Annual Security and Fire Safety Report for 2015

Published in the Year 2016

CLERY COMPLIANCE DOCUMENT
Message from the Chief,

We are pleased to present the Fitchburg State University Annual Security and Fire Safety Report for 2015. All campus crime statistics required by the Clery Act are provided, including, for certain categories, the number of persons referred for campus disciplinary action. Information about crime prevention and safety awareness programs are also provided.

We rely on all members of the Fitchburg State University community to help identify and report potential safety concerns. In addition, certain individuals and departments have unique responsibilities for helping to ensure a safe and secure campus; they include those identified as Campus Security Authorities and members of the Fitchburg State University Police Department.

The University Police Department is a full service police department with 19 sworn officers. Our officers receive academy and in-service training as prescribed by the Municipal Police Training Committee and the Massachusetts State Police, and have full authority to enforce the laws of the Commonwealth. We have built a strong foundation of proactive policing strategies, including a commitment to community engagement and collaboration.

Cooperation between the Fitchburg State University Police and our off-campus colleagues remains strong. This is demonstrated by the opening of a shared Community Policing Outreach Center with the Fitchburg Police Department in 2015. Additionally, both the Fitchburg Police and Fire Departments have key personnel assigned to the university’s Emergency Management Team.

While we are determined in our mission to reduce the incidence and fear of crime, no community is immune from such activity. I hope the information in this report will enhance awareness and help everyone to stay safe while they live, work, and learn on our campus.

Please review the information in this report carefully and, in particular, the crime prevention tips. Personal safety is a responsibility of everyone, and we need your assistance in helping to make our campus a safe environment.

Respectfully,

Michael J. Cloutier
Interim Chief of Police
TABLE OF CONTENTS

1. Introduction of the Annual Security and Fire Safety Report
2. Fitchburg State University’s Police Department
   - Relationship with the Mass State Police, and the City of Fitchburg Police
   - Statement of the Department’s Authority and Jurisdiction
   - Statement of accurate and Prompt Reporting of all Crimes to the University Police Department
   - Statement to encourage accurate and prompt reporting of all crimes to the University Police or police of jurisdiction, when the victims elects to, or is able to.
3. Providing a Safe Environment
   - Campus Security Authority
   - Reporting of Crimes
   - Timely Notices
   - Security and Access to Facilities
4. Crime Prevention and Security Awareness Programs
   - Sexual Assault Awareness and Prevention
   - FAVE (Fitchburg Anti-Violence Education)
   - CARE Team (Community Assessment and Risk Evaluation)
   - University Procedure for Responding to Sexual Assault
5. University Policies
   - Drug Free School and Community Policy
   - Alcohol Policy
   - Weapon Policy
   - Hazing Policy
   - Policy against Discrimination and Harassment
   - Missing Person
6. Crime Statistics for Fitchburg State University’s Clery Reportable geographical area.
7. Fitchburg State University’s Campus Emergency Handbook
8. Annual Fire Safety Report
9. Appendixes
   - “A” Campus Maps and Clery Geography
   - “B” Fitchburg State On and Off Campus Resources
   - “C” Fitchburg State University’s Procedure for Responding to Sexual Assault
   - “D” Fitchburg State University’s Equal Opportunity Diversity and Affirmative Action Plan
   - “E” Investigation and Resolution Procedures
Introduction

The information in this report is provided to you as part of the Fitchburg State University’s commitment to safety and security on campus, and complies with the requirements of The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and The Higher Education Act of 1965 (HEA). This report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings, on property owned or controlled by the University, and on public property within or immediately adjacent to and accessible from campus. The report includes institutional policies as they relate to campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, fire safety requirements, and other matters.

This document is organized and contains the following sections, in compliance with Federal requirements:

1. Overview of the Fitchburg State University Police Department, which is responsible for the prevention and investigation of crimes on campus as well as to collect, classify and maintain crime reports and statistics.
2. Explanation of the Clery defined geography of the University, as well as the jurisdiction of the Fitchburg State University Police Department.
3. Explanation of a Campus Security Authority.
4. Programs, services, and policies used by Fitchburg State University to provide a safe environment for students, staff, faculty, and visitors.
5. VAWA, SaVE, Title IX, and Sexual Assault protocols, policies and procedures, and reporting guidelines.
7. Fitchburg State University’s Campus Emergency Handbook.
8. Fire reporting, prevention, and statistical information.

This report is prepared in cooperation with local law enforcement, the department of Student and Academic Life, the Office of the President, and various other university departments. These entities provide updated information on their educational efforts in compliance with “Clery Act.”
Fitchburg State University Police Department

Mission Statement
It is the mission of the Fitchburg State University Police Department to reduce the incidence and fear of crime, to partner with the community to solve problems, and to enhance public safety in a manner that is reasonable, unbiased, and transparent.

