

# Norwalk Community College

## Annual Security Report 2016

Statistics from 2013—2015



**Norwalk Community College**

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## **OVERVIEW OF CAMPUS SECURITY**

### **PUBLIC SAFETY**

Norwalk Community College (NCC) strongly encourages students, faculty, and staff members to report all crimes, incidents and emergencies immediately to campus security personnel by dialing extension 77223 from any campus phone and at 203-857-7223 from any outside phone. All incidents or crimes reported to Campus Security will be reported, as necessary, to the College's Administration and to State and local authorities. Campus Security is available during all operational hours of the College, and are located strategically throughout each building.

#### **Campus Security**

To report any criminal or suspicious activities that occur on the grounds of NCC you should call Security at extension 77223 or the Director of Campus Safety and Security at extension 77219. The Norwalk Police Department or the Connecticut State Police will respond to calls from our College, when needed, and they will be on the scene having priority over Campus Security.

#### **Security and Access to Campus Facilities**

As a State owned facility, the buildings are open to the public during hours of operation. As a non-residential campus, NCC's facilities, functions, and hours of operation vary periodically and are posted on our website. Normal business hours are Monday – Thursday, 7 a.m. – 10 p.m., Friday, 7 a.m. – 5 p.m., Saturday, 7 a.m. – 5 p.m. and closed on Sundays.

The facilities are maintained and secured in the interest of students, faculty, and staff. Campus Security and Maintenance personnel periodically inspect the buildings, grounds, devices and systems to insure that our facilities are fully functional.

### **Campus Law Enforcement Policy**

Crime prevention is a top priority at Norwalk Community College. NCC's Campus Security has a close relationship with both local and State Police departments. All criminal incidents and crimes are referred to law enforcement agencies who have jurisdiction on the Campus.

NCC's Department of Campus Safety and Security is located in the main atrium of the East Campus at Information Desk. Security officers are stationed in the lobbies of the East Campus, West Campus, the Center for Information and Technology (C.I.T.) and the Health, Wellness & Science building. Routine patrols are continuously made throughout the buildings and parking lots.

The privately contracted and unarmed security force, Security Services of Connecticut, Inc. (SSC), operates under the guidance of the Chief Operating Officer. SSC, the vendor for campus security, is selected according to the rules and regulation of the State of Connecticut bidding process.

NCC's campus security personnel are not authorized to arrest or detain individuals, but are authorized to ask for identification and to determine whether individuals have a legitimate reason to access the campus.

### **Campus Security Authorities**

Campus Security Authorities (CSA) are tasked with reporting all allegations of *Clery Act* crimes to NCC's Director of Safety and Security, the person designated by the institution to collect all crime report information. CSA's are not responsible for determining whether a crime has taken place, or for trying to convince any alleged victims to contact law enforcement authorities

**NCC'S CAMPUS SECURITY AUTHORITIES**

Dean of Academics Affairs

Michael Butcaris- mbutcaris@norwalk.edu

203-857-7191/W103

Director of Safety and Security

Robert Studivant –rstudivant@norwalk.edu

203-857-7219/East Campus Information Desk

Dean of Students

Calvin McFadden - cmcfadden@norwalk.edu

203-857-7369/E216

Director of Counseling Center

Catherine Miller –cmiller@norwalk.edu

203-857-7033/E104

Chief Operating Officer

Therese Marrocco - tmarrocco@norwalk.edu

203-857-7311/E306

Director of Student Activities

Javon Noblin –jnoblin@norwalk.edu

203-857-7249/W112

Chief Diversity Officer, Advisor to the

President (Title IX Coordinator)

Cheryl DeVonish- cdevonish@norwalk.edu

203-857-7016/E315

Dean of Institutional Effectiveness

Vanessa Morest –vmorest@norwalk.edu

203-857-3368/E312

**Crime Prevention and Security Awareness Programs**

Crime prevention and awareness is a top priority for NCC. Campus Security provides campus patrols continuously during business operating hours and will escort you to your car. Members of the campus community may call or come to the security station if this service is needed. Additionally, through both regularly hosted events and the counseling center, the College provides students constant access to a variety of information and programs aimed at enhancing safety and wellness. Some of these programs include:

**Monthly Security Flyer-** Each month, Norwalk Community College and campus security release the Campus Security Newsletter, offering students safety news and tips. The newsletter also includes campus safety updates as well as providing students with security contact information.

**Take a Stand Campaign - April****Clothesline Project – Airing Your Dirty Laundry –**

This event hosted by the Student Activities and Wellness Departments features a graphical display of student decorated shirts expressing their emotional creativity in support of victims of abuse and violence.

**Culturally Relevant Responses for Latinx Survivors of Sexual Violence**

November 6, 2015. Presented by Susan Delaney, Director of Medical Advocacy and Training at the Domestic Violence Crisis Center (DVCC). Susan has over 25 years' experience in the area of domestic violence and will speak to us about the domestic violence cycle, dynamics and prevalence of domestic violence, and laws relating to domestic violence. Ms. Delaney also provided handouts that will be useful to us crisis responders. In total, 35 individuals attended the workshop.

**Domestic Violence - January 2015**

The Domestic Violence Crisis Center (**DVCC**), as well as The Center for Sexual Assault Crisis Counseling and Education (**The Agency**), were contracted to provide training on domestic violence and stalking in accordance with Public Act 14-11. They provided trauma-informed services to students and employee victims of domestic violence and stalking, and aimed to improve the overall response to domestic violence and stalking at the College.

**Preventing and Responding to Intimidate Partner Violence on Campus**

January 13, 2015, Interim Dean Carol Smith-Harker attended a training entitled “Preventing and Responding to Intimidate Partner Violence on Campus” and received a certificate of attendance.

**Responding to Victims of Sexual Violence** - January 20, 2015, guest speaker Setta Mushegian, M.S.W., Director of Counseling and Advocacy for the Center for Sexual Assault Crisis Counseling and Education in Stamford, CT, presented a program entitled “Responding to Victims of Sexual Violence”. The training program educated faculty and staff about Federal Title IX legislation, as it relates to victims of sexual harassment or violence. Mushegian advised faculty and staff on how to respond to student disclosure about abuse or violence, and also cited confidential resources available for students on campus and through the Center for Sexual Assault.

**Haven-Understanding Sexual Assault** - March 19, 2015, the Director of Human Resources sent out a notice informing Staff & Faculty of a mandatory E-Training titled “Haven—Understanding Sexual Assault” that was required to be completed by May 1, 2015. This training is an overview of sexual assault, dating violence, domestic violence, stalking and sexual harassment and the impact they have on students and employees. The training covered awareness and prevention of these offenses and provided information about how to respond and to give information about policies and resources available at NCC.

