

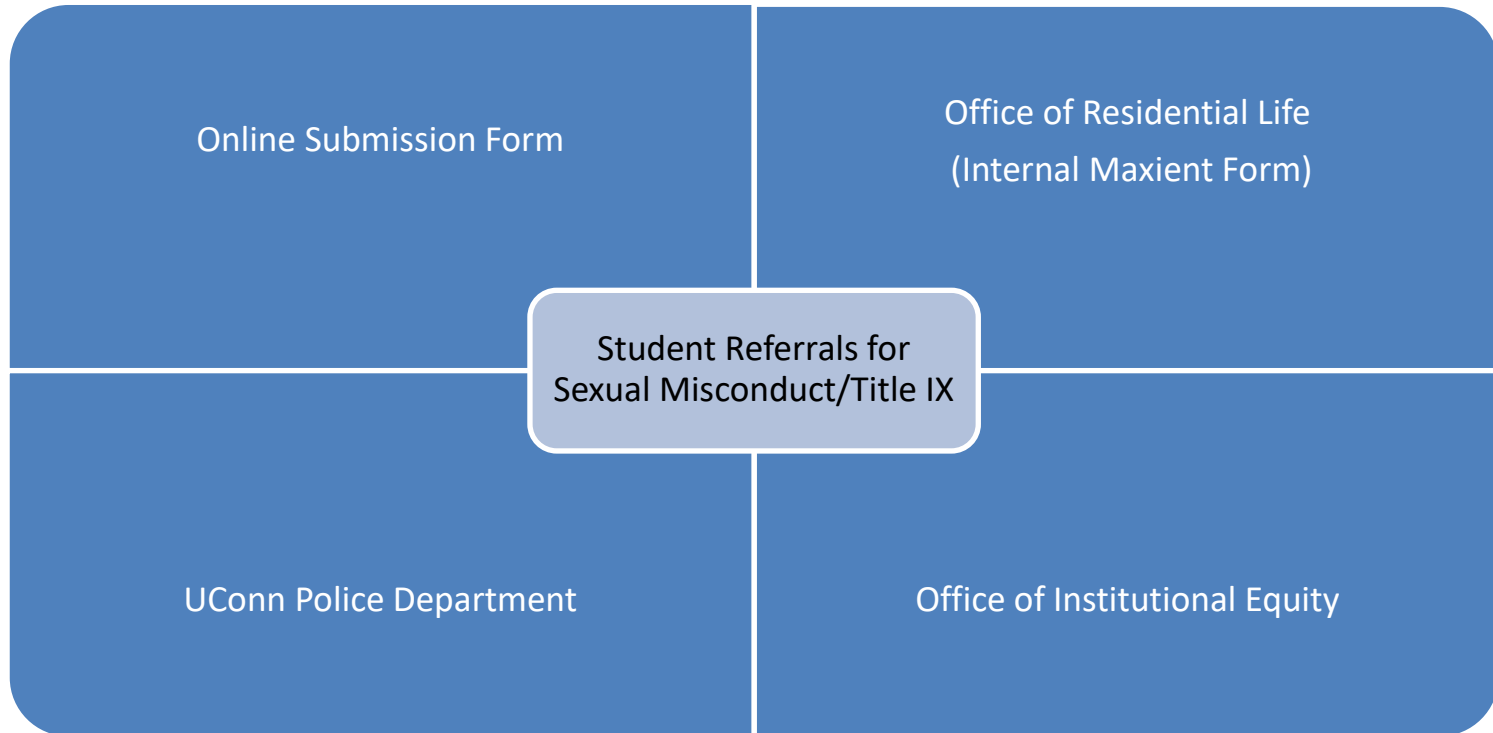
Task Force: Combating Sexual Violence and Supporting our Students

Office of Community Standards: *The Student Code and Response to Referrals related to Sexual Violence*

Megan Buda, Director of Community Standards

March 4, 2022

Receiving Referrals



Behavior in violation of the *University of Connecticut Policy Against Discrimination, Harassment and Related Interpersonal Violence*

Discriminatory Harassment

Sexual or Gender-Based Harassment

Sexual Assault

Sexual Exploitation

Intimate Partner Violence

Stalking

Retaliation

Complicity

Behavior in violation of the *University of Connecticut Policy Against Discrimination, Harassment and Related Interpersonal Violence*

Title IX Sexual Harassment

- Sexual Assault (as defined by the Clery Act)
- Dating Violence
- Domestic Violence
- Stalking

(as defined by Violence Against Women Act)

Jurisdiction

- The conduct is alleged to have occurred on or after August 14, 2020;
- The conduct is alleged to have occurred in the United States;
- The conduct is alleged to have occurred in UConn's education program or activity; and
- The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.
- The complainant must be participating in or attempting to participate in a University education program or activity at the time the complaint is filed.

