

# SEXUAL HARASSMENT & MISCONDUCT POLICY

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## I. Introduction

The University of New Haven is committed to fostering a living, learning and working environment free of discrimination and harassment. The University of New Haven is subject to Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §§1681, et seq., which states that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

The University prohibits sexual harassment and sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment. The University of New Haven values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the Grievance Procedures during what is often a difficult time for all those involved. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting goals of fairness and equity in all aspects of its educational programs and activities, the University has developed internal policies and procedures that provide a prompt, fair, and impartial process for addressing allegations of sex discrimination, including sexual harassment, and for allegations of retaliation.

This policy applies to all members of the University of New Haven community, including students, faculty and staff, and supersedes any contrary school policies pertaining to the investigation or adjudication of sexual harassment, as defined herein.

The University of New Haven has designated a Title IX Coordinator to oversee the investigation and resolution of reports of sexual harassment and the University of New Haven’s compliance with Title IX. Any questions about this policy, the University of New Haven’s process under Title IX, or reports of alleged sexual harassment should be directed to the Title IX Coordinator or their designee as listed below.

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## II. Statement of Policy

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 all while maintaining our core commitment to fundamental fairness for all Parties; the rights of parents and guardians to support minor children; respect for freedom of speech and academic freedom; and respect for the autonomy that Complainants need and deserve when they come forward with a report of Sex Discrimination.

## III. Policy Scope and Jurisdiction

The University of New Haven's Sexual Harassment & Misconduct Policy ("Policy") applies to all the University of New Haven community members, including students, faculty, staff, and third parties, such as volunteers, contractors, and visitors. This policy applies not only in the context of current students, but in the context of employment and admissions as well.

All vendors serving the University through third-party contracts are subject to the policies and procedures of their employers.

This Policy applies to Sex Discrimination in a University education program or activity against a person in the United States. This includes conduct that takes place on campus or on property owned or controlled by the University, at University-sponsored events, or in buildings owned or controlled by University-recognized student organizations.

The Respondent must be a member of the University community for this Policy to apply. When the Respondent is a member of the University community, the grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the University community.

If the Respondent is unknown or is not a member of the University community, the Title IX Coordinator or designee will assist the Complainant in identifying appropriate campus and local resources and support options and, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. Even when the Respondent is not a member of the University community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator or a Confidential Resource.

The University may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from University property and events.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to pursue a complaint through that institution's policies.

The Title IX Coordinator may also assist and support a student or employee Complainant who experiences Sex Discrimination in an externship, study abroad program, or other environment external to the University where the sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may provide recourse.

This Policy addresses both Sex Discrimination prohibited by Title IX and conduct that does not meet the definitions under Title IX but nonetheless violates University community standards. All such conduct is referred to as "Prohibited Conduct" and is described further in the Glossary of Terms and Definitions (Section VII) and Prohibited Conduct (Section VIII).

The University retains the right to impose discipline for conduct that affects a substantial University interest, even if the conduct does not meet the definition of a Title IX violation. This includes any action that constitutes a criminal offense as defined by law, including single or repeat violations of any local, state, or federal law, and any situation that substantially interferes with the educational interests or mission of the University.

This Policy also applies to off-campus or online misconduct that occurs in the University's education program or activity and effectively deprives a person of access to the University's education program or activities. The University's policies are written and interpreted broadly to include online manifestations of any behaviors prohibited herein when those behaviors occur in or have an effect on the University's education program and activities or use University networks, technology, or equipment. Although the University may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the University, it will engage in a variety of means to address and mitigate the effects.

## IV. Privacy

The University is committed to protecting the privacy of all individuals involved in the grievance process. The institution will make reasonable efforts to safeguard the privacy of Complainants, Respondents, Witnesses, and others participating in the sexual grievance process, consistent with applicable law and the institution's obligation to respond promptly and effectively to reports of sex discrimination, sex-based harassment, and related misconduct.

Information related to a report or complaint will be shared only with those individuals who have a legitimate educational or business need to know to assess, investigate, resolve, or implement supportive measures related to the matter. The University cannot guarantee complete confidentiality because information may need to be disclosed to fulfill its legal obligations, protect

the health and safety of individuals or the community, comply with lawfully issued legal process, or ensure a fair and equitable resolution process.

All participants in the grievance process are encouraged to respect the privacy of others involved. Unauthorized disclosure of information obtained through the grievance process may undermine the integrity of the proceedings and may be addressed through applicable University policies. However, the University will not restrict the ability of Parties to discuss the allegations under investigation, gather and present relevant evidence, consult with advisors or support persons, or otherwise exercise rights protected by law.

Records generated through the grievance process will be maintained and retained in accordance with University record-retention requirements and applicable federal and state laws.

## V. Independence and Conflict of Interest

The University is committed to administering its grievance process in a fair, impartial, and unbiased manner. Individuals designated to serve as the Title IX Coordinator, investigators, decision-makers, advisors, and appeal officers shall perform their responsibilities independently and free from conflicts of interest or bias for or against Complainants or Respondents generally or any individual party.

All officials involved in the grievance process must disclose any actual, potential, or perceived conflict of interest that could reasonably affect their ability to perform their duties impartially. A conflict of interest may include, but is not limited to, a personal, professional, financial, supervisory, familial, or other relationship with a party, witness, advisor, or other participant in the process.

Upon learning of a potential conflict of interest or bias, the University will evaluate the circumstances and determine whether recusal, reassignment, or other appropriate measures are necessary to ensure the integrity and fairness of the process. Any Party who believes a conflict of interest or bias exists may raise the concern promptly with the Title IX Coordinator or other designated official, who will review the concern and determine appropriate next steps.

The Title IX Coordinator and all individuals involved in implementing the grievance process shall receive training as required by applicable law and institutional policy. Such training will promote impartial investigations and adjudications, help identify and mitigate conflicts of interest and bias, and ensure that all participants are treated equitably throughout the process.

The institution will take reasonable steps to ensure that no person involved in the grievance process is subject to inappropriate influence, pressure, retaliation, or interference that could compromise the independent exercise of their responsibilities. Decisions made through the grievance process shall be based solely on the relevant facts, evidence, and applicable policy provisions.

## VI. Obligation to Report

To ensure the University can respond promptly and effectively to reports of sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and other sexual misconduct, certain employees have an obligation to share information they receive about possible violations with the Title IX Coordinator. This reporting obligation helps the University provide affected individuals with information about supportive measures, resources, reporting options, and processes for addressing concerns, while also promoting campus safety and compliance with legal and institutional requirements.

### A. Mandatory Reporters

The University of New Haven classifies all employees, with the exception of those specifically designated as confidential resources, as Mandated Reporters. As such, all employees are required to report any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. As Mandatory Reporters, they are required to report actual or suspected sexual harassment and/or misconduct to the Title IX Coordinator, or their designee, immediately.

Notwithstanding the foregoing, a student employee's obligation to report as a Mandated Reporter applies only to information the student employee receives or observes in the scope of their employment responsibilities. A student employee who personally experiences conduct that may constitute a violation of this Policy retains the same options available to all students, including the right to make a confidential disclosure to a Confidential Resource or to decline to report.

Any mandated reporter (non-confidential employee) who has information about or has observed conduct that reasonably may constitute sex discrimination is under an obligation to report it to the Title IX Coordinator. If an employee becomes aware of any conduct that reasonably may constitute sex discrimination under Title IX, they must report the conduct to the Title IX Coordinator either directly via email or by completing the online Incident Report Form. Additionally, the employee must provide the individual who disclosed the information with the contact information of the Title IX Coordinator and information about how to make a complaint of sex discrimination.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may choose to speak with a person who the University has designated a Confidential Resources based on the role and scope of their position.

### B. Confidential Resources

The University of New Haven has designated persons serving in the following roles as "Confidential Employees":

- On-campus licensed professional counselors and staff at the Counseling & Psychological Services;
- On-campus Health Services providers and staff; and/or
- On-campus members of the clergy/chaplains working within the scope of their licensure or ordination, which includes the University's Chaplain.

Off-campus resources not employed by the University may also be able to maintain confidentiality:

- Licensed professional counselors and other medical providers;
- Local rape crisis counselors, including the advocates with the Rape Crisis Center of Milford;
- Domestic violence resources;
- Local or state assistance agencies;
- Clergy/Chaplains; and/or,
- Attorneys.