**Annual Health & Wellness Fair** - March 25, 2015, more than 20 booths were staffed by representatives from area hospitals, agencies, clinics, individual practices and related NCC student club and organizations, including The Center for Sexual Assault Crisis Counseling and Education. Information on a wide variety of health and wellness matters were available, as well as several different health screenings and demonstrations.

### **Clery Act**

In 1990, Congress enacted the *Crime Awareness and Campus Security Act* (Title II of Public Law 101–542), which amended the *Higher Education Act of 1965* (HEA). In 1998, amendments renamed the law the “*Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*” in memory of a student who was slain in her dorm room in 1986, and required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information.



The *Clery Act* requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees and to make public their campus security policies. It also requires that crime data is collected, reported and disseminated to the campus community and is also submitted to the United States Department of Education ([www.ed.gov](http://www.ed.gov)). The act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

Our college strives to provide a safe and respectful environment to all students, faculty, staff and visitors. By continuously seeking to foster a peaceful and safe, learning environment. By working closely with the community and state law enforcement, Norwalk Community College maintains a zero-tolerance policy for all reported crimes.

### **Clery Act Revisions**

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA), which, among other provisions, amended sections of the Jeanne Clery Act. Most notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their Annual Security Reports.

### **Description and Compliance**

To be in compliance with Clery Act regulations, NCC has several obligations. These obligations fall into three main categories: 1) policy disclosure; 2) records collection and retention; and 3) information dissemination.

The Annual Security Report is available to the NCC community after October 1st of each year and can be found on-line at the College's website, [www.norwalk.edu/pdf/annualsecurityreport.pdf](http://www.norwalk.edu/pdf/annualsecurityreport.pdf), or a copy can be requested at the East Campus Security Desk. A copy of this report, for your review, can be found in the following offices: President, Deans, Admissions, Financial Aid, Human Resources, Library, Student Activities, and all Security Desks.

NCC's Department of Campus Security is located at the East Campus Information Desk. Security officers are stationed in the lobbies of the East Campus, West Campus C.I.T. and the Health Wellness & Science building. Routine patrols are made through the buildings and the parking lots.

Crime statistics are reported annually to the US Department of Education. The information found in the Annual Security Report is produced from that report. Data is collected from the following sources: Campus Incident Reports, Campus Security authorities, City of Norwalk Police Department and the Connecticut State Police Department. Individuals filing reports are kept confidential unless required by law for the health and safety of the reporter or public at large.

### **Collecting the Data**

The *Clery Act* mandates that institutions disclose statistics for crimes be reported to local police agencies and to campus security authorities. The intent of including non-law enforcement personnel (Campus Security Authorities) is to acknowledge that many individuals and students, in particular, are hesitant about reporting crimes to the police; however, they may be more inclined to report incidents to other campus-affiliated individuals. In any case, the victim and the campus-affiliated individual who is acting as a Campus Security Authority must know their responsibilities under the Clery Act crime reporting so that no crime will be ignored.

Additionally, the Act requires that an institution make a reasonable, good-faith effort to obtain the required statistics and may rely on the information supplied by a local or state police agency. NCC collects the data from Campus Security reports, the City of Norwalk Police Department and the State of Connecticut Police Department.

### **Daily Crime Log – Disclosure of Crime Statistics**

The Clery Act requires institutions to maintain a record of all incidents and crimes in a Daily Crime Log. The Log is available to the public for review at the Information Desk in the East Campus and is maintained by Campus Security. The crime log contains:

- A crime is entered into the Log when it is reported to the Campus Security Department. If a crime is initially reported to a Campus Security Authority other than the Security Department, it is not recorded in the Crime Log until it is subsequently brought to the attention of Campus Security personnel.
- Crime Log entries include all crimes reported to the Campus Security Department, not just Clery Act crimes.
- In addition to recording reported crimes that occurred on campus, crimes in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campus.

**Crime Statistics**

	On Campus			Non Campus			Public Property		
Criminal Offense	2013	2014	2015	2013	2014	2015	2013	2014	2015
Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Forcible Sex Offense	0	0	0	0	0	0	0	0	0
Non Forcible Sex Offense	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	1	0	0	0	0	0	0	0	0

	On Campus			Non Campus			Public Property		
Arrests and Disciplinary Actions	2013	2014	2015	2013	2014	2015	2013	2014	2015
Illegal Weapons Possession	0	1	0	0	0	0	0	0	0
Drug Abuse Violations	0	1	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0

	On Campus			Non Campus			Public Property		
Hate Crimes	2013	2014	2015	2013	2014	2015	2013	2014	2015
Larceny/ Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/ Damage/ Vandalism	0	0	0	0	0	0	0	0	0

	# of Incidences			# of Disclosures		
Incidences of Sexual Violence			2015			2015
Sexual Assault			0			0
Stalking			0			0
Intimate Partner Violence			0			0

This institution does not provide on-campus housing and the following disclosures do not apply to this institution:

- Fire safety
- Missing students

## Geography of Locations

Norwalk Community College is an institution composed of two main buildings located on each side of Richards Ave. in Norwalk, CT. Each building is respectively named East and West Campus. Both East and West Campus are surrounded by public and private properties.

All public roads, paths or portions of public property that are contiguous to NCC's Campus will be reported for Clery Act on-campus crime. Public properties that immediately border or are accessible from the campus will be considered as Campus Security Authority Jurisdiction for the Clery Act on-campus crime reporting. The map of locations follows on page 37.

## Title IX

*Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. provides in part:*

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. Norwalk Community College's Chief Diversity Officer and Advisor to the President, serves as the College's Title IX Coordinator. The Title IX Coordinator is the individual responsible for overseeing all sexual misconduct complaints and to identify and address any patterns or systemic problems that arise during the review of such complaints. In addition, the Title IX Coordinator shall:

- A. Act as a liaison between the parties and the Norwalk Community College community.

- B. Review all evidence in a sexual misconduct case brought before Norwalk Community College's Hearing Committee to determine whether the complainant is entitled to a remedy under Title IX that was not available through the Hearing Committee.
- C. Organize the Activities of the Hearing Committee.
- D. Communicate regularly with law enforcement and other campus officials investigating cases and provide information to law enforcement unit personnel regarding Title IX requirements.
- E. Determine if law enforcement must be notified of reports of sexual harassment or violence.

Chief Diversity Officer, Advisor to the President (Title IX Coordinator):

*Cheryl DeVonish*

*East Campus Room: E315*

*Norwalk Community College*

Phone: (203) 857-7016

cdevonish@norwalk.edu

## **ISSUANCE OF POLICY STATEMENTS**

### **REPORTING OF CRIMES AND OTHER EMERGENCIES**

#### **Reporting Criminal Offenses**

If you have been the victim of a crime or have witnessed a crime, report this information immediately to NCC Campus Security.

