assignment of a sanction or sanctions. The range of available sanctions includes:

- Students found responsible for committing Title IX or Community Standards prohibited conduct in violation of this Policy will likely receive a sanction ranging from written reprimand to expulsion, depending upon the severity of the incident and any previous violations of the Student Code of Conduct or this Policy. Faculty or staff found responsible for violating the prohibition against Title IX Sexual Harassment or Community Standards Sexual Misconduct will likely receive a sanction ranging from written reprimand to termination.
- Students found responsible for committing Other Sexual Misconduct or other misconduct prohibited under this Policy will likely receive a sanction ranging from written reprimand to expulsion, depending upon the severity of the incident and any previous violations of the Student Code of Conduct. Faculty or staff found responsible for violating the prohibition against Other Sexual Misconduct will likely receive a sanction ranging from written reprimand to termination.
- Faculty who are terminated under this Policy and who are tenured or in the middle of a contract term are entitled to additional procedural rights under Section 10, Dismissal, of the Faculty Policy Manual.
- The Hearing Officer will sanction students found responsible for violations of the Student Code of Conduct not related to this Policy in accordance with sanctions used in the general Student Conduct Process.

For Community Standards violations, the Title IX Coordinator or Deputy may increase or decrease the recommended sanction guidelines listed above in the case of significant mitigating or aggravating factors. The Title IX Coordinator or Deputy also may include additional sanctions, educational or otherwise, in accordance with the general student conduct process.

2. Remedies

The Title IX Coordinator is responsible for the implementation of remedies designed to restore or preserve equal access to University of Hartford's education program or activity. While remedies might constitute Supportive Measures, they also might be in the form of Sanctions.

XIII. APPEALS

Either Party may appeal a determination of responsibility (or non-responsibility) as set forth in the Hearing Outcome by submitting a written appeal to the Title IX Coordinator or Deputy by email within five (5) calendar days of the Hearing Officer's issuance of the Hearing Outcome Letter. Appeals may be based on the following grounds:

- A procedural irregularity that affected the determination of responsibility;
- The existence of new evidence that was not reasonably available at the time of the Hearing that could affect the outcome of the matter; and
- The Title IX Coordinator, Deputy, Investigator, or Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter.

As discussed in Section XI(B), appeals may also be based on the dismissal of a Formal Complaint alleging Title IX Sexual Harassment.

The appeal must be in writing and clearly explain the basis for the appeal. If the appeal is from the outcome of a Hearing, the Parties shall have access to the record of the Hearing to prepare their appeal upon written request to the Title IX Coordinator or Deputy. Upon receipt of an appeal, the Title IX Coordinator or Deputy will notify the other Party that the appeal has been filed, permitting the Party three (3) calendar days to provide a response. The Party's response will be provided to the appealing party, but no further exchange of positions is permitted.

The Title IX Coordinator or designee will determine whether or not the appellant has presented one of these three grounds for appeal. If the appeal letter(s) does not present grounds for appeal, the appeal will be denied and the matter will be closed and this decision is final.

The Appeal Officer may decide that the appeal is not valid. In this case, all sanctions will remain in place. If the Appeal Officer finds that the appeal is valid, they may send it for a new Hearing or recommend adjustments in sanctioning.

The Parties may challenge the appointment of the Appeal Officer for bias or conflict of interest by submitting a written objection to the Title IX Coordinator or Deputy via email within three (3) calendar days of the Title IX Coordinator or Deputy issuing the notice. The Title IX Coordinator or Deputy, in their sole discretion, shall determine whether a new Appeal Officer should be identified.

The Title IX Coordinator or designee will forward the appeal and the other Party's response to the Appeal Officer. The Appeal Officer will evaluate the appeal on the written record and recording of the Hearing, and may seek input from the Title IX Coordinator, Deputy, Investigator, or Hearing Officer as deemed appropriate in the Appeal Officer's sole discretion.

For appeals from a Dismissal in Section XI(B), the Appeal Officer will typically issue a written decision on the appeal, including the result and a brief rationale, within a reasonable time after the Appeal Officer's receipt of the appeal materials.