Confidential Employees must explain to the person informing them of the conduct, their status as confidential for purposes of this Policy, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination. Confidential Employees should notify the reporting individual of how to contact the Title IX Coordinator and how to make a complaint of sex discrimination, and that the Title IX Coordinator may be able to offer and coordinate supportive measures.

The above-listed confidential employees will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases where there exists an immediate threat or danger or abuse of a minor, or when required to disclose by law or court order.

University contracted individuals who provide clinical and/or counseling services may be available to help free of charge and may be consulted during normal business hours.

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, the University must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The University will ensure that a Complainant's name and other identifying information is not disclosed within the timely warning(s), while still providing enough information for community members to make safety decisions in light of the potential danger. University employees who are confidential, and who receive reports within the scope of their confidential roles, will timely

submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client or patient.

## VII. Glossary of Terms and Definitions

Terms used in this Policy have the following meanings:

Advisor: A person chosen by a Party or appointed by the institution to accompany the Party to meetings related to the resolution process, to advise the Party on that process, and who may conduct cross-examination for the Party at the hearing, if any.

Appeal Decision Maker: The Person or panel who accepts or rejects a submitted appeal request, determines whether an error occurred that substantially affected the investigation or original determination, and directs corrective action, accordingly.

Complainant: An individual who is alleged to be the victim of conduct that could constitute harassment or misconduct; or retaliation for engaging in a protected activity.

Complaint: A written document submitted and signed by a Complainant or signed by the Title IX Coordinator alleging Prohibited Conduct and requesting that the University investigate the allegation.

Confidential Resources: An employee who is not a Mandated Reporter of harassment, misconduct, and/or retaliation (irrespective of Clery Act Campus Security Authority status).

Grievance Procedures: A method of resolution designated by the University to address conduct that falls within the Policy included below, and which complies with the requirements of the Title IX regulations.

Hearing Panel: Refers to those who have decision-making and sanctioning authority within the University's Grievance Procedures.

Hearing Facilitator and Decision Maker: A member of the Hearing Panel that facilitates the process and makes decisions during the Grievance Procedures, including questions of relevancy and a final determination of whether Prohibited Conduct occurred, and potential Sanctions associated with such Prohibited Conduct. As used in this Policy, the terms "Hearing Facilitator and Decision Maker" may refer to the same person.

Investigator: Investigator means the person or persons charged by the University of New Haven with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.

**Party:** A Complainant or Respondent. The term “Party” does not include a Title IX Coordinator who initiates a Complaint under § 106.44(f)(1)(v) or another participant in Grievance Procedures, such as a witness or adjudicator.

**Mandated Reporter:** An employee of the University who is obligated by policy to share knowledge, notice, and/or reports of harassment, misconduct, and/or retaliation with the Title IX Coordinator.

**Official with Authority (OWA):** An employee of the University of New Haven explicitly vested with the responsibility to implement corrective measures for harassment, misconduct, and/or retaliation on behalf of the Recipient.

**Sex Discrimination:** An umbrella term encompassing all forms of discrimination on the basis of sex prohibited under this policy, including: (1) Sexual Harassment (as defined in Section VIII.A, including quid pro quo harassment, hostile environment harassment, and offenses defined under the Clery Act and VAWA such as sexual assault, dating violence, domestic violence, and stalking); (2) Other Sexual Misconduct Offenses (as defined in Section VIII.C); and (3) sex or gender-based bias (as described in Section VIII.C.2). Sex Discrimination includes conduct prohibited by Title IX as well as conduct that may not meet the jurisdictional or definitional requirements of Title IX but is nonetheless prohibited under this policy.

**Prohibited Conduct:** Conduct that is prohibited under this policy, including Sexual Harassment (and all of its constituent forms such as sexual assault, dating violence, domestic violence, and stalking), Other Sexual Misconduct Offenses, Sex or Gender-Based Bias, and Retaliation. The terms “Prohibited Conduct” and “Sex Discrimination” are used interchangeably throughout this policy to refer to the full scope of conduct addressed by this policy.

**Relevant Evidence:** Evidence that has any tendency to make a fact more or less probable than it would be without the evidence, and the fact is of consequence in determining whether a policy violation occurred.

**Respondent:** An individual who is alleged to be the perpetrator of conduct that could constitute Prohibited Conduct.

**Sanction:** A consequence imposed by the University on a Respondent who is found to have violated this policy.

**Title IX Coordinator:** The University official designated to coordinate the University’s compliance with Title IX and oversee the investigation and resolution of reports of Prohibited Conduct. References to the Title IX Coordinator throughout this Policy include the Title IX Coordinator’s designee, unless otherwise specified.

## VIII. Prohibited Conduct

The section below describes the specific forms of legally prohibited harassment that are prohibited under the University's Policy. All offense definitions encompass actual and/or attempted offenses.

The following definitions and understandings will be used in determining whether a Respondent has engaged in Prohibited Conduct:

Consent is: Active; Knowing; and Voluntary; with Clear Permission, by word or action, to engage in sexual activity.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease immediately, meaning as soon as physically possible.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected.

Proof of consent or non-consent is not a burden placed on either party involved in a Complaint. Instead, the burden remains on the University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar or previous patterns that may be evidenced.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

Incapacitation: Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, and/or being drunk. A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including due to the influence of alcohol or other drug consumption. As stated above, a Respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

A Respondent may reasonably have relied on a clear expression of consent from a person who was incapacitated only if the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes it clear that they do not want to engage in certain sexual activity, 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.

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

## A. Sexual Harassment

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following definitions:

1. Quid Pro Quo: An employee or agent of the University explicitly or implicitly conditioning the provision of aid, benefit, or service on an individual’s participation in unwelcome sexual conduct. This prohibited conduct is considered harassment, regardless of severity.
2. Severe, Pervasive, and Objectively Offensive: Unwelcome sex-based conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively limits or denies a person equal access to the University’s education program or activity.

3. Offenses Defined under the Clery Act and the Violence Against Women Act (VAWA)

a) Sexual Assault: An act of sexually motivated physical contact directed towards another person when the other person does not consent or is incapable of giving consent because of their age, temporary or permanent mental or physical incapacity. Further defined as any forcible or non-forcible sex offenses under the Informed Crime reporting System of the Federal Bureau of Investigation including, but not limited to:

- a. Rape: 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, or by a sex-related object, without their consent. This includes instances in which the Complainant is incapable of giving consent because of temporary or permanent mental or physical incapacity, including due to the influence of drugs or alcohol, or because of age.
- b. Sexual Contact: The intentional touching of the clothed or unclothed body part(s) of the Complainant, for the purpose of sexual gratification, or sexual humiliation, or the forced touching by the Complainant of the actor's clothed or unclothed body parts, without consent of the Complainant for the purposes of sexual degradation, sexual gratification, or sexual humiliation.
- c. Incest: Sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by the State of Connecticut Law.
- d. Statutory Rape: Non-forcible sexual intercourse, with a person who is under the statutory age of consent of 16, provided that the younger person is at least 13, or with a minor under age 13 if the actor is more than two years older than the minor. (For further information on sexual consent under Connecticut Law, see Connecticut General Statutes Section 53a-71).

b) Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- a. The length of the relationship.
- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

c) Domestic Violence: As felony or misdemeanor crimes of violence committed between:

- a. Individuals who are current or former spouses or intimate partners,
- b. Persons who share a child in common,
- c. Persons who currently live together or have formerly lived together as spouses or intimate partners,
- d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the school's jurisdiction, or

- e. 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 school's jurisdiction / State of Connecticut.
- d) 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.
- a. Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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 person in the position of the Complainant and under similar circumstances.
  - c. Substantial emotional distress means significant mental suffering or anguish that may but not necessarily require medical or other professional treatment or counseling.

4. Title VII / FHA Sexual Harassment: This applies to situations where an employee is subjected to workplace sexual harassment or where a residential Complainant is subjected to sexual harassment in University-provided housing where the following elements are present:

- a. Unwelcome verbal, written, graphic, and/or physical conduct;
- b. that is severe or pervasive and objectively offensive;
- c. on the basis of sex / gender, that
- d. Unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.

## B. Other Sexual Misconduct Offenses

In addition to the forms of Sexual Harassment described above, the University of New Haven additionally prohibits the following offenses as forms of sexual misconduct that may be within or outside of Title IX. Violations of other University policies may fall within this Policy when the violation involves conduct that is directed at a specific person and the circumstances of such conduct would cause a reasonable person to believe that the conduct is directed at that specific person because of that person's sex. The inclusion of the enumerated acts of conduct on the list below, or in any other University Policy, does not suggest or indicate that they are not covered by or subject to Title IX.