Vision
The Fitchburg State University Police Department strives to provide exemplary community-oriented policing services by creating partnerships and problem solving strategies that promote the safety, security, and well-being of our community.

Fitchburg State University Police Department
The Fitchburg State University Police Department has grown substantially in the last 68 years with a firm commitment to community service. Located at 32 Clinton Street, our officers patrol the campus by foot, bicycle, and cruiser 24 hours a day, 365 days a year; and participate in a wide variety of safety and education initiatives.

The department consists of the Chief of Police, Deputy Chief, Operations Lieutenant, Administrative Lieutenant, Operations Sergeant, Administrative Sergeant, Detective Sergeant, and twelve fulltime patrol officers. Our communications center consists of a supervisor and three full-time dispatchers.

Fitchburg State University Police Officers are graduates of a Massachusetts police academy, conducted or sanctioned by the Municipal Police Training Committee or the Massachusetts State Police. In addition, each officer receives annual in-service and opportunities to attend specialized trainings.
The Police Department is located at 32 Clinton Street, which is directly across from the Athletics and Recreation Center. The department is open 24 hours a day, seven days a week. There is a full time dispatcher available to receive any calls and can be reached by the following telephone numbers:

(978) 665-3111 Emergency/Business - This number is the main number for University Police Department and should be used to report emergencies and for daily business.

Dial 911 or 3111 – Dial 911 or 3111 from any landline phone on campus and it will connect you directly with the Fitchburg State University Police Department.

Dial 911 – Dial 911 from a cell phone and it will direct your call to the Massachusetts State Police where your call will be routed to the local police department.

All campus telephone calls received at the communications center, indicate the phone number from which the call is initiated. More information of our communication center can be found on our website:

www.fitchburgstate.edu/offices/campus-safety/campus-police/communication-division/

Professional Standards
The Fitchburg State University Police department values the relationship developed over the years with the university community. All members of the Fitchburg State University community can expect to be treated in a courteous and professional manner by each member of our department.

Your feedback is essential to our continued success. Should you have any concerns, or compliments, regarding an interaction with a member of the department please bring them to our attention by;

- Speaking to the on-duty supervisor.
- Calling or emailing the Chief of Police, who oversees professional standards investigations.
- Submitting written correspondence to:
  - Chief of Police, Fitchburg State University, 160 Pearl Street, Fitchburg, MA 01420.
Campus Geography and Police Jurisdiction

The Clery Act geographical reporting area definitions are:

A. On Campus:
   1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institutions educational purposes, including residence halls; and
   2. Any building or property that is within or reasonably contiguous to the area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

B. NonCampus Building or Property
   1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
   2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation, to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

C. Public Property
   1. All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

   Maps considered for this publication can be found in Appendix A.

Fitchburg State University Police – Jurisdiction

Officers employed by the Fitchburg State University Police Department are Special State Police Officers (SSPOs) and obtain their primary jurisdiction from Massachusetts General Law Chapter 22C § 63. This law grants to university police officers the power to:

- Exercise law enforcement authority including detentions, arrests and searches;
  - Concerning any criminal offense;
  - Occurring in or on buildings, structures, facilities, lands or roads;
  - Owned, occupied or used;
  - By their employing institution.

The authority to investigate and enforce “any crime” encompasses all felonies and misdemeanors, including motor vehicle offenses. This means that all SSPOs may stop vehicles based on a reasonable suspicion of any crime, including civil motor vehicle offenses. University police officers are also charged with enforcing the rules and regulations of Fitchburg State University.
The **Primary jurisdiction** for the Fitchburg State University Police Department are those lands or structures owned, used or occupied by Fitchburg State; as stated in Massachusetts General Law Chapter 22c§63; however additional jurisdiction is provided under **Comm. v. Smeaton, 465 Mass. 752 (2013)** and **Young v. Boston University, 64 Mass. App. Ct. 586 (2005)**. These jurisdictional addendums are included in our Daily Crime Logs. However, they may not be reflective in our annual Clery Crime Statistics if they do not occur in a Clery defined geographical area controlled by the University, and, or meeting the Clery definition of a reportable criminal offense.

**Smeaton Jurisdiction:** All SSPOs may conduct law enforcement activities on public ways routinely “used” by their employing institution. SSPOs have law enforcement authority on streets that members of the campus community routinely use in order to directly reach property and facilities owned or occupied by their institution.

- **Routinely patrolled public ways.** In short, if SSPOs routinely patrol a street to get to campus facilities to perform public safety functions on behalf of their institution, they may investigate and enforce any crimes -- including motor vehicle offenses -- that might be occurring there.