Contact Campus Security personnel in person at any Security Desk or call 203-857-7223 or if using a campus phone dial 77223 or dial 9911 to reach the City of Norwalk Emergency Personnel and Campus Security. The Director of Safety and Security can be reached at 203-857-7219 and can be found at the East Campus Lobby Information Desk.

### **Voluntarily Confidential Reporting**

If you are the victim of a crime or have witnessed a crime and you do not want to pursue action within the college's system or the criminal justice system, you may still want to consider making a confidential report. At your request, security personnel can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep your identity confidential while taking steps to ensure the future safety of yourself or others. In compliance with the 2014 Clery Act revisions, Norwalk Community College offers assistance to victims of a crime base on a case by case basis. Any reasonably available change in a victims academic, living, transportation, and working situation will be considered.

### **College's Confidential Reporting of a Crime**

The NCC Campus Security encourages anyone who is the victim or witness to any crime to promptly report the incident to campus and law enforcement authorities. Since police reports are public information under state law, the NCC's Campus Security cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can be made to the Director of Safety and Security, 203-857-7219 or East Campus Lobby Information Desk.

### **Timely Warnings**

In order to keep the campus community informed about safety and security issues on an ongoing basis, NCC will alert the campus community of crimes in a manner that is timely and that will aid in the prevention of similar crimes. These crimes include all *Clery Act* crimes that are:

- Reported to campus security authorities or law enforcement agencies and
- Are considered by the institution to represent a serious or continuing threat to students and employees.

Timely Warnings can be issued for threats to persons, as well as for threats to property. The Campus Emergency Response Team (CERT) will decide on a case by case basis if a situation calls for a Crime Alert. Decisions will be made in light of all facts surrounding an incident. Factors such as the nature of the crime and the continuing threat to the campus community will be considered.

*NCC disseminates Timely Warning Announcements in the following ways:*

- NCC phone message – main external telephone number
- Posted Flyers
- Text Message Alerts through myCommNet Alert notification system
- NCC website – Front page message
- Internal College Voice mail message
- Electronic Information Screens
- E-mails

## **Emergency Response and Evacuation**

### ***Emergency Action Plan***

In case of a significant emergency or dangerous situation, involving an immediate threat to the health or safety of students or employees occurring on campus, the President and/or the Chief Operation Officer in cooperation with the Campus Emergency Response Team (CERT) will initiate the emergency response procedure in accordance with NCC's Emergency Action Plan. The plan can be found online by following this link: <http://www.norwalk.edu/pdf/EAP.pdf> . At the same time, without delay and taking into account the safety of the community, determine the content of the notification and initiate the emergency procedures.



***Communication of an Emergency***

Upon notification of an emergency, authorities will announce it to the campus community by the following seven methods: NCC phone message – main external telephone number, internal college voice mail message, posted flyers, text message alerts, myCommNet alert notification system, NCC website front page message, electronic information screens and E-mails.

***Building Evacuation***

The President and/or the Chief Operating Officer in cooperation with the CERT will announce that there is a significant emergency or dangerous situation on campus and will determine if all or parts of the campus be evacuated.

In the event of an emergency necessitating the evacuation of a building; i.e., fire, explosion, smoke, fumes, or other factors, the following procedures are to be followed immediately. Upon notification, secure workstation, gather personal belongings and leave the building in an orderly fashion. Faculty/Staff or their designees are responsible for assisting persons with disabilities to exit the building or wait in the area of refuge and direct all students to the safe areas outside the building. Parking lots are designated safe areas and can be reached simply by following the evacuation instructions posted in every room.

***Testing the Evacuation Procedures***

In compliance with the Clery Act regulations, NCC conducts at least one emergency (fire) evacuation drill a year. This drill is a coordination of efforts with local first responders, including police, firefighters and emergency medical technicians as well as State of Connecticut Troopers. Following the drill a debriefing assessment will take place with the evaluation team.

**Missing Student Notification Procedure**

A missing student means any student of an institution who resides in a facility owned or operated by such institution and who is reported as missing from his or her residence. Norwalk Community College does not own or operate residential facilities and therefore the new regulation does not apply to the college. However, in the event a student is reported missing to Campus Security, the following procedures will be followed:

All information will be obtained as to the identity of the student, the person reporting the incident and the relationship of the person reporting, as well as, the circumstances that caused the reporting person to file the report.

The reporting person will be advised that a missing person report must be filed with the law enforcement agency having jurisdiction where the student resides. Information sharing with police on missing persons will follow guidelines established under the Federal Family Educational Rights and Privacy Act (FERPA).

**Tobacco**

On October 1, 2014 NCC implemented a tobacco and smoke-free campus policy to provide a safe and healthy working and learning environment for our staff, faculty, and students. Tobacco is defined as all tobacco derived or contained products, including but not limited to, cigarettes, electronic cigarettes, cigars and cigarillos, hookah smoked products, pipes and oral tobacco (smokeless, chew, snuff). It also includes any product intended to mimic tobacco products or containing tobacco flavoring.

The success of this policy depends on the thoughtfulness, consideration and cooperation of tobacco users and non-tobacco users. All members of the college community are responsible for respectfully communicating the policy to faculty, staff, students and visitors and you are encouraged and empowered to respectfully explain that its use is prohibited on NCC grounds.

Public Act No. 93-304 (An Act Prohibiting Smoking in Public Buildings) became a law on October 1, 1993. It provides, in relevant part, that smoking is prohibited in any building or portion thereof that is owned, leased and/or operated by the State of Connecticut.

In addition, findings of the Surgeon General of the United States indicates that passive exposure to cigarette smoke (second hand or passive smoke) is linked to a variety of negative consequences. Because of these significant health and safety issues, Norwalk Community College is concerned with the health and well-being of all students, faculty, staff and guests.

## **DRUG AND ALCOHOL POLICY**

### **Drugs**

Our College prohibits the unlawful possession, use, or distribution of alcohol and controlled/illegal drugs by any member of the College's community. All community members are expected to fulfill their obligations and responsibilities pursuant to NCC policy as well as federal, state, and local laws. Disciplinary action taken by NCC may be imposed in addition to criminal penalties. Both students and employees are subject to the applicable state and federal laws. The Campus Security will immediately contact the local or State Police upon notification of presumed or certain illegal drug related activity.