1. Sexual Exploitation is defined as:

- a. An individual taking non-consensual or abusive sexual advantage of another,
- b. for their own benefit or for the benefit of anyone other than the person being exploited, and
- c. that conduct does not otherwise constitute sexual harassment under this policy.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed);
- Invasion of sexual privacy;
- Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography;
- Prostituting another person;
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection;
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity;
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections;
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity;
- Knowingly soliciting a minor for sexual activity;
- Engaging in sex trafficking; or,
- Knowingly creating, possessing or disseminating child pornography.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content on social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of

transmission and/or anonymity of the Internet or other technology to harm another member of the University of New Haven community.

2. **Bias:** Sex or gender-based discrimination is prohibited under Title IX and occurs when an individual is subjected to unequal treatment, adverse actions, exclusion, harassment, or denied educational opportunities, benefits, or participation in a program or activity because of their sex.

Sex-based bias may be expressed through differential treatment, discriminatory policies or practices, unequal access to programs or resources, sex-based harassment, pregnancy-related discrimination, retaliation for reporting discrimination, or other conduct that limits or interferes with an individual's ability to participate in or benefit from the institution's educational programs or activities. Such conduct may occur regardless of intent and may be committed by students, employees, contractors, or third parties participating in institutional programs or activities.

The institution is committed to preventing, addressing, and remedying sex discrimination in its education programs or activities. Reports of conduct that may constitute sex discrimination will be reviewed and addressed promptly, equitably, and in accordance with applicable Title IX requirements and institutional procedures. Individuals found responsible for engaging in prohibited conduct may be subject to corrective action, disciplinary measures, and other appropriate remedies designed to eliminate the discriminatory effects and prevent recurrence.

### C. Retaliation

The University of New Haven prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or Complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. Retaliation includes intimidation, threats, coercion, harassment, or discrimination against any person by the University, a student, an employee, or any other person authorized by the University to provide aid, benefit, or service under the University's education program or activity.

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the Grievance Procedures, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, testifying as a witness, and/or acting in good faith to oppose conduct that constitutes a violation of this policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The University will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith during Grievance Procedures under this policy does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

## IX. Pregnancy and Related Conditions

The University of New Haven prohibits discrimination against students, employees, and applicants on the basis of sex, including discrimination based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions. In accordance with Title IX and its implementing regulations, the University does not exclude any student from participation in, deny any student the benefits of, or otherwise discriminate against any student in its educational programs or activities on the basis of pregnancy or related conditions.

The University of New Haven takes actions to prevent sex discrimination and ensure equal access to its education program or activity, such as by providing reasonable modifications for students, applicable allowances for lactation for employees, and lactation space for students and employees.

Additionally, unless the employee reasonably believes that the Title IX Coordinator has been notified, all mandated reporters are required to either inform a pregnant student, or person who has a legal right to act on behalf of the student, of the Title IX Coordinator's contact information and/or contact the Title IX Coordinator so they can provide outreach to the student to prevent sex discrimination and ensure the student's equal access to the University of New Haven's education program or activity.

Students affected by pregnancy or related conditions may be entitled to accommodations to ensure continued access to the University's educational programs and activities. The University will treat pregnancy and related conditions in the same manner and under the same policies as any other temporary medical condition with respect to medical and hospital benefits, services, plan participation, and leave.

Employees and students requesting assistance related to pregnancy or related conditions are encouraged to contact the Title IX Coordinator to discuss available resources and supportive measures such as reasonable academic or work adjustments, leave options, or other assistance that may be appropriate based on their individual circumstances.

Students may use the following link to locate and complete the Accessibility Resources Center form to initiate the Title IX Pregnancy and Parenting accommodations request process: [Pregnancy & Parenting Intake Form](#).

## X. Supportive Measures

The University of New Haven will offer and implement appropriate and reasonable supportive measures to the Parties upon notice of alleged Prohibited Conduct.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Parties, to restore or preserve access to the University of New Haven's education program or activity, including measures designed to protect the safety of the Parties or the University of New Haven's educational environment, and/or deter sexual harassment, misconduct, and/or retaliation.

Supportive measures may also be imposed at the sole discretion of the Title IX Coordinator. Supportive measures are available beginning at any time after the submission of a report of Prohibited Conduct. A Complainant may seek, and be provided with, supportive measures prior to or without ever initiating a formal complaint.

The University will implement supportive measures in a way that does not unreasonably burden the other party. Supportive measures provided to one party will not be disclosed to the other party unless disclosure is necessary to implement the measure or the measure directly affects the other party. When a supportive measure directly affects or is imposed upon a party, that party will be notified and may seek modification or reversal as provided above.

Additionally, a student with a disability who requires accommodations during the Grievance Procedures, including the implementation of supportive measures, should contact the Accessibility Resources Center to request such accommodations. The Title IX Coordinator will coordinate with the Accessibility Resources Center as necessary to implement approved accommodations.

Supportive measures may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare 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");
- Altering work arrangements for employees or student-employees;
- Altering campus housing assignments;
- Safety Planning
- Employee Assistance Program ("EAP")
- Visa and immigration assistance
- Increased security and monitoring of certain areas or campus
- Implementing trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders

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. Violations of No Contact Orders will be referred to the appropriate student or employee conduct processes for enforcement. Orders of Protection, No Contact Orders, restrictive or similar orders issued by a criminal, civil, or tribal court will be administered by the University of New Haven as written.

Refer to Section XVII for contact information of available local, statewide, and national resources.

## XI. Preservation of Evidence

The preservation of evidence in incidents of sexual assault, and similar sexual misconduct incidents, is critical to potential criminal prosecution and to obtaining restraining orders and is particularly time sensitive. The University will inform the Complainant of the importance of taking the following actions to preserve evidence:

- A. Seek forensic medical assistance at Yale New Haven Hospital or the applicable local hospital, ideally within 120 hours of the incident (sooner is better).
- B. Avoid showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- C. Try not to urinate.
- D. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- E. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence).
- F. Seeking medical treatment can be essential even if it is not for the purpose of collecting forensic evidence.
- G. Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number:
  - 1. Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
  - 2. Save copies of any messages, to include those showing any request for no further contact.
- H. Save copies of e-mail and social media correspondence, including notifications related to account access alerts.
- I. Take time-stamped photographs of any physical evidence including notes, gifts, etc. in place when possible.
- J. Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

During the initial meeting between the Complainant and the Title IX Coordinator, the importance of taking these actions will be reiterated, if timely.

## XII. Grievance Procedures and Resolution Process

This portion of the Policy outlines the steps taken to initiate a Complaint. Complaints of Prohibited Conduct will be addressed through the Grievance Procedures described in this Policy, regardless of whether the conduct falls within Title IX, unless otherwise noted.

The Formal Grievance Procedures will include reasonably prompt timeframes for each of the major stages, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the Parties that includes the reason for the delay. The timeframe of a typical grievance process, without documented extensions permitted by good cause, is 60-90 business days (excluding weekends and University holidays).

The University of New Haven will act on any formal or informal notice/complaint of violation of this policy that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures; however, in order to commence Formal Grievance Procedures, a Complainant must submit a report, in written form, to the Title IX Coordinator. The Formal Complaint must contain the Complainant's physical or digital signature, or some other indication that the Complainant is the person filing it. The Formal Complaint should also indicate the specific Prohibited Conduct, as described in this policy, that the Respondent is alleged to have violated as well as specific details regarding the incident(s) to include in the Notice of Allegations and Investigation (NOAI).

There is no time limit within which a Complainant must report a Complaint, however, at the time a Complaint is reported, the Complainant must be participating or attempting to participate in the University of New Haven's program or activities. When notice/complaint is received, the University will typically apply the policy in place at the time of the alleged misconduct, but the procedures in place at the time of notice/complaint, unless otherwise required by law.

The Title IX Coordinator will monitor the University of New Haven's education program or activity for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct; and take steps reasonably calculated to address such barriers.

Upon receipt of any report of alleged Prohibited Conduct, the Title IX Coordinator will treat the Complainant and Respondent equitably. The Title IX Coordinator will promptly contact the Complainant and inform them of the availability of supportive measures and will consider the Complainant's wishes with respect to supportive measures. The Title IX Coordinator will also explain the Grievance Procedures.

Supportive measures will be assessed and may be offered as needed to Complainants, Respondents and other members of the University of New Haven community who may have been affected by the allegations at issue. See Section X regarding supportive measures

The Title IX Coordinator, for employee matters, may place a non-student employee Respondent on administrative leave during the pendency of the Grievance Procedures.