- **Non-routine travel routes.** However, SSPOs should not conduct law enforcement activities on public ways that connect clearly different campus locations to each other; if not their normal patrol route.

**Young jurisdiction:** All SSPOs may conduct law enforcement activities off campus – even beyond roads owned, occupied or used by their institution – in certain limited instances in order to ‘keep the peace and preserve order’ within that area. SSPOs may assert authority beyond the lands or structures owned, used or occupied by their institution when they are:

- In the environment near campus; and
- Attempting to protect people who are affiliated with the campus community, or likely to be visiting or leaving the campus.

*This extended jurisdiction applies when SSPOs determine that a particular student or member of the campus community might be in danger without their intervention. However, what constitutes the environment near campus has not been specifically defined by an appellate court.*

**Working Relationship with the City of Fitchburg and Massachusetts State Police**

Fitchburg State University Police Officers are also sworn in as special police officers for the City of Fitchburg. University Police and Fitchburg Police maintain a close working relationship. Information concerning off-campus criminal incidents involving our students (as victims or subjects) is routinely shared. The same relationship exists with other area Police Departments. The Fitchburg Police Department conducts patrols in the area immediately adjacent to the campus, and provides support to the university officers upon request. Designated Officers of the Fitchburg Police are assigned as liaisons to the University Police and meet regularly to discuss matters impacting both the city and the university community.
The Massachusetts State Police provide investigative support and a lockup facility for persons arrested on state property. In addition, the State Police may provide resources for events or incidents that impact the campus.

Providing a Safe Environment

Campus Security Authority

Campus Security Authority is a Clery-specific term that encompasses four groups of individuals and organizations associated with the institution.

1) A campus police department or a campus security department of an institution.

2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department.

3) Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

4) An official of an institution who has significant responsibility for student and campus activities, including, but limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution; (President’s Office and Vice Presidents, Deans, Directors, etc.), including but not limited to the areas of:

- Career and Academic Planning
- Center for Diversity and Inclusiveness
- Counseling and Student Development
- Disability Services
- Faculty Advisors to Student Groups
- Fitchburg Anti-Violence Education (FAVE)
- Housing and Residential Services (to include student resident advisors and directors)
- Human Resource Director
- Judicial Affairs
- Orientation
- ROTC - Reserve Officers' Training Program
- Student & Academic Life
- Student Conduct, Mediation and Education
- University Health Services and affiliates
- University Police
- University Recreation Services (Athletic Directors and Coaches)
Those deemed to be Campus Security Authorities by the Human Resource Department, under the Clery Reporting requirements, receive training upon hire through http://www.workplaceanswers.com/. Additionally, all new members of the Fitchburg State University Police Department receive supplemental training on this subject, as part of the on-boarding process.

All data collected by the University’s C.S.A.s, with the exception of the University Police, are collected through the university’s “Maxient” system and the Office of Student Conduct and Mediation. Data is then reported to the Fitchburg State University Police Department, to be included in the statistics generated by the University Police Department, as well as those collected from other agencies; to include but not limited to the Massachusetts State Police and Fitchburg Police Department.

Pastoral and Professional Counselors, at their discretion, are encouraged to inform those they counsel of procedures for reporting crimes voluntarily and confidentially for inclusion in the institution’s annual security report.

Crime Logs and Annual Security and Fire Safety Report Availability
In compliance with the Massachusetts Public Records Law and the requirements of the Jeanne Clery Disclosure Act, there is a public police log and a Clery crime/fire log available 24 hours a day, at the Fitchburg State University Police Department, located at 32 Clinton Street, Fitchburg, MA  01420. A summary of police activity (Public Logs) may be viewed on the department’s website under Crime, Fire, and Public Logs.

The Police Department also maintains a Clery Reportable Crime Log that records activity, by the date the incident was reported, all crimes and other serious incidents that occur within the department’s patrol jurisdiction. This log is also available for public inspection at the Fitchburg State University Police Department and includes the nature, date, time, and general location of each crime reported to the department. An electronic version is available to the public also on our website and can be found at the following location: Crime, Fire, and Public Logs.

Fitchburg State University provides an electronic link to the Annual Security & Fire Safety Report to all students and employees, and to prospective students and employees. A hardcopy will be provided without charge to anyone who requests one. Hardcopies may also be obtained at the following locations:

- The University Police Department,
- The Admission’s Office,
- Housing and Residential Services Office, and
- Human Resources
Reporting of Crime

Prompt Reporting of a Crime or Emergency
Community members, students, faculty, staff and visitors are encouraged to accurately and promptly report all crimes and public safety-related incidents to the Fitchburg State University Police Department.