## Alcohol

The Board of Regents (ConnSCU) endorses the network of colleges and universities committed to the elimination of drug and alcohol abuse, which is based on the following premise:

*American society is harmed in many ways by the abuse of alcohol and other drugs: decreased productivity, serious health problems, breakdown of the family structure, and strained social resources. Problems of illicit use and abuse of substances have a pervasive effect upon many segments of society--all socio- economic groups, age levels and even the unborn. Education and learning are especially impaired by alcohol abuse and illicit drug use.\**

*\*The preceding is a statement of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse*

The Board recognizes that education regarding alcohol and substance abuse is an appropriate and necessary part of contemporary college life. Since the unauthorized use of controlled substances is contrary to state and federal law and regulation, it must be prohibited in any college activity, on or off the college campus. The conditions of alcohol and drug dependency may be considered disabilities/handicaps under state and federal laws and regulations, as well as under the Board of Regents' policy. Employees and students will not be discriminated against because they have these disabilities. However, all students and employees are considered to be responsible for their actions and their conduct.

These provisions shall apply to all colleges under the jurisdiction of the Board:

- No student or employee shall knowingly possess, use, distribute, transmit, sell or be under the influence of any controlled substance on the college campus or off the college campus at a college-sponsored activity, function or event. Use or possession of a drug authorized by a medical prescription from a registered physician shall not be in violation of this provision.
- All colleges shall develop and enforce policies regarding the sale, distribution, possession or consumption of alcoholic beverages on campus, subject to state and federal law. Consistent with previous Board policy, the consumption of alcoholic beverages on campus may be authorized by the President subject to the following conditions, as appropriate:
  - When a temporary permit for the sale of alcoholic beverages has been obtained and Dram Shop Act insurance has been purchased;
  - When a college permit has been obtained;
  - When students bring their own beverages; and
  - When alcoholic beverages are provided by a student organization and no fee is charged for attendance or for said beverages.
- All colleges shall provide educational programs on the abuse of alcohol and other drugs and a referral for assistance for students and employees who seek it. Colleges are encouraged to establish campus-wide committees to assist in the development of these programs in response to particular campus needs and identification of referral resources in their respective service planning regions.

- This policy shall be published in all college catalogs, faculty and staff manuals and other appropriate literature.
- Failure to comply with this policy will result in invocation of the appropriate disciplinary procedure and may result in separation for the college and referral to the appropriate authorities for prosecution. (Adopted, November 20, 1989) Norwalk Community College adheres to the above cited Board of Regents' policy regarding alcohol and drugs.
- Currently there are no programs in place to educate students regarding alcohol and drug abuse. There is literature available from Student Services regarding these topics. Individuals seeking assistance with substance abuse problems are provided information as to where professional help is available. Additionally, the College has established the following procedure regarding requests for the service of alcoholic beverages on campus:
  - Any request to serve alcoholic beverages must be consistent with the Board of Regents for Connecticut State Colleges and Universities (ConnSCU) policies.
  - The request must be submitted in writing to the Dean of Students at least four (4) weeks in advance of the event.
  - If the sale of alcohol is being solicited, the request must demonstrate that a temporary permit for the sale of alcoholic beverages will be obtained and Dram Shop Act insurance will be purchased.
  - A paragraph in the request must describe how alcohol will only be made available to legal age students and/or guests. This includes students bringing their own alcoholic beverages, or beverages being provided free when purchased by a student organization or other group.

- The request must include a plan for a visible education program display or presentation urging responsible drinking of alcoholic beverages during the event.
- Once the Dean of Students has reviewed the request for all necessary compliance, the request will be forwarded to the President for final decision. Final approval can only be granted by the President.

Alcoholic beverages may not be consumed on college premises except by those over 21 years of age at approved college social functions. Such functions are held in compliance with State Law and the Board of Regents Policy.

### **Sexual Misconduct Reporting, Support Services and Processes Policy**

#### ***Norwalk Community College Statement***

Norwalk Community College (NCC) will not tolerate sexual misconduct against students, staff, faculty, or visitors, whether it comes in the form of intimate partner violence, sexual assault, sexual exploitation or sexual harassment, as defined in the BOR policy.

In an ongoing effort to prevent sexual misconduct and intimate partner violence on the NCC campus, the College provides education and prevention programs for the NCC community and pursues all criminal and administrative remedies for complaints of sexual misconduct.

NCC is a community dependent upon trust and respect for its constituent members: students, faculty, staff and those visiting or under temporary contract. As noted in NCC's Violence Free Campus Policy, members of the college community have the right to a safe and welcoming campus environment. Acts of sexual misconduct and intimate partner violence threaten personal safety and violate the standards of conduct expected of community members.

### **Individuals and Entities Affected by this Policy**

This policy applies to anyone on the property of Norwalk Community College, as well as anyone present at NCC-sponsored programs or events. This policy extends to off-campus violations of both students and employees in limited circumstances as noted below:

- Students: "Off-campus misconduct may be subject to the jurisdiction of the College and addressed through its disciplinary procedures if one of the following conditions is met: (I) a student engages in prohibited conduct at an official College event, at a College-sanctioned event, or at an event sponsored by a recognized student organization; or (II) a student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that the accused student poses a threat to the life, health or safety of any member of the College community or to the property of the College. "
- Employees: The decision of whether to investigate and discipline employees for off-campus misconduct will be made by the appropriate College administrator on a case-by-case basis in accordance with collective bargaining agreements, NCC/College policies, and state regulations.



**Statement of Policy**

The Board of Regents for Higher Education (BOR) in conjunction with the Connecticut State Colleges and Universities (CSCU) is committed to insuring that each member of every BOR governed college and College community has the opportunity to participate fully in the process of education and development. The BOR and CSCU strive to maintain a safe and welcoming environment free from acts of sexual misconduct and intimate partner violence. It is the intent of the BOR and each of its colleges or universities to provide safety, privacy and support to victims of sexual misconduct and intimate partner violence.

The BOR strongly encourages victims to report any instance of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, stalking and intimate partner violence, as an effective means of taking action by reporting such acts to the appropriate officials and pursuing criminal or disciplinary remedies, or both. The only way that action can be taken against anyone who violates another in such a manner is through reporting. Each and every BOR governed college and university shall provide those who report sexual misconduct with many supportive options, including referral to agencies that provide medical attention, counseling, legal services, advocacy, referrals and general information regarding sexual misconduct. Each and every BOR governed college and university will preserve the confidentiality of those who report sexual misconduct to the fullest extent possible and allowed by law. All BOR and CSCU employees, victim support persons and community victim advocates being consulted will make any limits of confidentiality clear before any disclosure of facts takes place. Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all BOR and CSCU employees are required to immediately communicate to the institution's designated recipient any disclosure or report of sexual misconduct regardless of the age of the reported victim.

Sexual intimacy is permissible only if it is agreed to by all participants and all activity is affirmatively consensual at all times. Sexual misconduct, as defined herein, is a violation of BOR policies and, in addition, may subject an accused student or employee to criminal penalties. The BOR and each of its governed colleges and universities are committed to providing an environment free of personal offenses. Sexual relationships of any kind between staff, faculty and students are discouraged pursuant to BOR policy.