For appeals from a Hearing Outcome, the Appeal Officer will typically issue a written decision on the appeal, including the result and a brief rationale, within a reasonable time after the Appeal Officer's receipt of the appeal materials. If the Appeal Officer determines that:

- A procedural irregularity affected the outcome of responsibility, then send it back for a new investigation or Hearing.
- New evidence exists that was not reasonably available at the time of the Hearing that could affect the outcome of the matter, then send it back for a new Hearing before the same Hearing Officer.
- The Title IX Coordinator, Deputy, Investigator, or Hearing Officer had a conflict of interest or bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter, then send it back for a new investigation or Hearing before a new Investigator or Hearing Officer.

The Appeal Officer's decision is final. No further appeals are permitted.

XIV. COMPLIANCE WITH SANCTIONS AND SUPPORTIVE MEASURES

At the conclusion of the complaint process, including any appeals, the Title IX Coordinator or Deputy will be responsible for facilitating compliance with all assigned sanctions, and to take any other measures, such as additional awareness and prevention programming, which the Title IX Coordinator or Deputy determines to be appropriate to further the purpose of this Policy.

XV. UNIVERSITY OF HARTFORD AND COMMUNITY RESOURCES

ON-CAMPUS RESOURCES

Title IX Office

The Title IX Office takes reports and complaints regarding sexual harassment, sexual violence, relationship violence, and stalking. The Title IX Coordinator or Deputy coordinates the investigatory process, can provide access to support services to Complainants and Respondents, and assist in making adjustments to academic, living, and work situations.

Kenna Grant, MS

Executive Director Equal Opportunity Programs and Title IX Compliance
Division of Student Success
200 Bloomfield Avenue
HJG Library room: 307
860.768.4880
mckenna@hartford.edu or title9@hartford.edu

Office Email:
title9@hartford.edu

University Public Safety

Operations Building / **Emergency 860.768.7777** / Routine 860.768.7985

Residence Life

A professional staff member is on-call 24/7 every day of the year to assist students (including but not limited to Complainants and Respondents) with crisis response and may be paged through University Public Safety.

Residence Life
Staff available in each residence hall

Residence Life – Central Office
Barnard Hall, Ground Floor 860.768.7792

Counseling and Psychological Services (CAPS)

CONFIDENTIAL Counseling and support services available to students (including but not limited to Complainants and Respondents) on-campus, including education and support for sexual harassment, sexual violence, domestic and dating violence, and stalking.

Gengras Student Union, Room 313 860.768.4482

Health Services

CONFIDENTIAL Health Services offers health exams, gyn exams, birth control, pregnancy testing, emergency contraception, and STD testing for all students, and we can refer to specialists if needed.

Health Services Monday – Friday: 8:00 am – 4:30 pm (Appointments are preferred) Adjacent to Sports Center 860.768.6601

Campus Ministry

CONFIDENTIAL Spiritual guidance and counseling, regardless of religious affiliation or non-affiliation.

Protestant Ministry
pcm@hartford.edu

Chabad Chevra
rabbi@hartford.edu

Catholic Campus Ministry
fr.mai@aohct.org

OTHER RESOURCES

Local Police

City of Hartford Police
253 High Street, Hartford
Emergency 911
Routine 860.767.4000

West Hartford Police
103 Raymond Road
Emergency 911
Routine 860.523.5203

Local Hospitals

Medical care, emergency medical services, and sexual assault evidence collection:

St. Francis Hospital and Medical Center
114 Woodland Street, Hartford
860.714.4000

Hartford Hospital
80 Seymour Street, Hartford
860.545.5000

Sexual Assault Crisis Services YMCA of New Britain www.ywcanb.org/sexual-assault-crisis-services Crisis Hotline 888.999.5545

Hartford Office
75 Charter Oak Avenue, Hartford
Hotline: 860.547.1022 (local)

New Britain Office
19 Franklin Square, New Britain
Hotline: 860.225.4681 (local)

Connecticut Coalition Against Domestic Violence 24/7 Hotline 888.774.2900

Interval House 24/7 Domestic Violence Hotline 888.774.2900 or 860.527.0550 (local)

Male Survivor Critical resources for male survivors of sexual trauma www.malesurvivor.org