

INTERNAL COMMUNICATION

(Section 46a-68-79)

January 2019

This section was in compliance in the previous filing, and there were no proposals/recommendations.

During the 2018 *Plan* period, University leaders continued explicit communication of the priority they placed on workforce diversity, the relationship of diversity to the University's mission, and the implementation of additional mechanisms to monitor and evaluate progress toward meeting affirmative action and diversity goals. Through the 2018 *Plan* year, Elizabeth Conklin held the position of Associate Vice President of the Office of Institutional Equity and was designated the Equal Employment Opportunity Officer for the University.

Subsection (a)

The University has continued to utilize established procedures for distributing the *Policy Statement: Affirmative Action & Equal Employment Opportunity, Summary Objectives of the Affirmative Action Plan*, and other related policy statements and notifying the agency personnel about the *Affirmative Action Plan (Plan)*.

The policy statements are widely posted at physical, prominent, and accessible locations on each campus and are distributed to all employees annually. The policy statements are also available on the Office of Institutional Equity's [website](#), as well as the University's [e-Policy website](#).

All employees are notified of the right to a reasonable period of review and comment upon the *Plan* and that all comments should be addressed to the Associate Vice President of the Office of Institutional Equity, Elizabeth Conklin, who is identified by name and address.

Copies of the *Plan* are available in the Office of Institutional Equity (OIE). The mailing address is 241 Glenbrook Road, Storrs, CT 06269-4175 and the telephone number is (860) 486-2943. Additionally, the *Plan* is located in the Department of Human Resources (DHR), and the Homer Babbidge Library on the main campus in Storrs.

A [complete copy of the Plan](#) is also posted on the Office of Institutional Equity website.

The *Plan* has, and will continue, to include a summary of all comments from employees concerning the *Plan* and note any response. No comments from employees were received during this reporting period.

All University faculty and staff were sent copies of the policies along with notification that the 2017 *Affirmative Action Plan* was available for review and comment. The University community received the following:

- A transmittal memo from the Associate Vice President of the Office of Institutional Equity
- *Policy Statement: Affirmative Action & Equal Employment Opportunity*
- *Policy Against Discrimination, Harassment and Related Interpersonal Violence*
- *Policy Statement: People with Disabilities*
- *Summary Objectives of the Affirmative Action Plan*

Please see **ATTACHMENT A** in this section.

Subsection (b)

The University maintains, as required by the agency's state library records retention schedules for state agencies, copies of all affirmative-action related internal communications and comments received pursuant to subsection (a) of this section and notes the dates such comments were received. No comments from employees were received during this reporting period.

Subsection (c)

During this *Plan* year, new employees attended the Diversity Awareness Training within the first six months of their employment. This training is conducted twice a month by the Office of Institutional Equity and representatives from the campus cultural centers. All employees are also required to attend Sexual Harassment Prevention Training within the first six months of their employment. This training is also offered twice a month.

Newly hired managers or individuals promoted into managerial positions receive the additional training "Managing a Respectful and Harassment-Free Workplace" conducted jointly by the Office of Institutional Equity and the Department of Human Resources. This training is a three-hour, interactive program that focuses on preventing and responding appropriately to workplace discriminatory and sexual harassment. It is designed to provide managers with the tools needed to ensure compliance with University conduct expectations and policies in these areas.

Please see **ATTACHMENT B** in this section for the detailed training attendee demographic information.

To achieve full participation with Diversity Awareness and Sexual Harassment Prevention training, Human Resources notified managers of employees who did not attend training.

Subsection (d)

At any time of the year, the Associate Vice President of Institutional Equity welcomes comments regarding the *Plan* and its implementation. Employees wishing to have their comments on the *Plan* considered for the 2018 *Plan* were asked to submit comments no later than September 30, 2018. No comments were received during this reporting period.

TO: All University Faculty, Staff, and Union Representatives

FROM: Elizabeth A. Conklin, Associate Vice President
Office of Institutional Equity

DATE: June 4, 2018

SUBJECT: Affirmative Action Plan Update and Distribution of Policy Statements

The University of Connecticut's 2017 Affirmative Action Plan for Employment (*Plan*) was approved by the Commission on Human Rights and Opportunities on April 11, 2018. The *Plan* reports the University's good faith efforts relative to diversifying the workforce of the University, attaining goals, and achieving equal employment opportunity.

All employees are invited to review and comment on the 2017 *Plan* until September 30, 2018. A full copy of the *Plan* is available for review in the following locations:

- [The Office of Institutional Equity \(OIE\)](#)
Wood Hall, 241 Glenbrook Road
Storrs, CT 06269
- [The Connecticut Commission on Human Rights and Opportunities \(CHRO\)](#)
450 Columbus Boulevard
Hartford, CT 06103

An electronic (PDF) version also is available on [OIE's website](#).

All comments or questions are welcome and may be sent to:

[Elizabeth A. Conklin](#), Associate Vice President
Office of Institutional Equity
Wood Hall, Unit Box 4175
241 Glenbrook Road
Storrs, CT 06269-4175
860-486-2943

The following policies and procedures have been included in the *Plan*, distributed to every employee through The Office of Institutional Equity's webpage, the University's policy website and posted throughout the University:

- [Affirmative Action and Equal Employment Opportunity](#)
- [Policy Against Discrimination, Harassment and Related Interpersonal Violence](#)
- [Policy Statement: People with Disabilities](#)
- [University of Connecticut Discrimination Complaint Procedures](#)

Policy Posting Obligation:

As in previous years, OIE will satisfy the statutory requirement of policy distribution to employees via this notification and mail distribution as necessary. Additionally, policies will be posted in visible locations throughout the University.

Recruitment, Compliance, and Diversification:

As a federal contractor and state agency, the University's recruiting and hiring activities are audited regularly by external and government enforcement units. Vice Presidents, Deans, Directors, Department Heads, Hiring Managers, and Search Committee Chairs are accountable for ensuring compliance with state and federal regulations and record-keeping requirements concerning recruitment and applicant evaluation activities. Both state and federal regulatory agencies mandate policies and processes that promote equal employment opportunity and endorse aggressive recruitment programs.

Proactive and aggressive recruitment programs not only fulfill the University's compliance obligations but also work to support the University's goal of increasing the diversity of the workforce. To encourage proactive and strategic recruitment efforts, it is crucial for department faculty and staff to engage in professional networking, join professional and discipline specific associations, and participate in Ph.D. pipeline-building initiatives with an aggressive focus on the diversity of graduate students.

To assist search committees and hiring departments, OIE is available for consultation about the search process, compliance obligations, best practices in building diverse pools of qualified applicants, and objective evaluation techniques. For more information on recruitment and the search process, please visit our website, <http://equity.uconn.edu/search-process/>.

Mandatory Search Training:

The Office of Institutional Equity (OIE) in conjunction with the Office of Diversity and Inclusion (ODI) continues to provide mandatory Search Training for search committee members. All committee members are required to complete search committee training before serving on a search committee. Training workshops are scheduled monthly and include AA/EEO compliance information, search process steps, and overcoming implicit bias in the search and hire process. Search committee training status is verified in Recruiting Solutions prior to interview approval of all searches. For more information or to enroll in a training session, please visit <http://equity.uconn.edu/education-and-training/search-orientation-workshops/>.