The Board of Regents for Higher Education hereby directs the Connecticut State Colleges and Universities to implement the Policy stated above pursuant to the following provisions:

### **Terms and Usage**

Consent is the equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision – indicated clearly by words or actions – to engage in mutually accepted sexual contact. Consent cannot be assumed because there is no physical resistance or other negative response. A person who initially consents to sexual activity shall be deemed not to have consented to any such activity which occurs after that consent is withdrawn. A lack of consent may result from mental incapacity (e.g., ingestion of alcohol or drugs which significantly impair awareness or judgment) or physical incapacity (e.g., the person is unconscious or otherwise unable to communicate consent). The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.”

Sexual misconduct includes engaging in any of the following behaviors:

- a) Sexual harassment, which can include any unwelcome sexual advance or request for sexual favors, or any conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment; submission to or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting the individual; or such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive educational or employment environment. Examples of conduct which may constitute sexual harassment include but are not limited to:

- Sexual flirtation, touching, advances or propositions
- Verbal abuse of a sexual nature
- Pressure to engage in sexual activity
- Graphic or suggestive comments about an individual's dress or appearance
- Use of sexually degrading words to describe an individual
- Display of sexually suggestive objects, pictures or photographs
- Sexual jokes
- Stereotypic comments based upon gender
- Threats, demands or suggestions that retention of one's educational status is contingent upon toleration of or acquiescence in sexual advances.

Retaliation is prohibited and occurs when a person is subjected to an adverse employment or educational action because he or she made a complaint under this policy or assisted or participated in any manner in an investigation.

- b) Sexual assault shall include but is not limited to a sexual act directed against another person without the consent (as defined herein) of the other person or when that person is not capable of giving such consent. Sexual assault is further defined in sections 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b and 53a-73a of the Connecticut General Statutes.
- c) Sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include:
  - Prostituting another person;
  - Non-consensual visual (e.g., video, photograph) or audio-recording of sexual activity;
  - Non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
  - Going beyond the bounds of consent (for example, an individual who allows friends to hide in the closet to watch him or her having consensual sex);
  - Engaging in non-consensual voyeurism;
  - Knowingly transmitting an STI, such as HIV to another without disclosing your STI status;

- Exposing one's genitals in non-consensual circumstances, or inducing another to expose his or her genitals; or
- Possessing, distributing, viewing or forcing others to view illegal pornography.

Sexual exploitation is further defined as a crime in Connecticut State Law.

- d) Intimate partner, domestic and/or dating violence means any physical or sexual harm against an individual by a current or former spouse of or person in a dating or cohabitating relationship with such individual that results from any action by such spouse or such person that may be classified as a sexual assault under section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a, 53a-72b or 53a-73a of the general statutes, stalking under section 53a-181c, 53a-181d or 53a-181e of the general statutes, or domestic or family violence as designated under section 46b-38h of the general statutes. This includes any physical or sexual harm against an individual by a current or former spouse or by a partner in a dating relationship that results from (1) sexual assault (2) sexual assault in a spousal or cohabiting relationship; (3) domestic violence; (4) sexual harassment (5) sexual exploitation, as such terms are defined in this policy.

Offenses that are designated as "domestic violence" are against family or household members or persons in dating or cohabitating relationships and include assaults, sexual assaults, stalking, and violations of protective or restraining orders issued by a Court. Intimate partner violence may also include physical abuse, threat of abuse, and emotional abuse.

- Physical abuse includes, but is not limited to, slapping, pulling hair or punching.
- Threat of abuse includes but is not limited to, threatening to hit, harm or use a weapon on another (whether victim or acquaintance, friend or family member of the victim) or other forms of verbal threat.

- Emotional abuse includes but is not limited to, damage to one's property, driving recklessly to scare someone, name calling, threatening to hurt one's family members or pets and humiliating another person.
- Cohabitation occurs when two individuals dwell together in the same place as if married.
- The determination of whether a "dating relationship" existed is to be based upon the following factors: the reporting victim's statement as to whether such a relationship existed, the length of the relationship, the type of the relationship and the frequency of the interaction between the persons reported to be involved in the relationship.

e) Stalking is defined as repeatedly contacting another person when contacting person knows or should know that the contact is unwanted by the other person and the contact causes the other person reasonable apprehension of imminent physical harm or the contacting person knows or should know that the contact causes substantial impairment of the other person's ability to perform the activities of daily life.

As used in this definition, the term "contacting" includes, but is not limited to, communicating with (including internet communication via e-mail, instant message, on-line community or any other internet communication) or remaining in the physical presence of the other person.

**Confidentiality**

When a BOR governed college or university receives a report of sexual misconduct all reasonable steps will be taken by the appropriate CSCU officials to preserve the privacy of the reported victim while promptly investigating and responding to the report. While the institution will strive to maintain the confidentiality of personally identifiable student information reported, which information is subject to privacy requirements of the Family Education Rights Privacy Act (FERPA), the institution also must fulfill its duty to protect the campus community.

Confidential resources are defined as follows: For the Universities, entities with statutory privilege, which include campus based counseling center, health center and pastoral counseling staff members whose official responsibilities include providing mental health counseling to members of the College community as well as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. For the colleges, confidential resources are limited to entities with statutory privilege, such as off campus counseling and psychological services, health services providers, member(s) of the clergy, and the local Sexual Assault Crisis Center and Domestic Violence Center. The personnel of these centers and agencies are bound by state statutes and professional ethics from disclosing information about reports without written releases.

Information provided to a confidential resource by a victim of a sexual misconduct or the person reported to have been the victim of sexual misconduct cannot be disclosed legally to any other person without consent, except under very limited circumstances, such as an imminent threat of danger to self or others or if the reported victim is a minor. Therefore, for those who wish to obtain the fullest legal protections and disclose in full confidentiality, she/he must speak with a confidential resource. Each BOR governed college and college will provide a list of such confidential resources in the college or college's geographic region to victims of sexual misconduct as well as publish these resources on-line and in various publications.

Where it is deemed necessary for the institution to take steps to protect the safety of the reported victim and/or other members of the campus community, the institution will seek to act in a manner so as not to compromise the privacy or confidentiality of the reported victim of sexual misconduct to the extent reasonably possible.

### **Mandated Reporting by College and College Employees**

Other than confidential resources as defined above, in addition to employees who qualify as Campus Security Authorities under the Jeanne Clery Act, all employees are required to immediately communicate to the institution's designated recipient any disclosure or report of sexual misconduct regardless of the age of the reported victim. A disclosure is the receipt of any communication of an incident of sexual misconduct not accompanied by a request for an investigation or adjudication by the institution. A report of sexual misconduct, on the other hand, is the receipt of a communication of an incident of sexual misconduct accompanied by a request for an investigation or adjudication by the institution.