The Title IX Coordinator is not required to comply with this section of the Policy if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute Prohibited Conduct.

## A. Initiating a Complaint

A Complaint is a written document alleging Prohibited Conduct against a Respondent and requesting that the University investigate the allegation. The Complaint must be filed by the Complainant or signed by the Title IX Coordinator. A Complaint is required to initiate the Grievance Procedures, including the investigation and hearing process. Receipt of a report alone, without a formal complaint, does not trigger the Grievance Procedures, though supportive measures remain available.

*Complainant-Initiated Complaint:* A Complainant may file a formal complaint by submitting a written document to the Title IX Coordinator that contains the Complainant's physical or digital signature (or otherwise indicates that the Complainant is the person filing the complaint), describes the alleged Prohibited Conduct, identifies the Respondent (if known), and requests an investigation. The Complainant must be participating in or attempting to participate in the University's education program or activity at the time the Complaint is filed. A Complainant may withdraw a Complainant-Initiated Complaint at any time prior to a determination of responsibility by notifying the Title IX Coordinator in writing. Upon withdrawal, the Title IX Coordinator will assess whether to sign the complaint and continue the investigation based on the factors described below. If the Title IX Coordinator determines not to proceed, the Complaint will be dismissed, though supportive measures may remain available to the Complainant.

*Title IX Coordinator-Initiated Complaint:* The Title IX Coordinator may sign a Complaint to initiate an investigation even if the Complainant does not file one, or requests that no investigation be pursued. Following receipt of a report of alleged Prohibited Conduct, the Title IX Coordinator will conduct a prompt threshold assessment to determine whether to initiate a Complaint. In making this determination, the Title IX Coordinator will consider the following factors:

- a. The Complainant's request not to proceed with initiation of a complaint;
- b. The Complainant's reasonable safety concerns regarding initiation of a complaint;
- c. The risk that additional acts of Prohibited Conduct would occur if a complaint were not initiated;

- d. The severity of the alleged Prohibited Conduct, including whether the conduct, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the conduct and prevent its recurrence;
- e. The age and relationship of the parties, including whether the Respondent is an employee of the University;
- f. The scope of the alleged Prohibited Conduct, including information suggesting a pattern, ongoing misconduct, or misconduct alleged to have impacted multiple individuals;
- g. The availability of evidence to assist a decision maker in determining whether Prohibited Conduct occurred; and
- h. Whether the University could end the alleged Prohibited Conduct and prevent its recurrence without initiating the Formal Grievance Procedures.

The Title IX Coordinator will consider the Complainant's wishes and autonomy but may nonetheless determine that an investigation is necessary to protect the campus community. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or a party to the proceeding. If the Respondent is a current employee, a representative of Human Resources may participate in the threshold assessment.

## B. Dismissals – Mandatory & Discretionary

Title IX outlines instances where the Title IX Coordinator must dismiss a Title IX complaint as well as providing instances where the Coordinator has the discretion to dismiss a Title IX complaint. In all such circumstances, supportive measures may be continued. The following is a review of both types of dismissals.

A dismissal required or permitted under Title IX does not necessarily end the grievance process. If the alleged conduct may still violate this Policy or other University policies, the University may continue to investigate and adjudicate the complaint under those policies. If the complaint is dismissed entirely and will not proceed under any policy, the parties will be notified that the grievance process has concluded, subject to appeal.

### Mandatory Dismissals:

The Title IX Coordinator is obligated to and must dismiss a formal Complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the formal complaint would not constitute Sexual Harassment as defined above, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by the University of New Haven (including buildings or property controlled by Recognized Student Organizations); and/or

3. The conduct did not occur against a person in the United States.

#### Discretionary Dismissals:

The Title IX Coordinator has the discretion to and may dismiss a formal Complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein\*; or
2. The Respondent is no longer enrolled in or employed by the recipient\*\*; or
3. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein; or

*\* A Complainant who decides to withdraw a complaint may later request to reinstate or refile it.*

*\*\* The Respondent is required to notify the Title IX Coordinator if they intend to visit any building owned or controlled by the University of New Haven or a student organization that is officially recognized by the University of New Haven, or if they otherwise seek to attend any University of New Haven education program or activity or event. The Complainant may be given an opportunity to receive supportive measures if needed. The Respondent's student or employment records may be marked to indicate their departure during a disciplinary process (which may resume if they return to the University of New Haven but will not indicate that such Respondent was found or assumed responsible for any alleged misconduct pending at the time of departure).*

Upon dismissal for any reason, the Title IX Coordinator will promptly send written notice of the dismissal and rationale for doing so. The notification will be sent simultaneously to both Parties, except in instances where the dismissal occurs before the Respondent has been notified of the allegations, in which case the written notice of dismissal will be provided only to the Complainant.

The dismissal decision is appealable by both Parties under the procedures for appeal listed in Section XII(I) below.

### **C. Withdrawal or Resignation While Charges Pending**

Students: If a student has an allegation pending for violation of the Policy on Sexual Harassment and Misconduct, the University of New Haven may place a hold on a student's ability to receive an official transcript/diploma.

Should a student decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from the University, the resolution process ends, as the University no longer has disciplinary jurisdiction over the withdrawn student.

However, the University of New Haven will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, misconduct, and/or retaliation.

The student who withdraws from or leaves the University while the process is pending may not return without resuming this Grievance process. Such exclusion applies to all campuses, events, and activities of the University of New Haven. The student's transcript will reflect an administrative withdrawal. A hold will be placed on their ability to be readmitted pending a Hearing consistent with this policy.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student will not be permitted to return to the University unless and until all sanctions have been satisfied.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as the University no longer has disciplinary jurisdiction over the resigned employee.

However, the University of New Haven will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending is not eligible for rehire with the University or any campus of the University, and the records retained by the Title IX Coordinator will reflect that status.

#### **D. Emergency Removal**

If at any point following the receipt of a report of Prohibited Conduct, the University of New Haven determines that a student 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 New Haven 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.

This risk analysis is performed by the Title IX Coordinator in conjunction with the Behavioral Intervention Team ('BIT') using its standard objective violence risk assessment procedures. An emergency removal will be imposed only if BIT concludes a 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 New Haven's campus facilities, academic programs, or other programs or activities. While the University of New Haven 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 will notify the Respondent of the terms imposed in connection with an emergency removal. Upon receipt of the notice, the Respondent has the opportunity to challenge the emergency removal. To challenge the emergency removal, the Respondent shall submit their request via email to the Title IX Coordinator within five (5) calendar days of the date of the notice of emergency removal, explaining why the emergency removal is not appropriate. During this 5-day window of opportunity to challenge the removal, the Respondent is not permitted to be on campus. The Title IX Coordinator may meet with the Respondent regarding their request to challenge the emergency removal. After meeting with the student challenging removal and other Parties or witnesses as needed, the Title IX Coordinator will make a recommendation to the BIT as to whether to continue or stay the emergency removal and the conditions and duration thereof. The BIT will make a final determination regarding emergency removal.

Violation(s) of an emergency removal under this policy will be ground for disciplinary action under the Student Code of Conduct, which may include expulsion.

Where the Respondent is an employee, existing provisions for interim actions are applicable.

Once final, there is no appeal process for emergency removal decisions.

## E. Notice of Allegations and Investigation

The Title IX Coordinator will provide written notice of the allegations and investigation (the “NOAI”) to the Complainant and Respondent upon commencement of the Formal Grievance Procedures.

The NOAI will include:

1. Notice of the University of New Haven Grievance Procedures and informal resolution process by providing access to this policy.
2. Notice of the allegations potentially constituting Prohibited Conduct, including:
  - a. The identities of the Parties involved in the incident(s), if known;
  - b. The conduct allegedly constituting Prohibited Conduct;
  - c. The date(s) and location(s) of the alleged incident(s), if known.
3. The written notice will also include the following statements:
  - a. The Respondent is presumed not responsible for the alleged conduct.
  - b. A determination regarding responsibility is made at the conclusion of the Formal Grievance Procedures.
  - c. The Parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
  - d. The Parties may inspect and review evidence.