Discrimination Complaint Management:

OIE's Staff investigators are responsible for objectively investigating complaints of discrimination and discriminatory harassment to determine if employee conduct violates UConn's [non-discrimination policies](#). These policies are construed to provide the same or similar protections as those contained pursuant to state and federal law and regulation. Where investigations reveal the presence of discriminatory or harassing behavior, OIE is responsible for

making recommendations that are designed to mitigate the effects of discriminatory conduct. OIE thoroughly investigates discrimination complaints, makes determinations regarding violations of UConn policy, and follows statutory requirements regarding recommendations for remedial action when there is evidence of policy violations.

OIE also assists with developing and implementing the University's non-discrimination and affirmative action policies, procedures, and programs and offer information, consultation, and training to the University community on these areas of focus.

Additional information about reporting discrimination and [OIE's complaint procedures](#), as well as OIE's [Discrimination and Discriminatory Harassment Complaint form](#), can be found online at www.equity.uconn.edu. If you have a specific question or need further assistance, please do not hesitate to contact a member of OIE at (860) 486-2943 or by email at equity@uconn.edu, [website: www.equity.uconn.edu](http://www.equity.uconn.edu).

Americans with Disabilities Act (ADA) Compliance Activities:

The Department of Human Resources manages the Americans with Disabilities Act (ADA) workplace accommodation function. Vivki Fry, the Interim ADA Workplace Accommodations Case Manager supports employees, supervisors, and University staff in understanding rights and responsibilities under the ADA, as well as determining and facilitating the review of requests for and implementation of reasonable accommodations for employees with disabilities. If you believe that you may need an accommodation, or if you are a supervisor or manager who has been presented with a request for an accommodation, please contact Vicki at (860) 486-2036 or via email to vicki.fry@uconn.edu.

The Office of Institutional Equity is charged with monitoring the University's compliance with the ADA's requirements. In this regard, OIE has responsibility for resolving allegations of discrimination based on disability; ensuring University compliance with all relevant laws and regulations related to the ADA; providing consultation, information and referral to appropriate resources for disability-related issues; and provide training regarding the ADA. If you believe that you have been subjected to discrimination based on disability, please continue to contact the Office of Institutional Equity at (860) 486-2943 or via email at equity@uconn.edu, [website: www.accessibility.uconn.edu](http://www.accessibility.uconn.edu)

Diversity and Sexual Harassment Prevention Training:

OIE provides ongoing Diversity Awareness and Sexual Harassment Prevention training to all permanent University employees pursuant to General Statutes §46a-54. Along with the Office for Diversity and Inclusion, OIE conducts numerous [sessions](#) each semester. Additionally, OIE provides customized trainings to individual departments or groups of employees or students seeking further guidance or training around discrimination and/or harassment issues. For further information, please visit [OIE's website](#).

Legislative Update

Two new state statutes went into effect on October 1, 2017:

[Public Act 17-127](#): AN ACT CONCERNING DISCRIMINATORY PRACTICES AGAINST VETERANS, LEAVES OF ABSENCE FOR NATIONAL GUARD MEMBERS, APPLICATION FOR CERTAIN MEDICAID PROGRAMS AND DISCLOSURE OF CERTAIN RECORDS TO FEDERAL MILITARY LAW ENFORCEMENT.

This Act prohibits discrimination based on a veteran's status in the various state statutes prohibiting discrimination, including employment and public accommodations. It authorizes any veteran aggrieved by an alleged discriminatory practice to file discrimination complaints with the Commission on Human Rights & Opportunities (CHRO). A veteran is identified as anyone honorably discharged or released under honorable conditions from active service in the armed forces. This act also extends state military leaves of absence for National Guard Members serving in another state.

[Public Act 17-118](#): AN ACT CONCERNING PREGNANT WOMEN IN THE WORKPLACE

This Act expands the non-discrimination protections and accommodations employers must make for pregnant employees. The Act expands the pregnancy discrimination/accommodations protections to include lactation. The Act also explicitly prohibits employers from: (1) denying employment opportunities to an employee or person seeking employment due to the employee's request for a reasonable accommodation due to her pregnancy; (2) forcing an employee or person seeking employment affected by pregnancy to accept a reasonable accommodation if the employee or person seeking employment does not have a known limitation related to her pregnancy, or does not require a reasonable accommodation to perform the essential duties related to her employment; (3) requiring an employee to take a leave of absence if a reasonable accommodation can be provided in lieu of such leave; and (4) retaliating against an employee in the terms, conditions or privileges of her employment based upon such employee's request for a reasonable accommodation

Policy Statement: Affirmative Action & Equal Employment Opportunity

Equal Employment Opportunity

The University of Connecticut is an equal employment opportunity/affirmative action employer. In order to ensure that employees and job applicants are not subjected to unlawful discrimination, it is the University's policy to comply with all State and Federal laws and regulations that prohibit employment discrimination and mandate specific actions for the purpose of eliminating the present effects of past discrimination. Equal employment opportunity is the purpose and goal of affirmative action. The University has established equal employment opportunity and affirmative action as immediate and necessary objectives because we are committed to its concepts, principles and goals.

At the University equal employment opportunity (EEO) means nondiscrimination in employment policies and practices. The University is committed to ensuring that individual employees and applicants are not excluded from participation in the employment process based on an individual's legally protected status which includes race, color, ethnicity, religious creed, age, sex (including pregnancy and sexual harassment), marital status, national origin, ancestry, sexual orientation, genetic information, physical or mental disabilities (including learning disabilities, intellectual disabilities, past/present history of a mental disorder), prior conviction of a crime (or similar characteristic), veteran status, workplace hazards to reproductive systems, gender identity or expression, or other factors which cannot lawfully be the basis for employment actions, unless there is a bona fide occupational qualification.

Affirmative action is a positive program of purposeful activity undertaken with conviction and effort to overcome the present effects of past practices, policies and barriers to equal employment opportunity. Affirmative action plans and programs are designed to achieve the full and fair participation of all protected class members found to be underutilized in the workforce or adversely affected by past policies and practices.

Affirmative Action

Affirmative action plays a role at all stages of the employment process, including, but not limited to: recruitment, evaluation, interview, selection, hire, promotion, demotion, transfer, discipline, layoff, termination, benefits, rates of pay or other forms of compensation, selection for training, the use of all facilities, and participation in all University sponsored employee activities. Provisions in applicable laws providing for bona fide occupational qualifications, business necessity or age limitations will be adhered to by the University where appropriate. Accordingly, the University pledges to regularly reexamine all policies and procedures to identify and eliminate barriers to access, and to change practices that may have a discriminatory impact.

The University's commitment to affirmative action requires that we make the good faith efforts that may be necessary in all aspects of personnel administration to ensure that the recruitment and hire of underrepresented individuals reflect their availability in the job market; that the causes of underutilization are identified and eliminated; that alternative approaches are explored when personnel practices have a negative impact on protected classes; and that the terms,

conditions, and privileges of employment, including upward and lateral mobility, are equitably administered.

The University recognizes the employment difficulties experienced by individuals with disabilities and by many older persons. Therefore, the University will take necessary steps to identify and overcome areas of underutilization of such persons in the workforce and to achieve their full participation in all University programs, processes and services.