Upon receiving a disclosure or a report of sexual misconduct, employees are expected to supportively, compassionately and professionally offer academic and other accommodations and to provide a referral for support and other services.

Further, in accordance with Connecticut State law, with the exception of student employees, any paid administrator, faculty, staff, athletic director, athletic coach or athletic trainer who, in the ordinary course of their employment, has a reasonable cause to suspect or believe that a person under the age of 18 years has been abused or neglected, has been placed in imminent harm or has had a non-accidental injury is required by law and Board policy to report the incident within twelve hours to their immediate supervisor and to the Department of Children and Families.

### **Rights of Those Who Report**

Those who report any type of sexual misconduct to any BOR governed college or university employee will be informed in a timely manner of all their rights and options, including the necessary steps and potential outcome of each option. When choosing a reporting resource, the following information should be considered:

- All reports of sexual misconduct will be treated seriously and with dignity by the institution.
- Referrals to off-campus counseling and medical services that are available immediately and confidential, whether or not those who report feel ready to make any decisions about reporting to police, a college or College employee or the campus's Title IX Coordinator.
- Those who have been the victim of sexual misconduct have the right to take both criminal and civil legal action against the individual allegedly responsible.

- Those who seek confidentiality may contact a clergy member(s), a college counseling center psychologist, a college health center care provider, the Sexual Assault Crisis Center of Connecticut and/or the Connecticut Coalition Against Domestic Violence all of whom are bound by state statutes and professional ethics to maintain confidentiality without written releases.

### **Options for Changing Academic, Housing, Transportation and Working Arrangements**

The colleges and universities will provide assistance to those involved in a report of sexual misconduct, including but not limited to, reasonably available options for changing academic, campus transportation, housing or working situations as well as honoring lawful protective or temporary restraining orders. Each and every BOR governed college and university shall create and provide information specific to its campus detailing the procedures to follow after the commission of such violence, including people or agencies to contact for reporting purposes or to request assistance, and information on the importance of preserving physical evidence.

### **Support Services Contact Information**

It is BOR policy that whenever a college or university Title IX Coordinator or other employee receives a report that a student, faculty or staff member has been subjected to sexual misconduct, the Title IX Coordinator or other employee shall immediately provide the student, faculty or staff member with contact information for and, if requested, professional assistance in accessing and using any appropriate campus resources, or local advocacy, counseling, health, and mental health services. All CSCU campuses shall develop and distribute contact information for this purpose as well as provide such information on-line.

**Right to Notify Law Enforcement & Seek Protective and Other Orders**

Those who report being subjected to sexual misconduct shall be provided written information about her/his right to:

- a) notify law enforcement and receive assistance from campus authorities in making the notification;
- b) obtain a protective order, apply for a temporary restraining order or seek enforcement of an existing order. Such orders include:
  - standing criminal protective orders;
  - protective orders issued in cases of stalking, harassment, sexual assault, or risk of injury to or impairing the morals of a child;
  - temporary restraining orders or protective orders prohibiting the harassment of a witness;
  - family violence protective orders.

**Employee Conduct Procedures**

Employees who are reported to have engaged in sexual misconduct are subject to discipline in accordance with the procedures applicable to the employee's classification of employment.

**Student Conduct Procedures**

The Student Code of Conduct provides the procedures for the investigation, definitions of terms, and resolution of complaints regarding student conduct, including those involving sexual misconduct, as defined herein.

The Title IX Coordinator can assist in explaining the student conduct process. The Student Code of Conduct provides an equal, fair, and timely process (informal administrative resolution or a formal adjudication) for reported victims and accused students.

Reported victims of sexual misconduct shall have the opportunity to request that disciplinary proceedings begin promptly; that such disciplinary proceedings shall be conducted by an official trained annually in issues relating to sexual misconduct and shall use the preponderance of the evidence (more likely than not) standard in making a determination concerning the alleged sexual misconduct.

Both the reported victim of sexual misconduct and the accused student are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled and provided such an advisor or support person may not directly address the Hearing Body, question witnesses or otherwise actively participate in the hearing process or other meeting pertaining to a report of sexual misconduct and each student shall have the opportunity to present evidence and witnesses on her/his behalf during any disciplinary proceeding.

Both the reported victim and accused student are entitled to be provided at the same time written notice of the results of any disciplinary proceeding, normally within one (1) business day after the conclusion of such proceeding, which notice shall include the following: the name of the accused student, the violation committed, if any, and any sanction imposed upon the accused student. Sanctions may range from a warning to expulsion, depending upon the behavior and its severity of the violation(s).

The reported victim shall have the same right to request a review of the decision of any disciplinary proceeding in the same manner and on the same basis as shall the accused student; however, in such cases, if a review by any reported victim is granted, among the other actions that may be taken, the sanction of the disciplinary proceeding may also be increased. The reported victim and the accused student are entitled to be simultaneously provided written notice of any change in the results of any disciplinary proceeding prior to the time when the results become final as well as to be notified when such results become final.

In accordance with the Family Educational Rights and Privacy Act (FERPA), the accused student and the reported victim have the right to keep their identities confidential.

**Dissemination of this Policy**

Upon adoption by the Board all CSUC institutions shall, upon receipt, immediately post and maintain this policy at all times in an easily accessible manner on each institution's website. This policy shall thereafter be annually provided to all Title IX Coordinators, campus law enforcement officers and security personnel, and other campus personnel.

Further, this policy shall be presented at student orientation and at student awareness and prevention trainings, and made broadly available at each campus. The policy shall be expanded upon by each institution to provide resources and contact information specific to their institution and geographic area as set forth above.

The College provides literature that is available to students regarding measures that can be taken to guard against sexual assaults and date rape in the monthly Campus Security Newsletter.

Furthermore, related literature is available in the Counseling Center, E104. College student conduct proceedings, as well as the BOR's guidelines for cases involving sexual misconduct, are detailed in the Student Handbook <http://www.norwalk.edu/pdf/handbook.pdf>.

### **Sex Offender Registration Policy**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to issue a statement where one can find information provided by the State of Connecticut with regard to registered sex offenders. That information can be found at the following website:

[http://www.communitynotification.com/cap\\_office\\_disclaimer.php?office=54567](http://www.communitynotification.com/cap_office_disclaimer.php?office=54567).

The Campus Sex Crimes Prevention Act of 2000 also requires sex offenders, who are registered already within a State, to provide notice to each institution of higher education in that State, at which the person is employed, carries on a vocation, or is a student.