Voluntary Confidential Reporting
We encourage anyone who witnesses or has been a victim of a crime to immediately report the incident by calling 978-665-3111 or 911. Police reports in the Commonwealth of Massachusetts are considered public records, and Fitchburg State University cannot hold reports of crimes confidential, unless exempt under Massachusetts General Law Chapter 4§7. Exempted material may include, but not be limited to:

- Cases under investigation
- Criminal records protected by statute (CORI)
- Cases involving juveniles (under age 18)
- Information indicating the ownership or location of firearms
- Information regarding an individual’s health issues (HIPAA)
- Information regarding an individual’s student record (FERPA)
- Confidential witness, victim, or informant data
- Social Security numbers, dates of birth, phone numbers, etc. of involved parties
- Information which could compromise public safety or effective law enforcement

Confidential reports for inclusion in the annual disclosure of crime statistics can be made to any Campus Security Authority.

Anonymous Reporting
If you see or hear of something happening, which you believe should be brought to the attention of the police, you can report it here by filling out the form below; All submissions are sent via email to the department’s detective for follow up. You can find the online form here at www.fitchburgstate.edu/campuspolice/.

When filling out the form, please provide as much detail as you can about date, time, location, descriptions or names of individuals involved, and details of the incident. If there are vehicles involved, a license plate and description of the vehicle(s) would be very useful.

Anonymous tips can also be submitted through the RAVE Guardian app, which can be downloaded free to any mobile device. This information will be received in our communication center, twenty-four hours a day, seven days a week.

If you would rather talk with someone on the phone, please call 978-665-3111.
Timely Warning
The Police Department, in collaboration with the Office of the President, notifies the University community of any incident or crime that poses a serious or continuing threat to the community, by issuing a Timely Warning. The Chief of Police, or designee, assesses each reported crime to determine if a serious or ongoing threat to the University community exists.

If a threat exists, the Chief or designee, in collaboration with the Office of the President, authors and distributes the Timely Warnings. Police Department personnel may consult with the Director of Public Relations, Dean of Students and other members of the Executive Cabinet, if time permits.

Timely Warnings may also be posted by in resident halls and academic/administrative buildings, if the email system is unavailable or if deemed appropriate.

Within the guiding principle of alerting the community to a serious or continuing threat, the following factors may be considered when evaluating whether to issue a Timely Warning:

- Whether the crime represents an ongoing or continuing risk to current victims, or has the potential to create new victims;
- Whether the crime occurred on campus, or is contiguous to campus;
- The credibility of reports received by the Fitchburg State University Police or other law enforcement agencies; or
- The nature of the crime(s) involved.

Crime Alerts for the above listed crimes will not be sent if:

- The suspect(s) are apprehended and the risk to the campus community has been mitigated by the apprehension.
- A report is not filed with Fitchburg State University Police or another police agency or campus official in a manner that would allow the posting of a “timely” warning. As a general guideline, a report that is filed with the Fitchburg State University Police or provided by an outside police agency several days after the date of the alleged incident may not provide the opportunity for a “timely” warning to the community. This type of situation will be evaluated on a case-by-case basis.
- The posting of a “timely” warning would jeopardize law enforcement efforts.
FSU Alert

Fitchburg State University utilizes the RAVE Alert system to provide immediate emergency notification to the community. This is done when confirmation of an incident or emergency that poses an immediate threat to the health or safety of the university community, or to prevent subsequent crimes from occurring.

The RAVE system allows University officials to communicate to the community, time-sensitive information, during unforeseen events or emergencies. When a criminal incident has occurred on, or in the area immediately adjacent to campus, if a determination is made for notification several avenues are available:

- Fitchburg State University Alert System.
- Telephone calls to all residence halls, or immediate floor meetings called by staff.
- Posting of flyers in prominent locations throughout campus.
- Publishing a 24 hour police log that is available to all.
- Working with the Student Government Association to disseminate the information through the student network.
- Email.
- Social Media such as Facebook and Twitter.

This system is tested monthly by the Fitchburg State University Police Department to ensure members are familiar how to send an alert in an emergency situations.

All current members of the university community will receive the alert to their university email address. However, individuals must opt in to receive notifications via text or voice recording. They can do so by visiting: https://www.getrave.com/login/fitchburgstate/.

Rave Guardian Campus Safety App

As part Fitchburg State's ongoing commitment to campus safety, the university has started to utilize Rave Guardian, a free mobile app that turns any smartphone into a personal safety device. By downloading this free safety app, students, faculty and staff can enhance their personal safety both on and off campus.

With Guardian, users can create a profile of information about themselves, and invite family and friends to their safety network. When needed, the user can request one or more of their Guardians to virtually walk with them on or off campus. It's like having an emergency blue light system and a trusted friend with you at all times.
How does the Rave Guardian App work?

• **Register and set up an account:** Users can add their name, campus address, medical notes and other pertinent information in case of an emergency.