The University is committed to ensuring that all services and programs are provided in a fair and impartial manner and thus has established affirmative action and equal employment opportunity as immediate and necessary agency objectives.

As a Connecticut state agency, the University prepares its *Affirmative Action Plan* each year. The *Plan* is a detailed, results-oriented set of procedures, which blueprints a strategy to combat discrimination and implement affirmative action. The objectives of the *Plan* are to set both quantitative and non-quantitative goals, which promote affirmative action and/or eliminate any policy or employment practice that adversely affects protected class members.

A complete version of the University's current *Affirmative Action Plan* is available at the Office of Institutional Equity (OIE) and may also be found [online](#) on the OIE website.

Procedure:

For more information and advice regarding rights and responsibilities under the *Plan*, the University's Equal Employment Opportunity Officer can be contacted by telephone, email or in person during regular office hours. All comments are welcome.

Elizabeth A. Conklin

Associate Vice President, Office of Institutional Equity
Equal Employment Opportunity Officer
Wood Hall, Unit 4175,
241 Glenbrook Road
Storrs, Connecticut 06269-4175
elizabeth.conklin@uconn.edu
860-486-2943.

The University's [policies against discrimination and harassment](#) are included in the *Plan* along with [complaint procedures](#). Employees and others wishing to file complaints of discrimination or of affirmative action policy violations may do so by contacting the Office of Institutional Equity by telephone, email or in person during regular office hours:

Office of Institutional Equity
Wood Hall, First Floor
241 Glenbrook Road
Storrs, Connecticut 06279
860-486-2943

equity@uconn.edu
www.equity.uconn.edu

Employees and others shall not be subjected to harassment, intimidation or any type of retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; (4) exercised any other legal right protected by federal, state or local law requiring equal opportunity.

Accountability:

As President, I commit the University and myself to make every effort to implement an effective *Affirmative Action Plan* within timetables set forth in the *Plan*. I fully expect my managerial and supervisory staff to treat compliance with Federal and State of Connecticut affirmative action statutes as a top priority and take positive steps to ensure the successful implementation of the policies, procedures and objectives of affirmative action and equal opportunity at the University.

In issuing the University's affirmative action policy, I reiterate the need for affirmative action and attest to the University's determination to identify strengths and weaknesses in our employment system, resolve problems when they appear, recruit employees vigorously and affirmatively, and retain current employees while also helping them prepare for advancement.

Policy Statement: People with Disabilities

The University of Connecticut is committed to achieving equal educational and employment opportunity and full participation for persons with disabilities. It is the University's policy that no qualified person be excluded from consideration for employment, participation in any University program or activity, be denied the benefits of any University program or activity, or otherwise be subjected to discrimination with regard to any University program or activity. This policy derives from the University's commitment to nondiscrimination for all persons in employment, academic programs, and access to facilities, programs, activities, and services.

A person with a disability must be ensured the same access to programs, opportunities, and activities at the University as all others. Existing barriers, whether physical, programmatic, or attitudinal must be removed. Further, there must be ongoing vigilance to ensure that new barriers are not erected.

The University's efforts to accommodate people with disabilities must be measured against the goal of full participation and integration. Services and programs to promote these benefits for people with disabilities shall complement and support, but not duplicate, the University's regular services and programs.

Achieving full participation and integration of people with disabilities requires the cooperative efforts of all of the University's departments, offices, and personnel. To this end, the University will continue to strive to achieve excellence in its services and to assure that its services are delivered equitably and efficiently to all of its members.

Anyone with questions regarding this policy is encouraged to consult the Office of Institutional Equity (OIE). The office is located in Wood Hall, Unit 2175, 241 Glenbrook Road, Storrs, Connecticut 06269-2175, telephone, 860-486-2943.

UNIVERSITY OF CONNECTICUT POLICY AGAINST
DISCRIMINATION, HARASSMENT, AND RELATED
INTERPERSONAL VIOLENCE

*Including Sexual and Gender-Based Harassment, Sexual
Assault, Sexual Exploitation, Intimate Partner Violence,
Stalking, Complicity, Retaliation and Inappropriate Amorous
Relationships*

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I. STATEMENT OF POLICY

The University of Connecticut (the “University”) is committed to maintaining a safe and non-discriminatory learning, living, and working environment for all members of the University community – students, employees, and visitors. Academic and professional excellence can exist only when each member of our community is assured an atmosphere of safety and mutual respect. All members of the University community are responsible for the maintenance of an environment in which people are free to learn and work without fear of discrimination, discriminatory harassment or interpersonal violence. Discrimination diminishes individual dignity and impedes equal employment and educational opportunities.

The University does not unlawfully discriminate in any of its education or employment programs and activities on the basis of an individual’s race, color, ethnicity, religious creed, age, sex, marital status, national origin, ancestry, sexual orientation, genetic information, physical or mental disability (including learning disabilities, intellectual disabilities, and past or present history of mental illness), veteran’s status, prior conviction of a crime, workplace hazards to the reproductive system, gender identity or expression, or membership in any other protected classes as set forth in state or federal law. To that end, this Policy Against Discrimination, Harassment and Related Interpersonal Violence, Including Sexual and Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, Complicity, Retaliation and Inappropriate Amorous Relationships (the “Policy Against Discrimination” or “Policy”) prohibits specific forms of behavior that violate state and federal laws, including but not limited to Title VII of the Civil Rights Act of 1964 (“Title VII”), Title IX of the Education Amendments of 1972 (“Title IX”), the Violence Against Women Reauthorization Act of 2013 (“VAWA”), and related state and federal anti-discrimination laws. Such behavior may also require the University to fulfill certain reporting obligations under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”), as amended by VAWA, and Connecticut state law regarding reporting suspected child abuse and neglect.

The University prohibits discrimination, as well as discriminatory harassment, sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based harassment, complicity in the commission of any act prohibited by this Policy, retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this Policy (collectively, “Prohibited Conduct”¹). These forms of Prohibited Conduct are unlawful and undermine the mission and values of our academic community. In addition, engagement in or pursuit of inappropriate amorous relationships with employees in positions of authority can undermine the University’s mission when those in positions of authority abuse or appear to abuse their authority.

The University adopts this Policy with a commitment to: (1) eliminating, preventing, and addressing the effects of Prohibited Conduct; (2) fostering a safe and respectful University community; (3) cultivating a climate where all individuals are well-informed and supported in reporting Prohibited

¹ Definitions for all forms of Prohibited Conduct can be found in Section IX of this Policy.

Conduct; (4) providing a fair and impartial process for all parties in the investigation and resolution of such reports; and (5) identifying the standards by which violations of this Policy will be evaluated and disciplinary action may be imposed. In addition, the University conducts ongoing prevention, awareness, and training programs for employees and students to facilitate the goals of this Policy.

A student or employee determined by the University to have committed an act of Prohibited Conduct is subject to disciplinary action, up to and including separation from the University. Third Parties who commit acts of Prohibited Conduct may have their relationships with the University terminated and/or their privileges of being on University premises withdrawn.

It is the responsibility of every member of the University community to foster an environment free of Prohibited Conduct. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. The University will support and assist community members who take such actions.

Retaliation against any individual who, in good faith, reports or participates in the reporting, investigation, or adjudication of Prohibited Conduct is strictly forbidden.