In the State of Connecticut, convicted sex offenders must register with the Sex Offender Registry maintained by the Connecticut Department of Public Safety, Division of State Police, Sex Offender Registry Unit, pursuant to Connecticut General Statutes 54-250.

The Sex Offender Registry information provided under this law is intended to be used for such purposes as the administration of criminal justice, screening of current or prospective employees and volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for the purposes of intimidating or harassing another is prohibited and a willful violation shall be punishable as provided by law.

### **Policy Disclosure to the Alleged Victim**

Norwalk Community College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, NCC will provide the results of the disciplinary hearing to the victim's next of kin, if requested.

## **REFERENCE INFORMATION - CRIME DATA**

### **Classifying and Defining Clery Act Crimes**

The *Clery Act* requires institutions to disclose three general categories of crime statistics:

1. Types of Offenses
2. Hate Crimes
3. Arrests and Referrals for Disciplinary Action

***Types of Offenses:***

There are seven Uniform Crime Report offenses, including:

1. Criminal Homicide Murder
  - Non-Negligent Manslaughter
  - Negligent Manslaughter
2. Sex Offenses including:
  - Forcible
  - Non-forcible
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson
8. Domestic Violence
9. Dating Violence
10. Stalking

The definition of the above mentioned crimes that the Clery Act mandates to report will help the NCC community be aware of the gravity of each crime. Those crimes are defined as follows:

**Uniform Crime Report Definitions**

- **Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another. As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime is classified as Murder and Non-Negligent Manslaughter.



- **Negligent Manslaughter** is defined as the killing of another person through gross negligence. As a general rule, any death caused by the gross negligence of another is classified as Negligent Manslaughter. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities, are not included in the category Negligent Manslaughter.
- **Sex Offenses**—Forcible is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses:
  - *Forcible Rape* is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
  - *Forcible Sodomy* is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
  - *Sexual Assault With an Object* is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia.

- *Forcible Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."
- **Sex Offenses—Non-forcible** are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:
  - *Incest* is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - *Statutory Rape* is non-forcible sexual intercourse with a person who is under the statutory age of consent. If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory rape.
- **Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
  - *Firearm*: Includes robberies in which any firearm is used as a weapon or employed as a means of force to threaten the victim or put the victim in fear. Attempts are included in this category.
  - *Knife or cutting instrument*: Includes robberies in which a knife, broken bottle, razor, ice pick or other cutting or stabbing instrument is employed as a weapon or as a means of force to threaten the victim or put the victim in fear. Attempts are included in this category.

- *Other dangerous weapon:* Includes robberies in which a club, acid, explosive, brass knuckles, mace, pepper spray or other dangerous weapon is employed or its use is threatened. Attempts are included in this category.
- *Strong-arm*—hands, fists, feet, etc. Include muggings and similar offenses in which only personal weapons such as hands, arms, feet, fists and teeth are employed or their use is threatened to deprive the victim of possessions.
- **Aggravated Assault:** Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
  - *Aggravated Assault*—Firearm. Include all assaults in which a firearm of any type is used or is threatened to be used. Assaults with revolvers, automatic pistols, shotguns, zip guns, rifles, etc., are included in this category.
  - *Aggravated Assault*—Knife or Cutting Instrument. Include assaults wherein weapons such as knives, razors, hatchets, axes, cleavers, scissors, glass, broken bottles and ice picks are used as cutting or stabbing objects, or when their use is threatened.
  - *Aggravated Assault*—Other Dangerous Weapon. Include assaults resulting from the use or threatened use of any object as a weapon in which serious injury does or could result. The weapons in this category include, but are not limited to: Mace, pepper spray, clubs, bricks, jack handles, tire irons, bottles or other blunt instruments used to club or beat victims. Attacks by explosives, acid, lye, poison, scalding, burnings, etc., are also included in this category.

- *Aggravated Assault—Hands, Fists, Feet, Etc.—Aggravated Injury.* Include only the attacks using personal weapons such as hands, arms, feet, fists and teeth that result in serious or aggravated injury. Consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple. Classify the assault as aggravated if the personal injury is serious (broken bones, internal injuries or stitches required). On the other hand, classify the offense as a simple assault if the injuries are not serious (abrasions, minor lacerations or contusions) and require no more than usual first-aid treatment.
- **Burglary:** Burglary is the unlawful entry of a structure to commit a Felony or a theft. The Uniform Crime Reports (UCR) classifies offenses locally known as Burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses are Burglary.

***Count one offense per each distinct operation.***

- *Burglary—Forcible Entry:* Include all offenses where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony. This definition applies when a thief gains entry by using tools; breaking windows; forcing windows, doors, transoms or ventilators; cutting screens, walls or roofs; and where known, using master keys, picks, unauthorized keys, celluloid, a mechanical contrivance of any kind (e.g., a passkey or skeleton key) or other devices that leave no outward mark but are used to force a lock. Also include in this category burglary by concealment inside a building followed by exiting the structure.

- *Burglary–Unlawful Entry: No Force.* The entry of a structure in this situation is achieved by use of an unlocked door or window. The element of trespass to the structure is essential in this category, which includes thefts from open garages, open warehouses, open or unlocked dwellings and open or unlocked common basement areas in apartment houses where entry is achieved by someone other than the tenant who has lawful access. (Note that if the area entered was one of open access, thefts from the area would not involve an unlawful trespass and would be classified as Larceny. The Clery Act does not require an institution to disclose Larceny statistics.)
- *Burglary–Attempted Forcible Entry:* Include those situations where a forcible entry burglary is attempted but not completed. Once the thief is inside a locked structure, the offense becomes a Burglary–Forcible Entry. Classify attempts to enter an unlocked structure as well as actual trespass to an unlocked structure as Burglary–Unlawful Entry–No Force. Only situations in which a thief has attempted to break into a locked structure are classified as Burglary–Attempted Forcible Entry.
- **Motor Vehicle Theft:** Motor vehicle theft is the theft or attempted theft of a motor vehicle. Count one offense for each stolen vehicle.
  - *Autos:* Include the thefts of all sedans, station wagons, coupes, and convertibles, sport utility vehicles, minivans and other similar motor vehicles that serve the primary purpose of transporting people from one place to another. Automobiles used as taxis are also included. Some states allow a station wagon to be registered as a truck; however, licensing is not a determining factor. The Uniform Crime Report (UCR) stipulates that a station wagon must be classified as an automobile.