Responsibility of Community Life: The Student Code

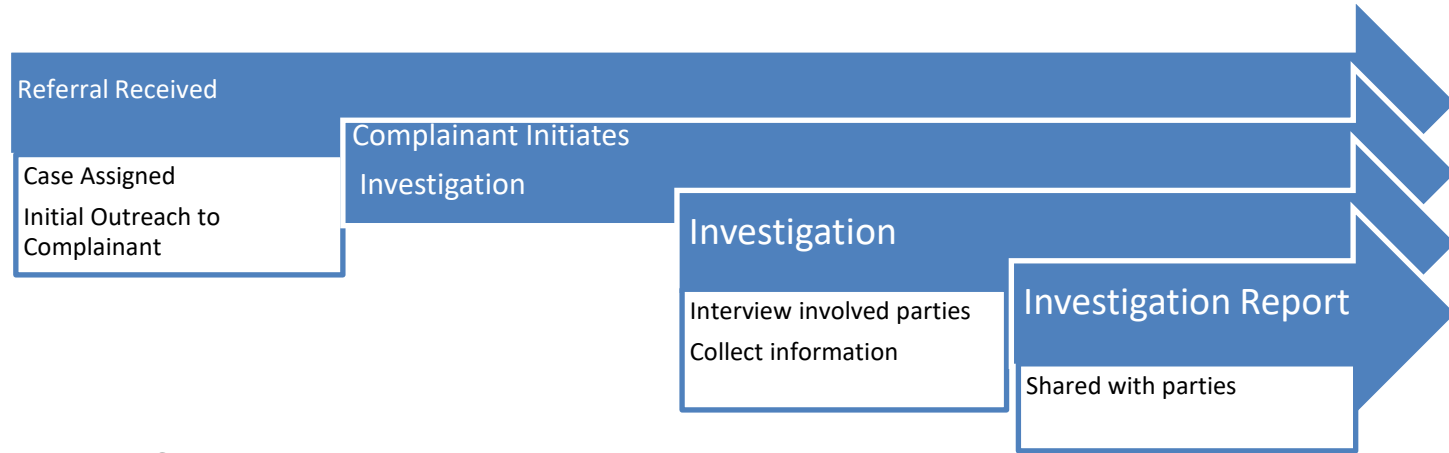
Sexual Misconduct Terms

- Jurisdiction
- Complainant
- Respondent
- Witness
- Investigating Student Conduct Officer
- Support Person
- Hearing Officer
- Appeal Officer

Title IX Terms

- Jurisdiction
- Parties
- Complainant
- Respondent
- Witness
- Expert Witness
- Investigating Student Conduct Officer
- Support Person
- Advisors
- Hearing Officer
- Hearing Chair
- Appeal Officer

Student Conduct Process



Resolution Options

Administrative Agreement

Administrative Hearing

Administrative Hearings

Participants

- Parties
- Investigating Student Conduct Officer
- Support Person
- Witness
- Hearing Body
 - Hearing Officers (2)