This Policy applies to all reports of Prohibited Conduct occurring on or after the effective date of this Policy. Where the date of the Prohibited Conduct precedes the effective date of this Policy, the definitions of misconduct in effect at the time of the alleged incident(s) will be used.

II. TO WHOM THIS POLICY APPLIES

This Policy applies to: students as defined in *UConn's Responsibilities of Community Life: The Student Code* and students enrolled at UConn Health ("Students"); University employees, consisting of all full-time and part-time faculty, University Staff (including special payroll employees), UConn Health employees (including residents and fellows), professional research staff, and post-doctoral research associates ("Employees"); and contractors, vendors, visitors, guests or other third parties ("Third Parties"). This Policy pertains to acts of Prohibited Conduct committed by or against Students, Employees and Third Parties when:

1. the conduct occurs on campus or other property owned or controlled by the University;
2. the conduct occurs in the context of a University employment or education program or activity, including, but not limited to, University-sponsored study abroad, research, on-line, or internship programs; or
3. the conduct occurs outside the context of a University employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for Students, Employees or Third Parties while on campus or other property owned or controlled by the University or in any University employment or education program or activity.

III. APPLICABLE PROCEDURES UNDER THIS POLICY

The specific procedures for reporting, investigating, and resolving Prohibited Conduct are based upon the nature of the respondent's relationship to the University (Student, Employee, or Third Party). Each set of procedures referenced below is guided by the same principles of fairness and respect for complainants and respondents. "Complainant" means the individual who presents as the victim of any Prohibited Conduct under this Policy, regardless of whether that person makes a report or seeks action under this Policy.² "Respondent" means the individual who has been accused of violating this Policy.

The procedures referenced below provide for prompt and equitable response to reports of Prohibited Conduct. The procedures designate specific timeframes for major stages of the process, provide for thorough and impartial investigations that afford the Complainant and Respondent notice and an opportunity to present witnesses and evidence, and assure equal and timely access to the information that will be used in determining whether a Policy violation has occurred. The University applies the Preponderance of the Evidence standard when determining whether this Policy has been violated. "Preponderance of the Evidence" means that it is more likely than not that a Policy violation occurred.

A. WHERE THE RESPONDENT IS A STUDENT

Except as noted in Section III E, below, the procedures for responding to reports of Prohibited Conduct committed by Students are detailed in *Responsibilities of Community Life: The Student Code* ("The Student Code") (<http://community.uconn.edu/the-student-code-preamble/>).

B. WHERE THE RESPONDENT IS AN EMPLOYEE

The procedures for responding to reports of Prohibited Conduct committed by Employees are detailed in OIE's Complaint Processes (<http://www.equity.uconn.edu/discrimination/complaint-procedures/>).

C. WHERE THE RESPONDENT IS BOTH A STUDENT AND AN EMPLOYEE

Each situation will be evaluated for context and the University will determine which of the procedures applies based on the facts and circumstances (such as which role predominates in the context of the alleged Prohibited Conduct). The Student-Respondent procedures typically will apply to graduate students except in those cases

² UConn recognizes that an individual may choose to self-identify as a victim or a survivor. For consistency in this Policy, the University uses the term Complainant to maintain the neutrality of the Policy and procedures.

where the graduate student's assistantship role predominated in the context of the Prohibited Conduct. Further, where a Respondent is both a Student and an Employee (including but not limited to graduate students), the Respondent may be subject to any of the sanctions applicable to Students or Employees.

D. WHERE THE RESPONDENT IS A THIRD PARTY

The University's ability to take appropriate corrective action against a Third Party will be determined by the nature of the relationship of the Third Party to the University. The University will determine the appropriate manner of resolution consistent with the University's commitment to a prompt and equitable process under federal law, federal guidance, and this Policy.

E. WHERE THE RESPONDENT IS A UCONN HEALTH STUDENT, EMPLOYEE OR THIRD PARTY

Parties should contact the UConn Health Office of Institutional Equity by calling (860) 679-3563 or email: equity@uconn.edu. UConn's *Responsibilities of Community Life: The Student Code* does not apply to students enrolled in MD or DMD/DDS degree programs at UConn Health.

IV. TITLE IX COORDINATOR

Under Title IX:

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 Title IX Coordinator is charged with monitoring the University's compliance with Title IX, ensuring appropriate education and training, coordinating the University's investigation, response, and resolution of all reports under this Policy, and ensuring appropriate actions to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The Office of Institutional Equity oversees reports involving Students, Employees, and Third Parties. The University has also designated Deputy Title IX Coordinators who may assist the Title IX Coordinator in the discharge of these responsibilities. The Title IX Coordinator and Deputy Title IX Coordinators receive ongoing appropriate training to discharge their responsibilities.

Concerns about the University's application of Title IX may be addressed to the Title IX Coordinator. Additionally, concerns about the University's application of Title VII and/or other federal and state anti-discrimination laws may be addressed to the Office of Institutional Equity.

The Title IX Coordinator and Deputy Title IX Coordinators can be contacted by telephone, email, or in person during regular office hours:

Elizabeth A. Conklin

Associate Vice President, Office of Institutional Equity

Title IX Coordinator

Storrs: Wood Hall, First Floor

UConn Health: Munson Road, Fourth Floor

elizabeth.conklin@uconn.edu

(860) 486-2943

Sarah Chipman

Director of Investigations, Office of Institutional Equity

Deputy Title IX Coordinator

Storrs: Wood Hall, First Floor

UConn Health: Munson Road, Fourth Floor

sarah.chipman@uconn.edu

(860) 486-2943

External reporting options include the United States Department of Education, Clery Act Compliance Team (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at OCR@ed.gov or (800) 421-3481); the Equal Employment Opportunity Commission (at info@eeoc.gov or (800) 669-4000); and/or the Connecticut Commission on Human Rights and Opportunities ((800)-477-5737).

V. UNDERSTANDING THE DIFFERENCE BETWEEN PRIVACY AND CONFIDENTIALITY

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this Policy. The University also is committed to providing assistance to help Students, Employees, and Third Parties make informed choices. With respect to any report under this Policy, the University will take reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

Privacy and confidentiality have distinct meanings under this Policy.

Privacy: Privacy means that information related to a report of Prohibited Conduct will be shared with University Employees who need to know the information in order to assist individuals identified as having been impacted by the alleged conduct in the assessment, investigation, and resolution of the report. All Employees who are involved in the University's response to reports of Prohibited Conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.

The privacy of Student education records will be protected in accordance with relevant

privacy laws including the Family Educational Rights and Privacy Act (“FERPA”), as outlined in the University’s FERPA policy. (<http://policy.uconn.edu/2011/05/24/ferpa-policy/>).

Confidentiality: Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under Connecticut law. The University has designated individuals who have the ability to have privileged communications as “Confidential Employees.” When information is shared by an individual with a Confidential Employee or a community professional with the same legal protections, the Confidential Employee (and/or such community professional) cannot reveal the information to any third party except where required or permitted by law. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

VI. EMPLOYEE REPORTING RESPONSIBILITIES

A. TITLE IX REPORTING OBLIGATIONS

Most University employees are required to immediately report information about certain types of Prohibited Conduct involving any Student to the University’s Office of Institutional Equity.³ An Employee’s responsibility to report under this Policy is governed by their role at the University. The University designates every Employee as either a Confidential Employee or a Responsible Employee.