- *Trucks and Buses:* Include the theft of those vehicles specifically designed (but not necessarily used) to transport people and cargo. Pickup trucks and cargo vans, regardless of their uses, are included in this category. The UCR considers a self-propelled motor home to be a truck.
- *Other vehicles:* Include all other motor vehicles that meet the UCR definition, such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles and motorized wheelchairs. If you are uncertain whether to classify an incident as
- Note that Motor Vehicle Theft does not include thefts from motor vehicles. Theft from a motor vehicle is Larceny, which is not a Clery Act crime.
- **Arson:** Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Domestic Violence:** Domestic violence is a felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim.
  - A person with whom the victim shares a child in common.
  - A person who is cohabitation with or has cohabitated with the victim as a spouse or intimate partner.
  - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA).

- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- **Dating Violence:** Dating violence means 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:
    - The length of the relationship;
    - The type of relationship; and
    - The frequency of interaction between the persons involved in the relationship.
- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - Fear for his or her safety or the safety of others; or
  - Suffer substantial emotional distress.

## Hate Crimes

*Disclose whether any of the types of offenses or any other crimes involving bodily injury were hate crimes.*

The hate crimes must be reported by category of prejudice. The following crimes reported to local police agencies or to a Campus Security Authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. The following definitions on these crimes apply:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation:** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).



- **Ethnicity/national origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### Arrests and Referrals for Disciplinary Action

For illegal weapons possession and violation of drug and liquor laws.

**Arrest** for *Clery Act* purposes is defined as persons processed by arrest, citation or summons. Include:

- Those persons arrested and released without a formal charge being placed against them. (An arrest has occurred when a law enforcement officer detains an adult with the intention of seeking charges against the individual for a specific offense(s) and a record is made of the detention.)
- Juveniles taken into custody or arrested but merely warned and released without being charged. A juvenile should be counted as “arrested” when the circumstances are such that if the individual were an adult, an arrest would have been counted.

**Referred for disciplinary action** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is kept and may result in the imposition of a sanction.

- *Illegal Weapons Possession* is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
- *Drug Law Violations* is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

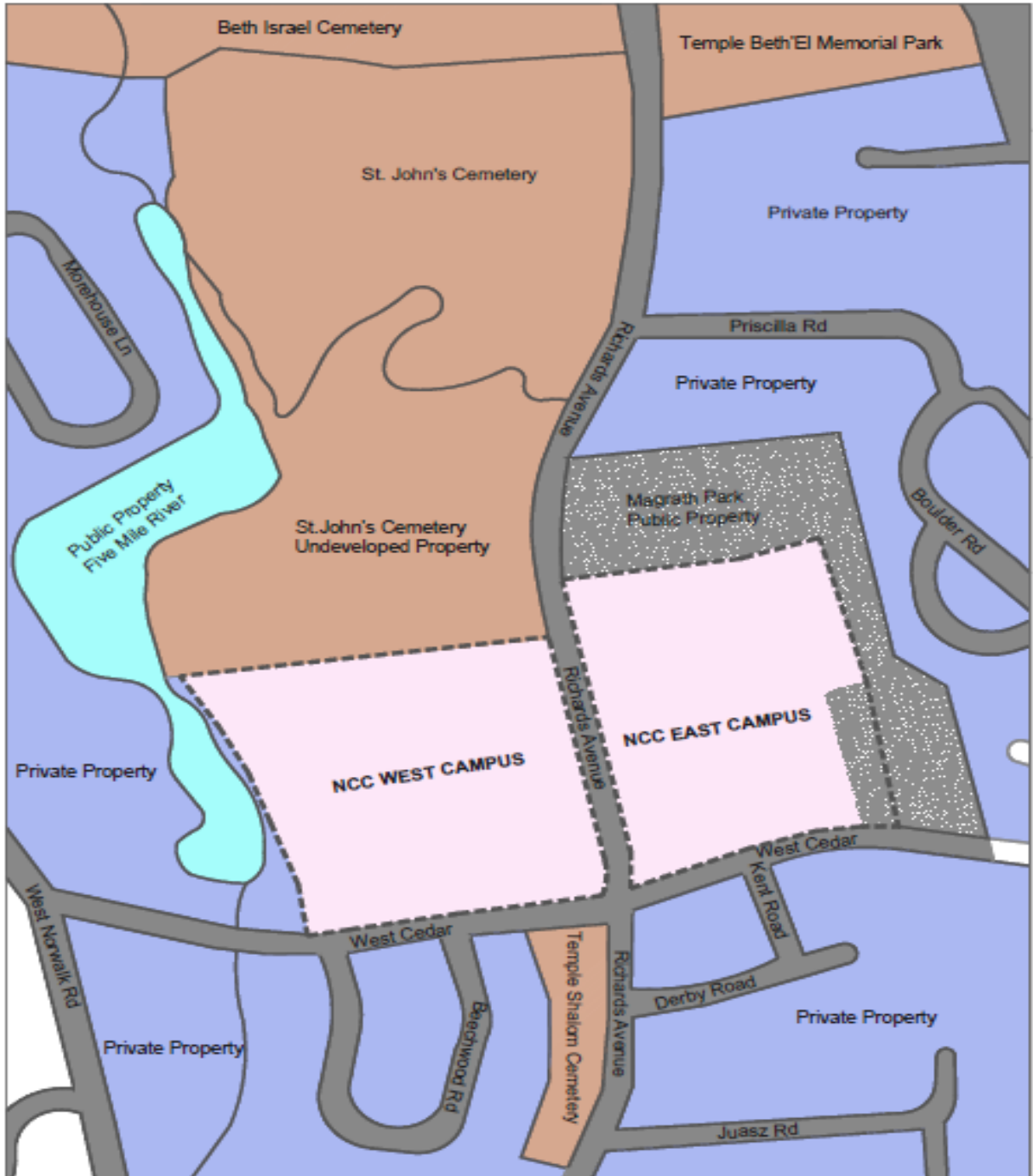
- *Liquor Law Violations* is defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Providers' List**

Norwalk Community College provides a wide variety of services to students in terms of counseling, mental health, addiction referrals, family support groups, sexual assault services to external local agencies since there are no professional pastoral services on campus. Detailed information on the providers list can be found at the Counseling Center, located in the East Campus, room E104.

**Site Map**

Norwalk Community College's property line will be a reportable area under on campus property category for Clery Act reporting of crimes. Magrath Park and Five Mile River are public properties and will be considered for Clery Act reporting of crimes under public property category. The portion of Richards Avenue that is directly accessible from both East and West Campus will be considered under Clery Act reporting of crimes as well. All cemeteries shown in the map are private properties and will not be considered for Clery Act reporting of crimes.



- |  |                                |  |                  |  |                               |
|--|--------------------------------|--|------------------|--|-------------------------------|
|  | Norwalk Community College      |  | Private Property |  | Public Street                 |
|  | Magrath Park (Public Property) |  | Five Mile River  |  | Cemeteries (Private Property) |