- e. The parties are prohibited from knowingly making false statements or knowingly submitting false information during the Formal Grievance Procedures.
  - f. The notice must be given as soon as practicable and with sufficient time to prepare a response before any initial investigation interview.
  - g. Details on how the Parties may request disability accommodations during the interview process.
  - h. A link to the University's Know Your Rights & Options (VAWA Compliant) brochure.
  - i. The name(s) of the Investigator(s) along with a process to identify, in advance of the interview process, any conflicts of interest that may exist between the Parties and the Investigator(s).
  - j. Instructions to preserve any evidence that is relevant to the allegation(s).
  - k. Retaliation is prohibited.
4. Amendments and updates to NOAI may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges. If the University of New Haven intends to investigate allegations not included in the original NOAI, the additional notice will be provided prior to commencing the investigation.

## F. Informal Resolution

With the written consent of both parties, the University of New Haven may at any time prior to reaching a determination regarding responsibility facilitate an informal resolution process that does not involve a full investigation and hearing. Either Party may request a Complaint be resolved through the informal resolution process, however, all requests will be reviewed by the Title IX Coordinator who may decline that request based on the facts and circumstances of the particular case. If Title IX Coordinator, based on the facts and circumstances of the Complaint, deems the informal resolution process to be permissible, both Parties must agree, in writing, to participate in an informal resolution process at which time the Formal Grievance Procedure is paused, and the informal resolution process commences. Either Party may withdraw from the informal process and start or re-start the Formal Grievance Procedures at any time before an informal resolution is reached. The University of New Haven will not require the Parties to participate in an informal resolution process and will not require them to waive their rights to the Grievance Procedures.

Informal resolution is only permitted to address allegations of student-on-student sexual harassment and is never allowed as an option to resolve allegations that an employee sexually harassed a student.

The University of New Haven may decline the request for an informal resolution if, for example, the University determines the alleged conduct would present a future risk of harm to others. Additionally, at any time after the commencement of the informal resolution process, the Title IX Coordinator may determine that the informal resolution process is not an appropriate method for

resolving the matter and may require that the matter be resolved through the Formal Grievance Process. This determination is not subject to appeal.

Prior to facilitating an informal resolution process, the University of New Haven will:

1. Provide written notice to the Parties disclosing the following:
  - a. The allegations.
  - b. The requirements of the informal resolution process, including the circumstances under which an informal resolution agreement would preclude the Parties from resuming a Complaint arising from the same allegations.
  - c. The fact that, at any time prior to agreeing to an informal resolution, either Party may withdraw from the informal resolution process, and Formal Grievance Procedures would resume.
  - d. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
  - e. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only to the Parties.
  - f. What information the University of New Haven will maintain along with whether and how the University could disclose such information for use during the Formal Grievance Procedures if they are initiated or resumed.
2. Obtain the Parties' voluntary, written consent to participate in the informal resolution process.

An informal resolution may include one of the two options listed below, as agreed to between the Complainant, Respondent and Title IX Coordinator. During the informal resolution process, the Complainant and Respondent may be in the same or different rooms, but at no time will they be required to be in the same room. The Informal Resolution options include:

- *Supportive Resolution*: An informal resolution in which the Parties agree to resolve the matter through supportive measures without the imposition of sanctions on the Respondent.
- *Negotiated Resolution*: An informal resolution in which the Parties agree to a resolution that may include sanctions or other terms beyond supportive measures.

If the Parties agree to a resolution during an informal resolution process, the Complaint will be deemed withdrawn and the Formal Grievance Procedures will be terminated. However, the resolution will be considered binding, and its breach may give rise to a new Complaint. If an investigation had commenced prior to the informal resolution, the Formal Grievance Procedures will resume at the point where they were paused; otherwise, a new investigation will be initiated. If

the Respondent is no longer enrolled in or employed by the University at the time of the breach, the University may document the breach in the Respondent's file, note that the matter remains unresolved, and take other appropriate action within its authority, but may not be able to impose disciplinary sanctions. If the Parties cannot agree on all terms of the resolution during the informal resolution process, the Formal Grievance Procedures will resume at the same point where they were paused.

If the Parties cannot agree on all terms of the resolution, the Formal Grievance Procedures will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsible actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

To be considered final, the outcome of the Informal Resolution will be documented in an agreement or other form that is signed by the Complainant, the Respondent, and the Title IX Coordinator (or their designee) and once signed, it is not subject to appeal.

## G. Investigation

The Title IX Coordinator will appoint an Investigator(s) to investigate the allegations subject to the Formal Grievance Procedures. All investigations are thorough, reliable, impartial, and fair.

The Title IX Coordinator will also ensure that reasonable steps are taken to protect the privacy of the Parties and witnesses during the pendency of the University of New Haven's Grievance Procedures, provided that the steps do not restrict the ability of the Parties or the University to obtain and present evidence, including by speaking to witnesses, consult with their family members, confidential resources, or advisors, or otherwise prepare for or participate in the process.

The investigation may include, among other steps, interviewing the Complainant, the Respondent, and any witnesses; reviewing law enforcement investigation documents if applicable; reviewing relevant student or employment files; and gathering and examining other relevant documents, social media, and evidence.

The Parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on record.

The investigator(s) will attempt to collect all relevant information and evidence. While the Investigator(s) will have the burden of gathering evidence, it is crucial that the Parties present evidence and identify witnesses to the Investigator(s) so that they may be considered during the investigation. The Investigator(s) will take reasonable steps to prevent and address unauthorized disclosure of evidence.

The investigation file should contain all information gathered during the investigation that is potentially relevant to the alleged misconduct; the Investigator(s) should not filter or exclude evidence or decide the weight or credibility of evidence, unless the evidence is clearly irrelevant or not pertinent to the facts at issue.

#### Recording of Interviews:

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If an Investigator(s) elects to audio and/or video record interviews, all involved parties must be made aware of and consent to the recording in writing or on the audio or video recording itself.

#### Evidentiary Considerations:

The investigation does not consider:

1. Incidents not directly related to the possible violation, unless they evidence a pattern;
2. The character of the Parties;
3. Evidence protected under a privilege defined by federal or CT law;
4. A Party's or witness's records maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the treatment to the Party or witness; or
5. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent to the alleged Prohibited Conduct or preclude determination that Prohibited Conduct occurred.

#### Investigation Report:

The Investigator(s) 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(s) will send to both the Complainant and the Respondent, and their Advisors (if identified) all evidence obtained as part of the investigation that is considered relevant to the allegations raised in the Complaint, regardless of whether it is anticipated that the evidence will be used at the hearing or in connection with any decision on responsibility, along with a draft investigation report. 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 Grievance Procedures. Violation of this provision can be considered retaliation and thus subject to disciplinary sanctions.

The Parties will have ten (10) business days to provide a written response by email to the Investigator concerning the evidence and/or the draft investigation report, including identifying additional evidence for the Investigator's consideration prior to completing the final investigation report. The response must be by the Party, not the Party's Advisor. A Party's response should be shared with the other Party.

The Investigator(s) may share the report with the Title IX Coordinator and/or legal counsel for their review and feedback. The Investigator(s) will incorporate any relevant feedback, and the final report will then be shared with the Parties and their Advisors through secure electronic transmission at least ten (10) business days prior to a hearing. The Parties are also provided with a file of any relevant evidence that was not included in the draft investigation report.

The Investigator(s) will not make any recommendation as to whether a policy violation has occurred or potential Sanctions.

#### Referral for Hearing / Hearing Notice:

Once the final investigation report is shared with the Parties, the Title IX Coordinator will refer the matter for a hearing. The hearing cannot be less than ten (10) business days from the conclusion of the investigation when the final investigation report is transmitted to the Parties and to the member of the Hearing Panel that will act as the Hearing Facilitator and serve as the decision-maker.

An appropriate Hearing Facilitator(s) will be selected from the Hearing Panel depending on whether the Respondent is an employee or a student. Allegations involving student employees in the context of their employment will be directed to the appropriate Hearing Facilitator depending on the context and nature of the alleged misconduct. When a Complainant or Respondent is both a student and an employee of the University of New Haven, the University of New Haven will make a fact-specific inquiry to determine the appropriate Hearing Facilitator(s). In making this determination, the University of New Haven will consider whether the Party's primary relationship with the University of New Haven is to receive an education and whether the alleged sex discrimination occurred while the Party was performing employment-related work. The Hearing Facilitator may be a hired party outside of the University.

After the investigation report has been provided and not fewer than ten (10) business days before the hearing, the Title IX Coordinator will issue a hearing notice via email advising the Parties of the following:

- A description of the alleged violation(s), a list of all policies allegedly violated, and a description of the applicable hearing procedures.