Confidential Employee: Any Employee who is entitled under state law to have privileged communications. Confidential Employees will not disclose information about Prohibited Conduct to the University without the permission of the Student or Employee (subject to the exceptions set forth in the Confidentiality section of this Policy). Confidential Employees at the University of Connecticut include:

- Student Health Services
- Counseling and Mental Health Services
- Employee Assistance Program

Responsible Employee: Any Employee who is not a Confidential Employee, and

³ Although this Policy is directed primarily to disclosures by Students, as explained herein certain supervisory employees are obligated to report disclosures about all types of Prohibited Conduct involving a University employee.

certain categories of student employees. Responsible Employees include (but are not necessarily limited to) Faculty and Staff, Resident Assistants, Post-Doctoral Research Assistants, Graduate Teaching Assistants, Graduate Research Assistants, and any student-employees serving as Campus Security Authorities (CSAs) when disclosures are made to any of them in their capacities as Employees.

Responsible Employees are required to immediately report to the University's Office of Institutional Equity all relevant details (obtained directly or indirectly) about an incident of Sexual Assault, Intimate Partner Violence and/or Stalking (as defined in Section IX, below) that involves any Student as a Complainant, Respondent, and/or witness, including dates, times, locations, and names of parties and witnesses.⁴ Reporting is required when the Responsible Employee knows (by reason of a direct or indirect disclosure) of such Sexual Assault, Intimate Partner Violence, and/or Stalking. Reporting is required when a student is reported to have been involved in such an incident, regardless of the date, location (on or off campus) or identities of other parties alleged to have been involved in the incident. This manner of reporting may help inform the University of the general extent and nature of allegations of Prohibited Conduct on and off campus so the University can track patterns, evaluate the scope of the problem, formulate appropriate campus-wide responses, and ensure that impacted students are provided with information about reporting options and support resources.

Responsible Employees are not required to report information disclosed (1) at public awareness events (*e.g.*, "Take Back the Night," candlelight vigils, protests, "survivor speak-outs" or other public forums in which Students may disclose incidents of Prohibited Conduct; collectively, "Public Awareness Events"); (2) during a Student's participation as a subject in an Institutional Review Board-approved human subjects research protocol ("IRB Research"); or (3) as part of coursework submitted to an instructor in connection with a course assignment. Even in the absence of such obligation, all Employees are encouraged to contact the Title IX Coordinator if they become aware of information that suggests a safety risk to the University community or any member thereof. The University may provide information about Students' Title IX and/or other civil rights and about available University and community resources and support at Public Awareness Events, however, and Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all Student subjects of IRB Research.

Dean, Director, Department Head, and Supervisor Responsibility to Report Prohibited Conduct Where Either the Complainant or the Respondent is an

⁴ While Employees are encouraged to report any form of Prohibited Conduct, only Sexual Assault, Intimate Partner Violence and Stalking **must** be reported under this Policy.

Employee. Under this Policy, Deans, Directors, Department Heads and Supervisors are required to report to the Office of Institutional Equity all relevant details about an incident of Prohibited Conduct⁵ (including but not limited to discrimination, discriminatory harassment, sexual harassment, and/or retaliation) where either the Complainant or the Respondent is an Employee. Reporting is required when such Deans, Directors, Department Heads and Supervisors know (by reason of direct or indirect disclosure) or should have known of such Prohibited Conduct.

All University Employees are strongly encouraged to report to the law enforcement any conduct that could potentially present a danger to the community or may be a crime under Connecticut law.

B. CLERY REPORTING OBLIGATIONS

Under the Clery Act, certain University employees are designated as Campus Security Authorities. CSAs generally include individuals with significant responsibility for campus security or student and campus activities. Based on information reported to CSAs, the University includes statistics about certain criminal offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain reported crimes that may pose a serious or continuing threat to Students and Employees. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

C. CHILD ABUSE REPORTING OBLIGATIONS

All University Employees except student employees are **mandated reporters** of child abuse or neglect as defined by Connecticut General Statutes Section 17a-101(b) and must comply with Connecticut's mandated reporting laws. See Connecticut General Statutes Sections 17a-101a to 17a-101d. All University Employees should refer to UConn's Protection of Minors and Reporting of Child Abuse and Neglect Policy (<http://policy.uconn.edu/?p=6754>) for detailed definitions and reporting information.

VII. COMPLAINANT OPTIONS FOR REPORTING PROHIBITED CONDUCT

A Complainant may choose to report to the University and/or to law enforcement when alleged Prohibited Conduct may also constitute a crime under the applicable laws. These two reporting options are not mutually exclusive. Therefore, Complainants may choose to pursue both the

⁵ These supervisory employees are required to report **all** forms of Prohibited Conduct where the Complainant or Respondent is an Employee.

University process and the criminal process concurrently. The University will support Complainants in understanding, assessing and pursuing these options.

The first priority for any individual should be personal safety and well-being. In addition to seeking immediate medical care, the University encourages all individuals to seek immediate assistance from 911, UConn Police, and/or local law enforcement. This is the best option to ensure preservation of evidence. The University also strongly urges that law enforcement be notified immediately in situations that may present imminent or ongoing danger.

A. REPORTING TO LAW ENFORCEMENT

Conduct that violates this Policy may also constitute a crime under the laws of the jurisdiction in which the incident occurred. For example, the State of Connecticut criminalizes and punishes some forms of Sexual Assault, Intimate Partner Violence, Sexual Exploitation, Stalking, and Physical Assault. See Title 53a of the Connecticut General Statutes for the State of Connecticut's Penal Code (https://www.cga.ct.gov/current/pub/title_53a.htm). Whether or not any specific incident of Prohibited Conduct may constitute a crime is a decision made solely by law enforcement. Similarly, the decision to arrest any individual for engaging in any incident of Prohibited Conduct is determined solely by law enforcement and not the University. Such decisions are based on a number of factors, including availability of admissible evidence.

Complainants have the right to notify or decline to notify law enforcement. In keeping with its commitment to take all appropriate steps to eliminate, prevent, and remedy all Prohibited Conduct, the University urges Complainants (or others who become aware of potential criminal conduct) to report Prohibited Conduct immediately to local law enforcement by contacting:

- i. 911 (for emergencies)
- ii. University Police (for non-emergencies):
 1. **Storrs and Regional Campuses** (860) 486-4800
 2. **UConn Health** (860) 679-2121
- iii. State Police (for conduct occurring off campus in Connecticut) (800) 308-7633

Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking protective and restraining orders. Although a police report may be made at any time, Complainants should be aware that delayed reporting may diminish law enforcement's ability to take certain actions, including collecting forensic evidence and making arrests. The University will assist Complainants in notifying law enforcement if they choose to do so. Under limited circumstances posing a threat to health or safety of any University community member, the University may independently notify law enforcement.