• **Easy Emergency Communication:** In an emergency, a one button call to the University Police Department will display the users Guardian profile and current location.

• **Add & Message Guardians:** By adding roommates, friends, and family to their network, users can feel safer when walking alone, on or off campus. Guardians can also be messaged directly through the app.

• **Set a Safety Timer:** In the event a student feels unsafe, they can set a timer with their current location, indicating where they are going and when they should arrive. In the event they do not make it there and deactivate the timer, Guardians will be immediately alerted.

• **Send Tips:** See something, say something. The app allows users to text suspicious activity to the University Police Department, including photos and video.

The Rave Guardian App can be downloaded in the Apple or Google Play stores by searching for "Rave Guardian." Fitchburg State users can also download it directly from the university's mobile app. More information on the program can be found at [www.raveguardian.com](http://www.raveguardian.com).

Safety Escort and Shuttle Bus Service

The Fitchburg State University Police Department requests that students ask for escorts only when necessary and when no other options are available. Escorts are provided for safety reasons only, when the Shuttle is not in service. The shuttle runs continuous 15 minute loops from the Civic Center through campus and is free of charge.

**Shuttle Bus: Transportation Schedule**

<table>
<thead>
<tr>
<th>Schedule</th>
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<tbody>
<tr>
<td>Sunday from 4:30 p.m. to midnight</td>
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<tr>
<td>Monday-Thursday from 6:30 a.m. to midnight</td>
</tr>
<tr>
<td>Friday from 6:30 a.m. to 6:30 p.m.</td>
</tr>
<tr>
<td>Weekday Holidays from 4:30 p.m. until midnight</td>
</tr>
</tbody>
</table>

**Exceptions** Sundays preceding a Monday holiday - no service.

You can track the shuttle on the Fitchburg State University mobile site [m.fitchburgstate.edu](http://m.fitchburgstate.edu).
Code Blue® Emergency Phones

CODE BLUE® emergency phones have been placed in or near all parking lots, outside of the main entrance of each residence hall, and the Upper Civic Center Shuttle Stop, as well as in the main Quadrangle and other locations around campus. These phones ring directly into the Fitchburg State University Police Department. When using these phones, please remain calm and give clear details of the situation you are reporting.

To operate an emergency phone, simply press the button. The Fitchburg State University Police Department will respond immediately. Even if you cannot speak, they will know your location and a cruiser will arrive on the scene very quickly. Audio contact with the Police Department will remain activated throughout the emergency.

There are also various call boxes known as **WEBS** (Wide-Area Emergency Broadcast System) units. These towers are equipped with a local microphone to be used as a public address system.

Location of Emergency Call Boxes

Call boxes have been placed at strategic locations throughout the campus. Look for the blue light on top. Push the button and you are immediately in contact with the University Police Department, who will quickly respond to your call. These call boxes are for your safety and convenience.

Those denoted as **WEBS** (Wide Area Emergency Box System) are Mass Notification Broadcast Speakers allow for important announcements to be heard clearly around any Tower or Call Station location. They have the additional function that allows for **RAVE Arts** to be broadcasted from a loud speaker. Patrol Officers can also use these **WEBS** call boxes as public address system in times of emergencies. Locations of these WEBS boxes are shown below in grey.