- The date, time, and location of the hearing.
- Information about the option for the live hearing to occur with the Parties located in separate rooms using technology that enables the Hearing Facilitator(s) and Parties to see and hear a Party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- Any technology that will be used to facilitate the hearing.
- Information on how the hearing will be recorded.
- A list of those who will be attending the hearing.
- Requirement of an Advisor for the day of the hearing for any questions they may desire be asked of any Party or witness for the purpose of Advisor-conducted questioning. The Party must notify the Title IX Coordinator if they do not have an Advisor, and the University of New Haven will appoint one free of charge, however, the University is not required to appoint an attorney-advisor, even if the other Party has an attorney-advisor.
- An invitation to each Party to submit to the Hearing Facilitator an impact statement prior to the hearing. The Hearing Facilitator will review impact statements only after a determination of responsibility has been made, and only for purposes of determining appropriate sanctions.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodation, such as language assistance and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed.

In these cases, if the Respondent is a graduating student, a hold may be placed on official transcripts until the matter is fully resolved (including any appeal).

## H. Hearing / Adjudication

The University of New Haven's Formal Grievance Procedures will culminate in a live hearing before one or more Hearing Facilitators / Decision Makers, who will consider all evidence presented (subject to the terms below) and determine whether a Respondent is responsible or not responsible for violation(s) of this Policy, based on a preponderance of evidence standard. Under that standard, the burden of proof is met, and a Respondent may be found responsible for a policy violation, if the Decision Maker(s) determines that it is more likely than not that the Respondent committed the conduct alleged. Respondents are entitled to, and will receive the benefit of, a presumption that they are not responsible for the alleged conduct until the Formal Grievance Procedures conclude and a determination regarding responsibility is issued. If the Respondent is found responsible for a violation of this policy, the Respondent may be subjected to Sanctions.

At the request of either Party, the University of New Haven will allow the live hearing to take place with the Parties located in separate rooms. Technology must enable the adjudicator(s) and Parties to simultaneously see and hear the Party or witness answering questions. Live hearings may, then, be conducted with the Parties physically present in the same location, or any or all parties, witnesses and other participants may appear at the live hearing virtually.

#### Hearing Facilitator(s) / Decision Maker(s)

The Hearing Facilitator / Decision Maker will be selected by the Title IX Coordinator and may vary based on the enrollment or employment status of the Respondent. The Hearing Facilitator will not be the same person as the Title IX Coordinator or the Investigator. The University may employ the services of an external Hearing Facilitator / Decision Maker as needed.

The Title IX Coordinator will identify the Hearing Facilitator to the Parties ten (10) days in advance of the hearing. If believed to have a conflict of interest or bias, either Party may challenge a named Hearing Facilitator. A challenge must be delivered in writing to the Title IX Coordinator at least two days in advance of the hearing, specifying the reasons for such belief. The Title IX Coordinator has sole discretion to keep or replace the challenged Hearing Facilitator, and if replaced, will postpone the hearing to allow for a replacement Hearing Facilitator.

#### Information Submission

1. Five (5) days in advance of the hearing, the Parties will identify their expected attendees (including any advisor) and their expected witnesses (including themselves), including the witnesses' expected sequence, via writing to the Title IX Coordinator. The Title IX Coordinator will supply this disclosure to the other Party so that they can be prepared. The Parties will not be strictly bound to their disclosures, but they should be submitted in good faith.
2. Typically, the Parties are responsible for choosing and supplying their own witnesses at the hearing. When necessary to reach a determination, the Decision Maker(s) will have discretion to ask the Title IX Coordinator to request additional witnesses after receipt of the Parties' witness lists recognizing, however, that the school has no ability to compel any witness to attend. Any such requested witness will be disclosed to the Parties.
3. Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Decision Maker can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions.

## [Evidence](#)

The Hearing Facilitator is responsible for making all determinations of relevance as to witnesses, questions, and documentary evidence presented at the hearing. Evidence that is not relevant will be excluded at the hearing and may not form the basis for any decision by the Hearing Facilitator. Evidence that is duplicative of evidence already in the hearing record may be deemed not relevant.

The Title IX Regulations state that questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

- Offered to prove that someone other than the Respondent committed the conduct alleged; or
- If the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Impermissible evidence that must be excluded, regardless of relevance, includes:

- Evidence under privilege protected by law or provided to confidential employee, unless there is a voluntary waiver; and/or
- Treatment records, unless there is voluntary, written consent.

The Decision Maker will explain any decision to exclude evidence or a question as not relevant or otherwise impermissible. At the hearing, all relevant evidence will be objectively evaluated. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or Witness.

## [Recording Hearings](#)

Hearings (but not deliberations) are recorded by the University for purposes of review in the event of an appeal. The Parties may not record the proceedings as unauthorized recordings are prohibited.

The Hearing Facilitator, the Parties, their Advisors, and appropriate administrators of the University of New Haven will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without the permission of the Title IX Coordinator.

## [Cross-examination](#)

As stated previously, each Party may have an Advisor of their choice. During the Hearing phase of the Grievance Procedure, each Party is required to have an Advisor present to conduct cross-examination on behalf of that Party. If a Party does not have an Advisor for the hearing, the Party must notify the Title IX Coordinator no later than the Party's pre-hearing disclosures (Information Submission) otherwise, the hearing may be delayed, and the appointed Advisor may have less time to prepare for the hearing. In such instances, the University of New Haven will provide without fee

or charge to that Party, an Advisor who may be, but is not required to be, an attorney. The Title IX Coordinator will assign an Advisor based on a pool of trained personnel.

#### *Advisor Protocol:*

- Advisors may be present solely to advise or support the Party and are prohibited from speaking directly to the investigator, Hearing Facilitator(s), other parties, or witnesses during the hearing, except for conducting cross examination.
- At the hearing, each Party's Advisor is permitted to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.
- Such cross examination at the live hearing must be conducted directly, verbally, and in real time by the Party's Advisor of choice, and never by a Party personally. However, the Hearing Facilitator(s) will typically ask questions before either Advisor.

#### *Question Relevancy*

Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Party or witness answers a cross-examination or other question, the Hearing Facilitator(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant:

- If a Decision Maker determines that a Party's question is relevant and not otherwise impermissible, then the question must be asked except that a postsecondary institution must not permit questions that are unclear or harassing of the Party or witness being questioned.
- The Decision Maker must give a Party an opportunity to clarify or revise a question that the Decision Maker has determined is unclear or harassing and, if the Party sufficiently clarifies or revises a question to satisfy the terms of this paragraph, the question must be asked.
- A Decision Maker may choose to place less or no weight upon statements by a Party or witness who refuses to respond to questions deemed relevant and not impermissible. The Decision Maker must not draw an inference about whether Prohibited Conduct occurred based solely on a Party's or Witness's refusal to respond to such question.

#### Determination Regarding Responsibility

The Hearing Facilitator will issue a written determination following the hearing. Based on the preponderance of the evidence, the Decision Maker will decide if the Respondent is responsible for engaging in Prohibited Conduct, and if so, what disciplinary action may be appropriate.

The written determination will include:

1. Identification of the allegations potentially constituting Prohibited Conduct;
2. A description of the procedural steps taken from the receipt of the Complaint through the determination;

3. Findings of fact(s) supporting the determination;
4. Conclusions regarding the application of this Policy to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. If the Respondent is found responsible, any disciplinary Sanctions the Decision Maker imposes on the Respondent;
  - c. Whether remedies designed to restore or preserve equal access to the University of New Haven's education program or activity will be provided to the Complainant; and
  - d. Procedures and permissible bases for the Parties to appeal the determination.

The written determination will be provided to both Parties simultaneously by the Title IX Coordinator.

Supportive measures that are designed to restore or preserve equal access to the University of New Haven's education program or activity, even if they are not listed in the written determination, may also be provided to the Complainant. Remedies and supportive measures that do not impact the Respondent should not be disclosed in the written determination; rather, the determination should simply indicate that remedies will be provided to the Complainant. The Title IX Coordinator is responsible for effective implementation of any remedies and supportive measures.

The determination regarding responsibility becomes final either:

- If an appeal is filed, on the date that the University of New Haven provides the Parties with the written determination of the result of the appeal, or
- If an appeal is not filed, the date on which an appeal request would no longer be considered timely.