B. REPORTING TO THE UNIVERSITY

Complainants (or others who become aware of an incident of Prohibited Conduct) are encouraged to report the incident to the University through the following reporting options:

By contacting the Office of Institutional Equity by telephone, email, or in person during regular office hours (8am-5pm, M-F):

Office of Institutional Equity (Storrs and Regionals)
Wood Hall, First Floor
241 Glenbrook Road
Storrs, Connecticut
(860) 486-2943
equity@uconn.edu
www.titleix.uconn.edu
www.equity.uconn.edu

Office of Institutional Equity (UConn Health)
16 Munson Road, 4th Floor
Farmington, Connecticut
(860) 679-3563
equity@uconn.edu
www.equity.uconn.edu

There is no time limit to report Prohibited Conduct to the University under this Policy;⁶ however, the University's ability to respond may diminish over time, as evidence may erode, memories may fade, and Respondents may no longer be affiliated with the University. If the Respondent is no longer affiliated with the University, the University will provide reasonably appropriate remedial measures, assist the Complainant in identifying external reporting options, and take reasonable steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

The University will not pursue disciplinary action against Complainants or witnesses for disclosure of illegal personal consumption of drugs or alcohol where such disclosures are made in connection with a good faith report or investigation of Prohibited Conduct.

VIII. ACCESSING CAMPUS AND COMMUNITY RESOURCES

⁶ This statement does not relieve Responsible Employees of their obligation to report Sexual Assault, Intimate Partner Violence and/or Stalking involving a Student immediately to the Office of Institutional Equity.

The University offers a wide range of resources to provide support and guidance to Students and Employees in response to any incident of Prohibited Conduct. Comprehensive information on accessing University and community resources is contained online at the following sites:

- Sexual assault, sexual exploitation, intimate partner violence, sexual or gender-based harassment, and stalking: www.titleix.uconn.edu
- Discrimination and discriminatory harassment where the Respondent is an Employee or Third Party: www.equity.uconn.edu
- Related violations of *The Student Code* where the Respondent is a Student: www.community.uconn.edu

Available resources include: emergency and ongoing assistance; health, mental health, and victim-advocacy services; options for reporting Prohibited Conduct to the University and/or law enforcement; and available support with academics, housing, and employment.

The University offers a wide range of resources for Students and Employees, whether as Complainants or Respondents, to provide support and guidance throughout the submission, investigation, and resolution of a report of Prohibited Conduct. The University will offer reasonable and appropriate measures to individuals impacted by an allegation of Prohibited Conduct in order to facilitate their continued access to University employment or education programs and activities. These measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (designed to reduce the risk of harm to an individual or community). Remedial and protective measures, which may be temporary or permanent, may include no-contact directives, on-campus residence modifications, academic modifications and support, work schedule modifications, suspension from employment, and pre-disciplinary leave (with or without pay). Remedial measures are available regardless of whether a Complainant pursues a complaint or investigation under this Policy and may continue regardless of the outcome of an investigation if reasonable and appropriate.

The University will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures. The University has the discretion to impose and/or modify any remedial or protective measure based on all available information.

The University will provide reasonable remedial and protective measures to Third Parties as appropriate and available, taking into account the role of the Third Party and the nature of any contractual relationship with the University.

IX. PROHIBITED CONDUCT UNDER THIS POLICY⁷

Conduct under this Policy is prohibited regardless of the sex, sexual orientation and/or gender identity/expression of the Complainant or Respondent. Prohibited Conduct includes the following specifically defined forms of behavior: Discrimination, Discriminatory Harassment, Sexual or Gender-Based Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, Complicity, and Retaliation.

A. DISCRIMINATION

Discrimination is any unlawful distinction, preference, or detriment to an individual that is based upon an individual's race, color, ethnicity, religious creed, age, sex, marital status, national origin, ancestry, sexual orientation, genetic information, physical or mental disabilities (including learning disabilities, intellectual disabilities, past/present history of a mental disorder), veteran status, prior conviction of a crime, workplace hazards to reproductive systems, gender identity or expression, or membership in other protected classes set forth in state or federal law and that: (1) excludes an individual from participation; (2) denies the individual the benefits of; (3) treats the individual differently; or (4) otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a University program or activity.

Discrimination includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities. The University of Connecticut is committed to achieving equal educational and employment opportunity and full participation for persons with disabilities. See Policy Statement: People with Disabilities (<http://policy.uconn.edu/2011/05/24/people-with-disabilities-policy-statement/>).

B. DISCRIMINATORY HARASSMENT

Discriminatory Harassment consists of verbal, physical, electronic, or other conduct based upon an individual's race, color, ethnicity, religious creed, age, sex, marital status, national origin, ancestry, sexual orientation, genetic information, physical or mental disabilities (including learning disabilities, intellectual disability, past/present history of a mental disorder), veteran status, prior conviction of a crime, workplace hazards to reproductive systems, gender identity or expression, or membership in other protected classes set forth in state or federal law that interferes with that individual's educational or employment opportunities, participation in a University program or activity, or receipt of legitimately-requested services or benefits. Such conduct is a violation of this Policy when the circumstances demonstrate the existence of either *Hostile Environment Harassment* or *Quid Pro Quo Harassment*, as defined below.

⁷ These definitions may overlap with Connecticut criminal statutes in some cases, and provide greater protection in other instances. Connecticut's Penal Code may be found in Title 53a of the Connecticut General Statutes. (https://www.cga.ct.gov/current/pub/title_53a.htm)

Hostile Environment Harassment: Discriminatory Harassment that is so severe, persistent or pervasive that it unreasonably interferes with, limits, deprives, or alters the conditions of education (e.g., admission, academic standing, grades, assignment); employment (e.g., hiring, advancement, assignment); or participation in a University program or activity (e.g., campus housing, official University list-servs or other University-sponsored platforms), when viewed from both a subjective and objective perspective.

Quid Pro Quo Harassment: Discriminatory Harassment where submission to or rejection of unwelcome conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education (e.g., admission, academic standing, grades, assignment); employment (e.g., hiring, advancement, assignment); or participation in a University program or activity (e.g., campus housing).

Discriminatory Harassment may take many forms, including verbal acts, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be humiliating or physically threatening.

C. SEXUAL OR GENDER-BASED HARASSMENT

Sexual Harassment is unwelcome conduct of a sexual nature. This may include, but is not limited to, unwanted sexual advances, requests for sexual favors, inappropriate touching, acts of sexual violence, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, written or otherwise. Such conduct is a violation of this Policy when the conditions for *Hostile Environment Harassment* or *Quid Pro Quo Harassment* are present, as defined above.

Gender-Based Harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, written or otherwise, even if the acts do not involve conduct of a sexual nature. Such conduct is a violation of this Policy when the conditions for *Hostile Environment Harassment* or *Quid Pro Quo Harassment* are present, as defined above.

D. SEXUAL ASSAULT

Sexual Assault consists of (1) Sexual Contact and/or (2) Sexual Intercourse that occurs without (3) Consent.

1. **Sexual Contact** (or attempts to commit) is the intentional touching of another person's intimate body parts, clothed or unclothed, if that intentional touching can reasonably be construed as having the intent or purpose of obtaining sexual arousal or gratification.

2. **Sexual Intercourse** (or attempts to commit) is any penetration, however slight, of a bodily orifice with any object(s) or body part. Sexual Intercourse includes vaginal or anal penetration by a penis, object, tongue or finger, or any contact between the mouth of one person and the genitalia of another person.
3. **Consent** is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or other drugs both voluntarily or involuntarily consumed may not give consent. Past consent of sexual activity does not imply ongoing future consent.

Consent cannot be given if any of the following are present: A. Force, B. Coercion or C. Incapacitation.