<table>
<thead>
<tr>
<th>Call Box Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 155 North St. Elevator</td>
<td>Main entrance</td>
</tr>
<tr>
<td>2 185 North St.</td>
<td>North entrance by North St. #2 lot</td>
</tr>
<tr>
<td>3 Anthony Tower</td>
<td>Near Highland</td>
</tr>
<tr>
<td>4 Athletic Field WEBS Tower</td>
<td>Athletic Field House</td>
</tr>
<tr>
<td>5 Aubuchon Elevator North</td>
<td>Elevator on right</td>
</tr>
<tr>
<td>6 Aubuchon Elevator South</td>
<td>Elevator on left</td>
</tr>
<tr>
<td>7 Aubuchon Hall</td>
<td>At main doors</td>
</tr>
<tr>
<td>8 Cedar St. House</td>
<td>Main entrance</td>
</tr>
<tr>
<td>9 Cedar St. House Elevator</td>
<td>Back of main hallway</td>
</tr>
<tr>
<td>10 Civic Center</td>
<td>Next to bus shed</td>
</tr>
<tr>
<td>11 Congress EMG WEBS Tower</td>
<td>At entrance</td>
</tr>
<tr>
<td>12 Conlon IA Elevator</td>
<td>Inside, next to the loading dock</td>
</tr>
<tr>
<td></td>
<td>Location 1</td>
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<tr>
<td>13</td>
<td>Dupont EMG WEBS Tower</td>
</tr>
<tr>
<td>14</td>
<td>Edgerly Inside</td>
</tr>
<tr>
<td>15</td>
<td>Edgerly Wheelchair Lift</td>
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<tr>
<td>16</td>
<td>Hammond SL Ent WEBS Tower</td>
</tr>
<tr>
<td>17</td>
<td>Hammond Plaza East WEBS Tower</td>
</tr>
<tr>
<td>18</td>
<td>Hammond Elevator 1</td>
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<tr>
<td>19</td>
<td>Hammond Elevator 2</td>
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<tr>
<td>20</td>
<td>Hammond Elevator 3</td>
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<td>21</td>
<td>Hammond Elevator 4</td>
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<tr>
<td>22</td>
<td>Herlihy Hall</td>
</tr>
<tr>
<td>23</td>
<td>Herlihy Hall Elevator</td>
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<tr>
<td>24</td>
<td>Mara 8 EMG WEBS Tower</td>
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<tr>
<td>25</td>
<td>Mara Village 1</td>
</tr>
<tr>
<td>26</td>
<td>Mara Village 3</td>
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<tr>
<td>27</td>
<td>Mara Village 6</td>
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<tr>
<td>28</td>
<td>Mara Village 8 Elevator Inside</td>
</tr>
<tr>
<td>29</td>
<td>Mara Village 8 Elevator Outside</td>
</tr>
<tr>
<td>30</td>
<td>Mara Village 8 North Side</td>
</tr>
<tr>
<td>31</td>
<td>Mara Village Commons Elevator</td>
</tr>
<tr>
<td>32</td>
<td>Mazzaferro Wheelchair Lift</td>
</tr>
<tr>
<td>33</td>
<td>McKay Front Parking Lot WEBS Tower</td>
</tr>
<tr>
<td>34</td>
<td>McKay A Building Elevator</td>
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<tr>
<td>35</td>
<td>McKay C Building Elevator</td>
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<tr>
<td>36</td>
<td>McKay C Entrance</td>
</tr>
<tr>
<td>37</td>
<td>McKay Lower Lot</td>
</tr>
<tr>
<td>38</td>
<td>McKay Upper Lot</td>
</tr>
<tr>
<td>39</td>
<td>North 2 Lot</td>
</tr>
<tr>
<td>40</td>
<td>Percival 1st Floor Hallway</td>
</tr>
<tr>
<td>41</td>
<td>Percival Elevator</td>
</tr>
<tr>
<td>42</td>
<td>Percival Lobby</td>
</tr>
<tr>
<td>43</td>
<td>Rec Center Elevator</td>
</tr>
<tr>
<td>44</td>
<td>Ross Lower EMG WEBS Tower</td>
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<tr>
<td>45</td>
<td>Ross Upper EMG</td>
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<tr>
<td></td>
<td>Location</td>
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<tr>
<td>46</td>
<td>Russell Towers</td>
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<tr>
<td>47</td>
<td>Russell Towers Elevator 1</td>
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<tr>
<td>48</td>
<td>Russell Towers Elevator 2</td>
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<tr>
<td>49</td>
<td>Russell Towers Elevator 3</td>
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<td>50</td>
<td>Russell Towers Elevator 4</td>
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<tr>
<td>51</td>
<td>Sanders Plaza EMG WEBS Tower</td>
</tr>
<tr>
<td>52</td>
<td>Science Center Elevator</td>
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<td>58</td>
<td>Upper Cedar Lot EMG WEBS Tower</td>
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<td>59</td>
<td>Weston Front</td>
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Security and Access to Facilities

The University and its facilities are restricted to students, staff, faculty, and authorized guests, except when all or part of the campus is open to the general public for a designated purpose and time. On occasion access is limited to students and employees who have been issued university OneCards. The Fitchburg State University Police Department’s Communication Center monitors entry into resident halls via the University’s One Card system, and in some locations, closed circuit video. Through the Communication Center, dispatchers have the ability to monitor which card has been given access, which were denied access, and whether an entry way had been held open. They then can dispatch and officer or contact housing directly to address any concerns. In each of the first year resident halls, a student employed desk worker is assigned to further monitor entry and to sign in guests.

The residence halls are locked 24 hours a day. Students have access only to their particular building. Guests of resident students must be escorted by their hosts at all times. All residential, academic, and administrative buildings are routinely patrolled and are locked at designated times throughout the academic year. Most facilities are kept locked, and both key and electronic card access are restricted to individuals who obtain authorization. Individuals found on campus without a legitimate purpose may be issued trespass warnings and directed to leave campus; failure to comply with a warning may result in arrest.

Maintenance of Campus Facilities

A team of maintenance staff workers are employed by Housing and Residential Services in order to maintain the residence halls in the best possible condition within given resources.