## I. Appeals

Both Parties may file a request for an appeal from a determination regarding responsibility, or from a dismissal of a Complaint or any allegations therein. The request for an appeal must be submitted in writing to the Title IX Coordinator within five (5) days of the delivery of the outcome or finding of responsibility and must be based on at least one of the following:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Hearing Facilitator(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

All requests for appeal(s) will be forwarded to the Appeal Decision Maker(s) for consideration to determine if the request meets the grounds for appeal. Upon receipt of an appeal, the University of New Haven will:

1. Notify the other Party in writing when the appeal is filed and implement appeal procedures equally for both Parties;
2. Ensure that the Appeal Decision Maker(s) for the appeal is not the same person as the Hearing Facilitator(s) that reached the original determination regarding responsibility or dismissal, the investigator(s), the Title IX Coordinator, or Assistant Title IX Coordinator;
3. Ensure that the Appeal Decision Maker(s) does not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent, and that the Appeal Decision Maker(s) has received the appropriate and necessary training;
4. Give both Parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The University of New Haven will provide a copy of the appeal to the non-appealing Party. The non-appealing Party may submit a written statement within five (5) days that may seek to affirm the initial decision and/or respond to the appeal statement.

The Title IX Coordinator has discretion to impose or withhold any supportive measures prior to the appeal deadline and prior to the resolution of any appeal.

The Appeal Decision Maker(s) will issue a written decision describing the result of the appeal and the rationale for the result within a reasonably prompt time frame following receipt of all appeals materials. The appeal will determine whether the Decision Maker(s) made an error on the grounds alleged in the appeal statement. The appeal is typically determined based on the existing record, but the Appeal Decision Maker(s) will have discretion to convene a limited or full hearing if needed. The appeal decision will be given simultaneously to both Parties.

Any Sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the supportive measure procedures described above.

The University of New Haven may place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original Sanctions included separation. The Respondent may request a stay of these holds from the Title IX Coordinator two (2) business days of the notice of the Sanctions. The request will be evaluated by the Title IX Coordinator, whose determination is final.

The Appeal Decisionmaker(s)'s decision is final. No further appeals are permitted.

## J. Sanctions and Remedies

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

If the Respondent is found responsible for any Prohibited Conduct, the Title IX Coordinator will provide the Hearing Facilitator with the Respondent's prior conduct record for consideration in their assignment of a Sanction(s).

**Student Sanctions:** The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- **Warning:** A formal notice that the conduct has violated institutional regulations and a warning that further violation of any University of New Haven policy, procedure, or directive will result in more severe disciplinary actions.
- **Loss of Privileges:** Denial of specific privileges for a designated period of time. Such action includes but is not limited to loss of use of a specific University facility, campus motor vehicle parking and operating privileges, and social privileges. A date will be specified after which the student may regain those privileges.
- **Probation:** A written reprimand for a specific violation. Probation is for a designated period of time during which a student must show a positive change in behavior and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation(s) during the probationary period. Disciplinary probation is a status which may involve restrictions, conditions, or terms imposed for a definite period of time which may include but are not limited to ineligibility to participate in University activities or events, periodic contact or counseling with a designated member of the University community, restrictions on access to University facilities and/or housing areas, and change of housing assignment, no-contact orders, and/or other measures deemed appropriate.
- **University Suspension:** Separation of the student from the University for a definite period of time during which the student is excluded from classes, residence on campus, and all privileges and activities of the University. During a period of suspension, a student is not permitted on University property without the written permission of the Dean of Students. Suspension is recorded on the student's academic record for the period of the suspension and removed upon completion of the suspension period. Upon termination of the suspension period, the student may petition the Dean of Students for reinstatement to their former status; the Dean must approve readmission/reinstatement. The University reserves the right to readmit or deny readmission to a student following a period of suspension.
- **University Expulsion:** Permanent termination of student status without the possibility of readmission and revocation of rights to be on campus for any reason or to attend University-sponsored events. A sanction of expulsion must be reviewed and approved by the Chief Student Affairs Officer and President before it becomes effective. Expulsion is recorded on the student's academic record.

- *Withholding of Degree*: The University may withhold the awarding of a degree otherwise earned until completion of the process set forth in this Student Code of conduct, including completion of any sanctions imposed.
- *Revocation of Admission and/or Degree*: Admission to the University or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Sanctions Applicable to Student Clubs, Groups, and Organizations*: If a recognized student organization violates a policy or regulation of the University or local, state, or federal law, one or more of the following sanctions may be imposed:
  - Those sanctions listed in the University Code of Conduct, Article VIII (D) 1-16.
  - Loss of selected rights and privileges for a specified period of time.
  - Deactivation, defined as loss of all privileges, including University recognition, for a specified period of time.
- *Other Actions*: In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed reasonable and appropriate considering the Respondent's conduct.

*Employee Sanctions / Responsive Actions*: The following responsive actions may be imposed upon an employee who has engaged in harassment, discrimination, and/or retaliation:

- *Warning – Verbal or Written*
- *Cease and Desist Orders*
- *Enhanced Supervision, Observation, or Review*
- *Required Training or Education*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Reassignment or Transfer*
- *Delay of Tenure Track Program*
- *Assignment to New Supervisor*
- *Restriction of Stipends, Research, and/or Professional Development Resources*
- *Administrative leave with pay*
- *Administrative leave without pay*
- *Termination*
- *Other Actions*: In addition to or in place of the above sanctions / responsive actions, the University reserves the right to alter the above recommended sanctions if there are compelling circumstances that justify greater or lesser sanctions.

### XIII. False Allegations and Evidence

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. Disciplinary action will not be imposed, however, for allegations that are made in good faith but ultimately are shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under university policy.

### XIV. Retaliation

See Section VIII.C for the University's prohibition on retaliation and the definition of protected activity. Any individual who believes they have been subjected to retaliation should report it immediately to the Title IX Coordinator.

### XV. Long Term Remedies / Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions that are intended to stop harassment, misconduct, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of University Police escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term support measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by the University to the Respondent to ensure no effective denial of educational access.

The University will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the University's ability to provide these services.

## XVI. Revision of this Policy and Procedures

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated annually by the Title IX Coordinator. The University reserves the right to make changes to this document as necessary, and once those changes are posted online, they are deemed in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate scheduling. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.

If laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections or promises beyond the protection of the background state and federal laws which frame this policy, generally.

This Policy and procedures are effective **August 21, 2026**.

## XVII. Community Resources

### A. On Campus Resources:

**Title IX Office:** Any member of the Title IX Office may take reports and complaints regarding sexual harassment, sexual violence, relationship violence, stalking, or other sexual misconduct offenses. The Title IX Coordinator coordinates the investigatory process.

Robin Salters  
Director, Organizational Engagement & Service  
Delivery and Title IX Coordinator  
Allingtown Hall, Room 112  
(203) 932-7022  
[rsalters@newhaven.edu](mailto:rsalters@newhaven.edu)

Emily Guido  
Assistant Title IX Coordinator /  
Director of Title IX Compliance  
Peterson Library, Room 203  
(203) 932-7264  
[eguido@newhaven.edu](mailto:eguido@newhaven.edu)

Ophelie Rowe-Allen, Ed.D.  
Vice President of Student Affairs and Dean of  
Students / Deputy Title IX Coordinator  
Bartels Hall

Becky Clark  
Deputy Director of Athletics for Internal  
Operations / Deputy Title IX Coordinator  
Jeffery P. Hazel Athletics Center

(203) 932-7176  
[orallen@newhaven.edu](mailto:orallen@newhaven.edu)

(203) 932-7023  
[bclark@newhaven.edu](mailto:bclark@newhaven.edu)

[University Police Department](#): University Police Officers assist with the immediate medical needs of victims; work with the Title IX Office in investigation and adjudication of incidents, where appropriate; provide timely, campus-wide notification of incidents which pose an ongoing or continuing threat to the community; and assist in the preservation of evidence.

University Emergency Line: (203) 932-7070

University Routine Line: (203) 932-7014

[Office of Residential Life](#): Office of Residential Life staff members are knowledgeable about campus and local services and can help victims of sexual misconduct get assistance and provide support to residents impacted by sexual misconduct.

Bixler Hall, Lower Level: (203) 932-7076

[Counseling and Psychological Services 'CAPS' \(Confidential\)](#): Counseling and Psychological Services staff provides students with support for the long-term effects of sexual assault. All contacts are confidential.

Charger Plaza, Building B: (203) 932-7333

[Dean of Students Office](#): The Dean of Students Office works closely with the University's Title IX Office in the investigation and adjudication of incidents of sexual misconduct; provide support to student victims; and work towards maintaining a balance between addressing the needs of the victim and the needs of the campus community.