- A. **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and/or coercion that overcome resistance.
- B. **Coercion** is unreasonable pressure for sexual activity. Coercion is more than an effort to persuade, entice, or attract another person to have sex. Conduct does not constitute coercion unless it wrongfully impairs an individual's freedom of will to choose whether to participate in the sexual activity.
- C. **Incapacitation** is a state where an individual cannot make rational, reasonable decisions due to the debilitating use of alcohol and/or other drugs, sleep, unconsciousness, or because of a disability that prevents the individual from having the capacity to give consent. Intoxication is not incapacitation and a person is not incapacitated merely because the person has been drinking or using drugs. Incapacitation due to alcohol and/or drug consumption results from ingestion that is more severe than impairment, being under the influence, drunkenness, or intoxication. The question of incapacitation will be determined on a case-by-case basis. Being intoxicated or incapacitated by drugs, alcohol, or other medication will not be a defense to any violation of this Policy.

E. SEXUAL EXPLOITATION

Sexual Exploitation is taking advantage of a person due to their sex and/or gender identity for personal gain or gratification. It is the abuse of a position of vulnerability, differential power, or trust for sexual purposes. Examples include, but are not limited to:

- Recording, photographing, disseminating, and/or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts, or buttocks) without consent;
- Threatening to disseminate sensitive personal materials (e.g. photos, videos) by any means to any person or entity without consent;
- Allowing third parties to observe private sexual activity from a hidden location without consent (for example through a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images));
- Fetish behaviors including stealing articles of clothing for personal gain and/or satisfaction;
- Manipulation of contraception;
- Peeping or voyeurism;
- Prostituting another person; or
- Intentionally or knowingly exposing another person to a sexually transmitted infection or virus without the other's knowledge.

F. INTIMATE PARTNER VIOLENCE

Intimate Partner Violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence may include any form of Prohibited Conduct under this Policy, including Sexual Assault, Stalking (as defined herein) and/or physical assault. Intimate Partner Violence may involve a pattern of behavior used to establish power and control over another person through fear and intimidation, or may involve one-time conduct. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person. This behavior can be verbal, emotional and/or physical.

G. STALKING

Stalking means engaging in a course of conduct directed at a specific individual that would cause a reasonable person to fear for their safety or the safety of others, or for the individual to suffer substantial emotional distress.

Stalking includes unwanted, repeated, or cumulative behaviors that serve no purpose other than to threaten, or cause fear for another individual.

Common stalking acts include, but are not limited to: harassing, threatening or obscene phone calls, excessive and/or threatening communication, following, vandalism of personal property, and/or leaving/giving unwanted gifts or objects. Stalking includes cyberstalking.

H. RETALIATION

Retaliation means any adverse action taken against a person for making a good faith report of Prohibited Conduct or participating in any proceeding under this Policy, including requesting remedial and/or protective measures. Retaliation includes threatening, intimidating, harassing, coercing, interfering with potential witnesses or a potential proceeding under this Policy, or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

Retaliation can include, but is not limited to, actions taken by the University, actions taken by one Student against another Student, actions taken by an Employee against another Employee or Student, or actions taken by a Third Party against a Student or Employee. *See the University’s Non-Retaliation Policy* [<http://policy.uconn.edu/2011/05/24/non-retaliation-policy/>].

I. COMPLICITY

Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

X. INAPPROPRIATE AMOROUS RELATIONSHIPS

For the purposes of this Policy, “amorous relationships” are defined as intimate, sexual, and/or any other type of amorous encounter or relationship, whether casual or serious, short-term or long-term.

A. INSTRUCTIONAL/STUDENT CONTEXT

All faculty and staff must be aware that amorous relationships with students are likely to lead to difficulties and have the potential to place faculty and staff at great personal and professional risk. The power difference inherent in the faculty-student or staff-student relationship means that any amorous relationship between a faculty or staff member and a student is potentially exploitative or could at any time be perceived as exploitative and should be avoided. Faculty and staff engaged in such relationships should be sensitive to the continuous possibility that they may unexpectedly be placed in a position of responsibility for the student’s instruction or evaluation. In the event of a charge of Sexual Harassment arising from such circumstances, the University will in general be unsympathetic to a defense based upon consent when the facts establish that a faculty-student or staff-student power differential existed within the relationship.

1. Undergraduate Students

Subject to the limited exceptions herein, all members of the faculty and staff are prohibited from pursuing or engaging in an amorous relationship with any undergraduate student.

2. Graduate Students

With respect to graduate students (including but not limited to Master's, Law, Doctoral, Medical, Dental and any other post-baccalaureate students), all faculty and staff are prohibited from pursuing or engaging in an amorous relationship with a graduate student under that individual's authority. Situations of authority include, but are not limited to: teaching; formal mentoring or advising; supervision of research and employment of a student as a research or teaching assistant; exercising substantial responsibility for grades, honors, or degrees; and involvement in disciplinary action related to the student.

Students and faculty/staff alike should be aware that pursuing or engaging in an amorous relationship with any graduate student will limit the faculty or staff member's ability to teach, mentor, advise, direct work, employ and promote the career of the student involved with them in an amorous relationship.

3. Graduate Students in Positions of Authority

Like faculty and staff members, graduate students may themselves be in a position of authority over other students, for example, when serving as a teaching assistant in a course or when serving as a research assistant and supervising other students in research. The power difference inherent in such relationships means that any amorous relationship between a graduate student and another student over whom they have authority (undergraduate or graduate) is potentially exploitative and should be avoided. All graduate students currently or previously engaged in an amorous relationship with another student are prohibited from serving in a position of authority over that student. Graduate students also should be sensitive to the continuous possibility that they may unexpectedly be placed in a position of responsibility for another student's instruction or evaluation.

4. Pre-existing Relationships with Any Student

The University recognizes that an amorous relationship may exist prior to the time a student enrolls at the University or, for amorous relationships with graduate students, prior to the time the faculty or staff member is placed in a position of authority over the graduate student. The current or prior existence of such an amorous relationship must be disclosed to the Office of Institutional Equity by the employee in a position of authority immediately if the student is an undergraduate, and prior to accepting a supervisory role of any type over any graduate student.

All faculty and staff currently or previously engaged in an amorous relationship with a student are prohibited from the following unless effective steps have been taken in conjunction with Labor Relations and the applicable dean or vice president to eliminate any potential conflict of interest in accordance with this Policy: teaching; formal mentoring or advising; supervising research; exercising responsibility for grades, honors, or degrees; considering disciplinary action involving the student; or employing the student in any capacity - including but not limited to student employment and internships, work study, or as a research or teaching assistant.

Similarly, all graduate students currently or previously engaged in an amorous relationship with another student are prohibited from serving in a position of authority over that student.

5. If an Amorous Relationship Occurs with Any Student

If, despite these warnings, a faculty member, staff member, or graduate student becomes involved in an amorous relationship with a student in violation of this Policy, the faculty member, staff member, or graduate student must disclose the relationship immediately to the Office of Institutional Equity. Absent an extraordinary circumstance, no relationships in violation of this Policy will be permitted while the student is enrolled or the faculty or staff member is employed by the University. In most cases, it will be unlikely that an acceptable resolution to the conflict of interest will be possible, and the faculty or staff member's employment standing or the graduate student's position of authority may need to be adjusted until they no longer have supervisory or other authority over the student.