Students who need to request maintenance service in their room can submit a work order online through the School Dude® system which is housed on the Capital Planning and Maintenance website: Fitchburgstate.edu/offices/capital-planning-maintenance/. Students can also call the Work Request Line at extension 4014.

In an emergency, students should contact a member of their building staff or the Office of Housing and Residential Services during weekdays. Emergencies that occur during evenings, weekends or holidays should be reported to the RA on duty or University Police at extension 3111.
It is the shared responsibilities of Housing and Residential Services staff, Capital Planning and Maintenance assigned to the resident halls, University Police and Student Security to ensure that pathways are well lit and egress lighting is working in hallways and stairwell.

**Residence Hall Rules and Regulations**

The residence halls are governed by rules and regulations for the benefit of the entire University community. It is very important that ALL students and guests abide by the rules set forth in the *Code of Conduct and Discipline Process Handbook* and the *Fitchburg State University Student Handbook* and terms of the *Housing Occupancy Agreement* while living on or visiting campus or attending University related programs or events. These rules have been developed for the safety and security of all. These publications can be found here: [www.fitchburgstate.edu/campus-life/student-services/office-of-student-conduct-mediation-education/campus-policies/](http://www.fitchburgstate.edu/campus-life/student-services/office-of-student-conduct-mediation-education/campus-policies/)

**Residence Hall Staff**

Each residence hall has a designated Residence Director (RD) and a staff of student Resident Assistants (RAs). RDs and RAs receive comprehensive training before each academic year begins. This training includes how to handle various emergencies ranging in scope from psychological and health concerns, to fire evacuations, sexual misconduct or violence, vandalism, alcohol and other drug abuse, disorderly conduct, etc. The Director and Associate Director of Housing and Residential Services supervise the RD staff, which in turn provides direct supervision to the RA staff. Members of the professional staff are available to assist students during normal business hours. There is an RD on Duty each evening in addition to RAs on duty in every hall to assist students. RAs on duty provide extra support by touring the residence hall floors on a regular basis during designated hours.

**Security in Students’ Rooms**

Each residence hall student room access is controlled by a card swipe mechanism. Students can access their room by swiping their University issued OneCard. All rooms have screens and lockable windows. Anyone found to be removing or tampering with screens on any building may face serious disciplinary proceedings and/or criminal charges. All student room doors are posted with a warning against leaving the doors unlocked at any time.

Resident students are warned against propping residence hall entrance doors in an open position or disabling or tampering with any fire or security system devices. Tampering with or disabling any security device or system is not only unsafe for the entire University community, but could also lead to serious criminal charges and campus disciplinary action.
Secured Entrances
Residents and guests enter all residence halls through designated main entrances. All other doors are alarmed and designated for emergency use only. Any individual found responsible for using or tampering with any emergency sounding device, or door, will face disciplinary action and/or criminal complaints.

Off-Campus Housing
Fitchburg State University does not own, nor does it sponsor or recommend the suitability of, any off-campus housing. Students seeking off-campus housing are cautioned to check thoroughly with local police and the landlord of any rental property about the incidence of crime in the area. It is also important to check for adequate safety devices in the building or apartment prior to signing any lease agreement.

To access the City of Fitchburg data though their police department you can visit their website www.fitchburgpolice.com
Crime Prevention and Security Awareness Programs

Members of the University’s Police Department participates in presentations at all orientations for new students and parents, as well as various community engagement events through the year. Crime prevention tips are provided and students are strongly encouraged to report all crimes and suspicious activity.

During freshman orientation, police officers talk to students about ways to avoid conflict and protect themselves. Special attention is given to the issue of Sexual Assault, Harassment, Domestic Violence and Stalking, Active Shooter Response, and Off Campus Awareness. Similar presentations are given to resident assistants, who are often the first to learn of problems in the residence halls.

Each fall, Crime Prevention brochures are distributed throughout campus. In addition, representatives from University Police, Counseling, Health Services, and the Office of Student and Academic Life make presentations to various academic departments.

Housing Liaison Program

Officers of the department work closely with members of Housing and Residential Services to provide programs inside the resident halls through the academic year. These programs range from alcohol awareness to Operation ID. Programs such as “Cookies with Cops” provide a relaxed atmosphere where students and officers engage in an open dialogue about crime prevention, societal issues that are prevalent to students, and how the department can assist them.

Operation Safe Ride

Operation safe ride and other programs are geared to the commuter students on campus. Officers meet with members of Commuter Affairs to discuss issues that are unique to commuter students. During the academic years officers will ride along on the university shuttle to speak with students and engage with them during their commute.