Bartels Campus Center, Top level (203) 932-7432

[Health Services \(Confidential Resource\)](#): Health Services is open to all currently enrolled University students without charge, Monday through Friday during the academic year. Staff members provide crisis and follow-up care for victims of sexual assault and make referrals to local hospitals for the administration of sexual assault evidence collection kits (also known as a rape kit). For immediate medical needs during hours when Health Services is closed, students should seek emergency services, i.e., local hospital emergency rooms, University Police Department, local police, and local rape crisis center.

Sheffield Hall, Lower Level: (203) 932-7079

[Human Resources Office \(Employees\)](#): The Human Resources staff members are knowledgeable about harassment prevention policies and practices. If you believe there is an issue or have encountered an issue of harassment or misconduct, please contact Human Resources.

Allingtown Hall, First Floor (203) 932-7297

## B. Off Campus & Other Resources:

[Rape Crisis Center of Milford \(College Advocate\)](#): Provides support, advocacy, and crisis counseling for victims and relays the options available to victims of sexual assault and the campus community. The College Advocate also provides educational opportunities to the campus community. The advocate is available to be present with the victim from the time of disclosure of sexual assault.

24-hour Confidential Hotline

(203) 878-1212

[mrcc@newhaven.edu](mailto:mrcc@newhaven.edu)

[BHcare \(Umbrella Center for Domestic Violence Services\)](#): Provides crisis intervention that includes safety planning, risk assessment, and domestic violence education for victims of domestic violence. Educational presentations are available to the student community upon request.

24-hour Confidential Hotline

Statewide: (888) 774-2900

Greater New Haven and Shoreline: (203) 789-8104

Lower Naugatuck Valley: (203) 736-9944

## National & Statewide Resources:

[Connecticut Coalition Against Domestic Violence:](#)

(888) 774-2900 – 24-hour hotline

[National Suicide Prevention Lifeline](#)

(800) 273-8255 English Hotline

(800) 628-9454 Spanish Hotline

[Connecticut Alliance to End Sexual Violence:](#)

(888) 999-5545 English Hotline

(888) 568-8332 Spanish Hotline

<https://endsexualviolence.org/>

[National Center for Victims of Crime](#)

(855) 484-2846

Online Chat Feature:

<https://chat.victimsofcrime.org>

[Stalking Prevention, Awareness & Resources Center \(SPARC\)](#)

<http://www.stalkingawareness.org/>

[Male Survivor: Critical Resources for Male Survivors of Sexual Trauma](#)

[www.malesurvivor.org](http://www.malesurvivor.org)

**Inquiries regarding discrimination, retaliation, or harassment may be made externally to:**

Office for Civil Rights (OCR)

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>

Office for Civil Rights (OCR)

*Boston Office*  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Customer Service Hotline #: (617) 289-0111  
Facsimile: (617) 289-0150  
Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

National Institutes of Health (NIH)

9000 Rockville Pike  
Bethesda, Maryland 20892  
(301) 496-4000  
TTY#: (301) 402-9612  
Email: [GranteeHarassment@od.nih.gov](mailto:GranteeHarassment@od.nih.gov)

Connecticut Commission on Human Rights  
and Opportunities (CHRO)

450 Columbus Boulevard  
Hartford, CT 06103-1835  
Phone: 860-541-3400  
Connecticut Toll Free: (800) 477-5737  
TDD#: (860) 541-3400

U.S. Department of Justice (DOJ)

Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001  
Customer Service Hotline #: (202) 514-4609  
TDD#: (202) 514-0716

## **Sexual Harassment and Sexual Misconduct Policy and Procedures**

### **XVIII. Appendices**

- A. Decision Tree for Allegations under this Policy
- B. Formal Grievance Investigation and Hearing Process Flowchart

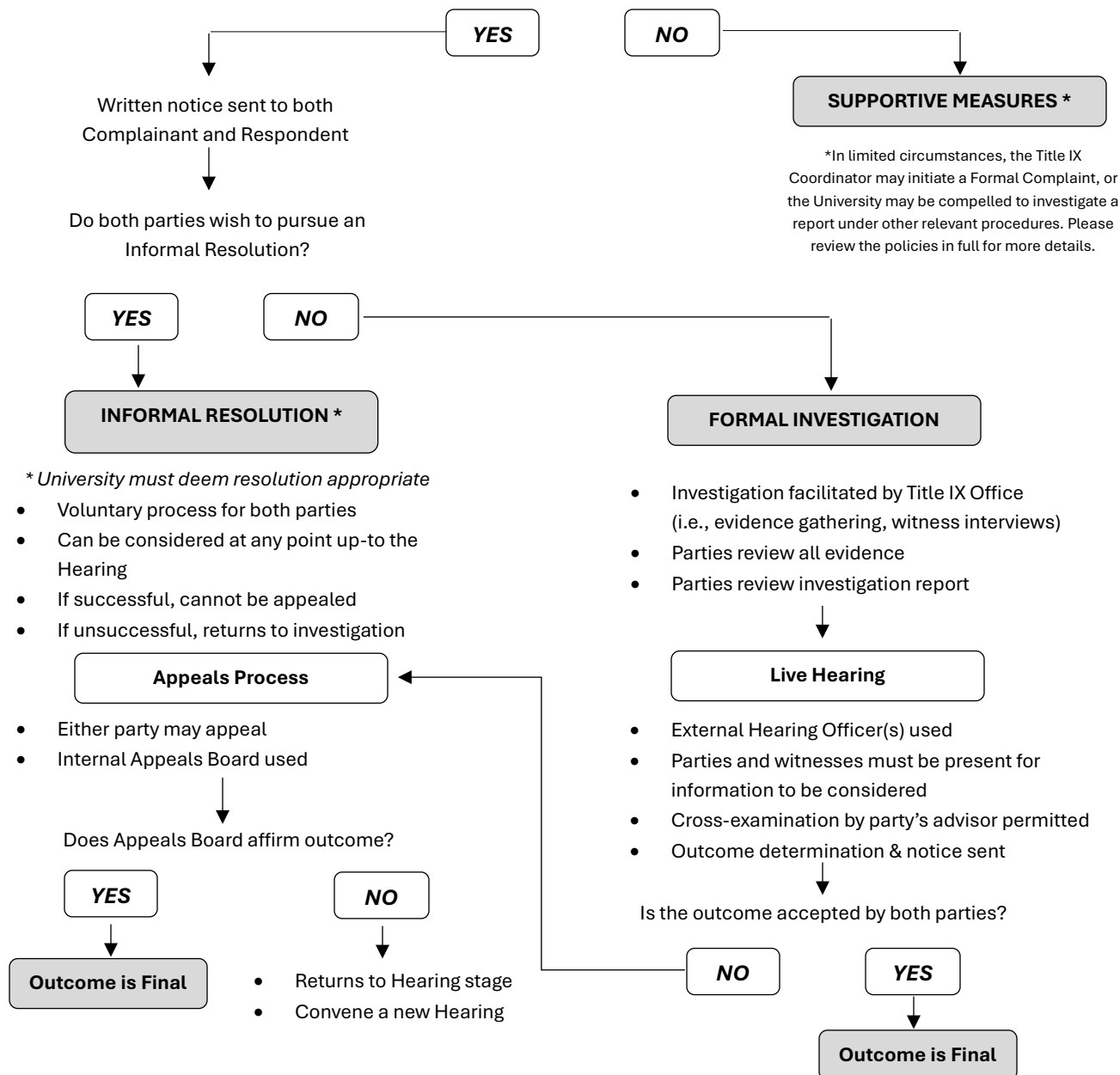
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# Title IX Decision Tree for Allegations under the Sexual Harassment & Misconduct Policy

Conduct the falls under the University's Policy on Sexual Harassment & Misconduct (Title IX) is addressed by the procedures that accompany the Policy. This flow chart is designed to give an overview of the procedures. See Policy for definition of terms used. Parties are encouraged to reach out to the Title IX Office for help navigating through these procedures.

**NOTE: Supportive measures are available to both parties during the entire process.**

If the conduct meets Section VIII definitions in the policy, does the Complainant wish to pursue a formal grievance process?



NOTE: A Formal Complaint may be dismissed at any time prior to outcome of Hearing. Either party may appeal the dismissal.



University of New Haven

Contact us: [TitleIXOffice@newhaven.edu](mailto:TitleIXOffice@newhaven.edu)

## FORMAL GRIEVANCE INVESTIGATION AND HEARING PROCESS