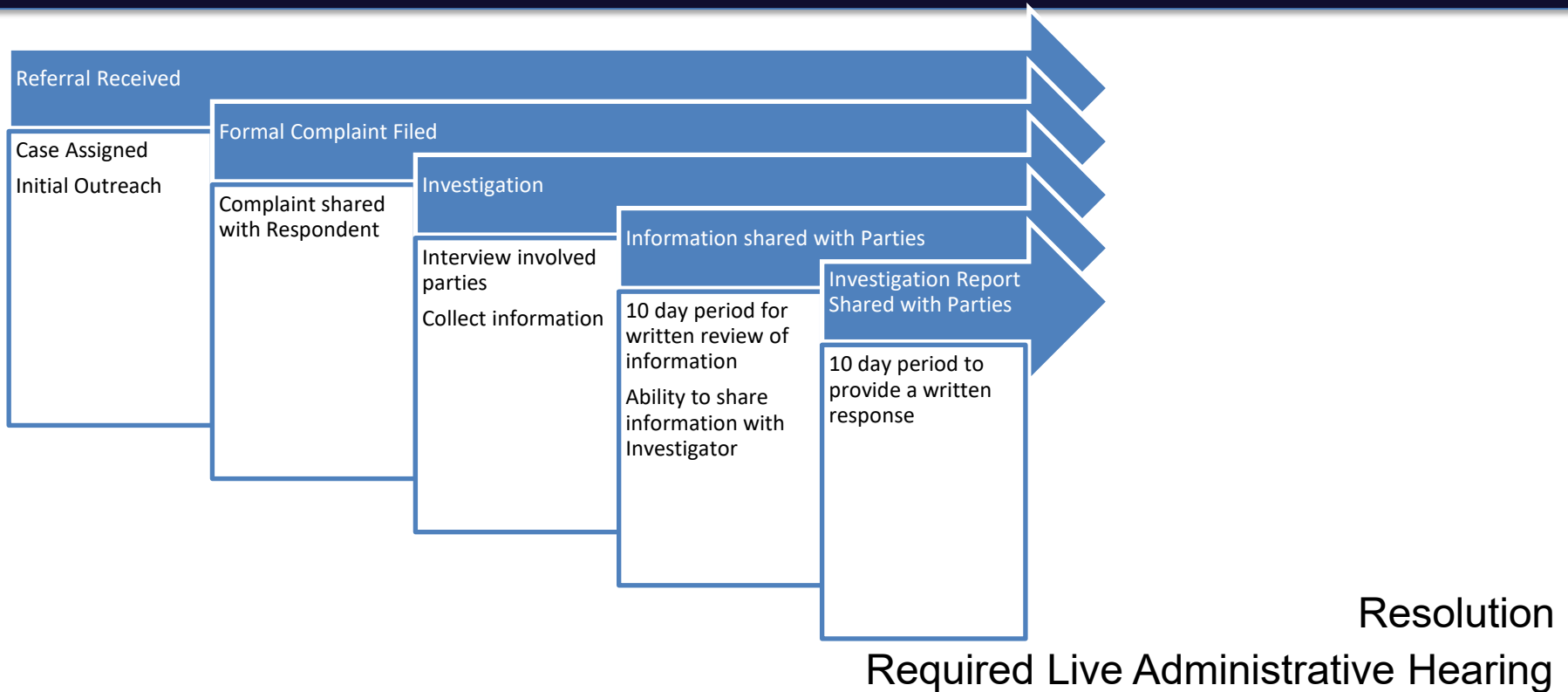
Outline

- Review of Documentation
 - Hearing Body and Parties may ask questions
- Final Comments by the Parties
- Hearing Body will deliberate in private
 - "Not in Violation" - the hearing will end
 - "In Violation" - the hearing proceeds to sanctioning
- Impact Statements
- Hearing Body will deliberate in private and deliver outcome to the parties

Appeals

- To determine whether the administrative hearing was conducted in conformity with prescribed procedures giving the complainant and investigating Student Conduct officer a reasonable opportunity to prepare and to present information that *The Student Code* was violated, and giving the respondent a reasonable opportunity to prepare and to present a response to those allegations.
- To determine whether the sanction(s) imposed were appropriate for the determined violation(s) of The Student Code.
- To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original administrative hearing.

Title IX Sexual Harassment Cases



Dismissals

Mandatory

- When jurisdiction can't be met for Title IX (i.e. location of alleged incident)
- Does permit an appeal
- Does permit Community Standards to investigate under the student conduct process

Discretionary

- The complainant withdraws their complaint
- The respondent is no longer enrolled
- Specific circumstances prevent UConn from gathering evidence sufficient to reach a determination regarding the Formal Complaint
- Does permit an appeal

Administrative Hearings

Participants

- Parties
- Investigating Student Conduct Officer
- Advisor
- Support Person
- Witness
- Expert Witness
- Hearing Body
 - Hearing Chair
 - Hearing Officers (2)

Outline

- Intro
- Hearing
 - Expectations/Process/Proceedings
- Opening Statements by the Parties
- Questions from Hearing Officers, Advisors, witnesses and Investigating Student Conduct Officer
- Closing Statements by the Parties
- Concluding Remarks

Appeals

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- To determine whether the sanction(s) imposed were appropriate for the determined violation(s) of The Student Code.
- To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original administrative hearing.
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

Questions

www.community.uconn.edu

UConn