In addition to the amorous relationship itself, a faculty, staff or graduate student's failure to report the existence of an inappropriate amorous relationship with a student is also a violation of this Policy. The University encourages immediate self-reporting, and will consider this factor in the context of any resolution that may be able to be reached.

B. EMPLOYMENT CONTEXT

Amorous relationships between supervisors and their subordinate employees often adversely affect decisions, distort judgment, and undermine workplace morale for all employees, including those not directly engaged in the relationship. Any University employee who participates in supervisory or administrative decisions concerning an employee with whom they have or has had an amorous relationship has a conflict of interest in those situations. These types of relationships, specifically those involving spouses and/or individuals who reside together, also may violate the State Code of Ethics for Public Officials as well as the University's Policy on Employment and Contracting for Service of Relatives.

Accordingly, the University prohibits all faculty and staff from pursuing or engaging in amorous relationships with employees whom they supervise. No supervisor shall initiate or participate in institutional decisions involving a direct benefit or penalty (employment, retention, promotion, tenure, salary, leave of absence, etc.) to a person with whom that individual has or has had an amorous relationship. The individual in a position of authority can be held accountable for creating a sexually hostile environment or failing to address a sexually hostile environment and thus should avoid creating or failing to address a situation that adversely impacts the working environment of others.

1. Pre-existing Amorous Relationships Between Supervisors and Subordinate Employees

The University recognizes that an amorous relationship may exist prior to the time an individual is assigned to a supervisor. Supervisory, decision-making, oversight, evaluative or advisory relationships for someone with whom there exists or previously has existed an amorous relationship is unacceptable unless effective steps have been taken to eliminate any potential conflict of interest in accordance with this Policy. The current or prior existence of such a relationship must be disclosed by the employee in a position of authority prior to accepting supervision of the subordinate employee to the Office of Institutional Equity. Labor Relations and the applicable dean or vice president will determine whether the conflict of interest can be eliminated through termination of the situation of authority. The final determination will be at the sole discretion of the relevant dean or vice president.

2. If an Amorous Relationship Occurs or has Occurred between a Supervisor and their Subordinate Employee

If, despite these warnings, a University employee enters into an amorous relationship with someone over whom they have supervisory, decision-making, oversight, evaluative, or advisory responsibilities, that employee must disclose the existence of the relationship immediately to the Office of Institutional Equity. Labor Relations and the applicable dean or vice president will determine whether the conflict of interest can be eliminated through termination of the situation of authority. The final determination will be at the sole discretion of the relevant dean or vice president. In most cases, it will be likely that an acceptable resolution to the conflict of interest will be possible. If the conflict of interest cannot be eliminated, the supervisor's employment standing may need to be adjusted. In addition to the amorous relationship itself, a supervisor's failure to report the existence of the relationship with a subordinate employee is also a violation of this Policy. The University encourages immediate self-reporting, and will consider this factor in the context of any resolution that may be able to be reached.

XI. PREVENTION, AWARENESS AND TRAINING PROGRAMS

The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming Students and new Employees receive primary prevention and awareness programming as part of their orientation, and returning Students and current Employees receive ongoing training and related education and awareness programs. The University provides training, education and awareness programs to Students and Employees to ensure broad understanding of this Policy and the topics and issues related to maintaining an education and employment environment free from harassment and discrimination.

For a description of the University's Prohibited Conduct prevention and awareness programs, including programs on minimizing the risk of incidents of Prohibited Conduct and bystander intervention, see the University's annual Clery reports (found online at: <http://publicsafety.uconn.edu/police/clery/about-clery/uconn-and-the-clery-act/>).

XII. OBLIGATION TO PROVIDE TRUTHFUL INFORMATION

All University community members are expected to provide truthful information in any report, investigation, or proceeding under this Policy. Submitting or providing false or misleading information in bad faith or in an effort to achieve personal gain or cause intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions under *The Student Code* (for Students), *The Code of Conduct* (for Employees), and any other applicable and appropriate University policy or policies. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

XIII. RELATED POLICIES

A. STUDENTS

Responsibilities of Community Life: The Student Code:

http://www.community.uconn.edu/student_code.html

B. EMPLOYEES AND THIRD PARTIES

Policy Statement: People With Disabilities: <http://policy.uconn.edu/?p=419>

Protection of Minors and Reporting of Child Abuse and Neglect Policy:

<http://policy.uconn.edu/?p=6754>

Non-Retaliation Policy: <http://policy.uconn.edu/?p=415>

Policy Statement: Affirmative Action and Equal Employment Opportunity:

<http://policy.uconn.edu/?p=102>

Age Act Policy: <http://policy.uconn.edu/?p=2007>

Code of Conduct (employees): <http://policy.uconn.edu/?p=140>

Code of Conduct for University of Connecticut Vendors: <http://policy.uconn.edu/?p=2718>
Policy on Employment and Contracting for Service of Relatives:
<http://policy.uconn.edu/?p=357>

XIV. POLICY REVIEW

This Policy is maintained by the Office of Institutional Equity (OIE). The University will periodically review and update this Policy and will evaluate, among other things, any changes in legal requirements, existing University resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed).

rev. 12/10/2018

2018 AFFIRMATIVE ACTION REPORT
Training Attendance by EEO

Sexual Harassment Prevention											
EEO	TOTAL	TOTAL MALE	TOTAL FEMALE	WM	WF	BM	BF	HM	HF	OM	OF
1 - Executive/ Administrative/ Managerial	4	1	3	0	3	0	0	1	0	0	0
2 - Faculty	99	57	42	33	29	6	0	7	3	11	10
3 - Professional/ Non-Faculty	336	135	201	98	161	9	12	5	12	23	16
4 - Secretarial/ Clerical	9	1	8	1	8	0	0	0	0	0	0
5 - Technical/ Paraprofessional	0	0	0	0	0	0	0	0	0	0	0
6 - Skilled Craft	3	3	0	3	0	0	0	0	0	0	0
7 - Service/ Maintenance	28	22	6	9	2	2	1	10	3	1	0
7B - Protective Services	45	42	3	32	2	5		5	1		
TOTAL	524	261	263	176	205	22	13	28	19	35	26

2018 AFFIRMATIVE ACTION REPORT
Training Attendance by EEO

Diversity Awareness											
EEO	TOTAL*	TOTAL MALE	TOTAL FEMALE	WM	WF	BM	BF	HM	HF	OM	OF
1 - Executive/ Administrative/ Managerial	5	2	3	1	3	0	0	1	0	0	0
2 - Faculty	111	63	48	38	32	6	0	5	2	14	14
3 - Professional/ Non-Faculty	337	138	199	100	160	10	12	7	11	21	16
4 - Secretarial/ Clerical	6	1	5	1	5	0	0	0	0	0	0
5 - Technical/ Paraprofessional	0	0	0	0	0	0	0	0	0	0	0
6 - Skilled Craft	2	2	0	2	0	0	0	0	0	0	0
7 - Service/ Maintenance	26	22	4	10	2	3	0	9	2	0	0
7B - Protective Services	39	36	3	27	2	4		5	1		
TOTAL	526	264	262	179	204	23	12	27	16	35	30