Project Safe Spot

Project safe spot is a partnership with area businesses to keep the university community safe. Businesses are allowed to display a decal in their window identifying them as a “safe spot”. They agree that if a member of the university ever feels unsafe for any reason they can come into their business and they will assist them in contacting University Police, and allow them to remain until we can respond.
Operation Identification
This program involves the permanent marking of valuables with a unique number, symbol or combination, recording of identification information, and affixing a decal to the exterior of your residence warning potential thieves that the property is registered with the police. This program not only deters theft by making stolen property more difficult to sell and easier to identify, but also expedites insurance claims in the event of a loss.

Community Liaison Officer Program
The objective of our community liaison program is to partner a police officer, or police officers, with specific groups within the university community to achieve:

- Designated contact persons to allow easy communication
- A feeling of familiarity and comfort
- Collaboration on community educational programs
- Collaboration on identifying and addressing issues
- Collaborations on staff training

If you would like to learn more about our liaison program, please contact Lt. William Fisher at 978-665-3111.

Housing Floor Meetings
Each month Resident Assistants meet with the resident students in their assigned resident halls to discuss a wide range of safety and prevention topics. During these meeting/program the R.A.s will invite other members of the community to assist and discussing these various topics to include representatives from University Police, Counseling Services, Health Services, and Disability Services.

Notice of Programs
Prior to the start of academic year, the Fitchburg State University Police will post on their website (and provide information at the start of the year events, such as “Rock the Block” and “Rock the Lounge”) the date and times of the programs offered for that academic year. For 2016-2017 we currently have four (4) Active Shooter Presentations scheduled, and four (4) Rape Aggression Defense classes scheduled. Members of the department will hold additional classes if requested by any university department, club, or organization. The Fitchburg State University F.A.V.E (Fitchburg Anti-Violence Education) offers several programs in the fall and spring semester, focusing on awareness and prevention efforts associated with the Violence Against Women Act (V.A.W.A.).
V.A.W.A Related Prevention and Awareness Campaigns

*Ask First, Kiss Second Campaign* is a social marketing campaign focusing on the importance of obtaining consent when engaging in any type of sexual contact. Along with messages about consent, Hershey’s kisses and other items are distributed as part of the campaign at various times during the year, including Rock the Block, Halloween, and Valentine’s Day. Additional social marketing campaigns are developed each year.

*Take Back the Night* is a program sponsored by Counseling Services every April. Drawing hundreds of students, faculty, and staff each year, the program increases awareness about the prevalence of sexual assault, encourages victims to share their story and seek help, and demonstrates community-wide support for survivors.

*White Ribbon Day* is an annual event that invites all members of the community to participate in efforts to end violence against women. Participants wear white ribbons to symbolize their support of the program, and pledge never to commit, condone, or remain silent about violence against women.

**RAD (Rape Aggression Defense)**

*What is RAD?* Rape Aggression Defense System is one of the best women’s self-defense courses available. RAD is a program of realistic self-defense tactics and techniques. It is a comprehensive self-defense course for women that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defensive training. RAD is not a martial arts program. Our courses are taught by certified instructors and provide you with a workbook/reference manual. This manual outlines the entire physical defense program for reference and continuous personal growth.

*The RAD Class* is taught over a period of 12 hours that consist of four evening classes of 3 hours each. The first class is an overview and discussion on risk reduction and prevention. The next two classes consist of learning and practicing physical defense moves. The final class is a simulation of an attack. This is the class where everything the student learns comes together. The students must attend all four classes to complete the course. Simulation is strictly voluntary and the students can still complete the class if they choose not to volunteer; but they must be present. The vast majority of women who perform the simulation leave with a feeling of empowerment.
What You Can Do To Protect Yourself

Your involvement is essential to the prevention of crime on campus. Disinterest or complacency are the prime contributors to the success of crime. The police cannot be everywhere at once. We are dependent on you to recognize and report incidents that are suspicious in nature or criminal.

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business-Monday through Friday, and for limited designated hours on Saturday, Sunday and holidays. Facilities are maintained, and their security monitored in the interest of the campus.

Residence Halls and Private Residences

Keep the door(s) to your residence and windows accessible from the outside locked at all times. Report defective locks on windows and doors IMMEDIATELY to the Capital Planning and Maintenance website: www.fitchburgstate.edu/cpm. Students can also call the Work Request Line at extension 4014.

- Never sleep in an unlocked room or house.
- Do not put your names and address on key rings.
- Do not keep your residence and vehicle keys on the same ring.
- If you lose the keys to your residence, have the lock(s) changed. On campus residents should notify the Police immediately.
- Require visitors to identify themselves before you open your door. Off-campus residents should require official identification from all repair service personnel.
- Do not let strangers use your phone.
- If you receive obscene or harassing telephone calls, or several calls with no one on the other end, immediately notify the Fitchburg State University Police.
- If you find your room has been entered, DO NOT GO INSIDE. Go to a neighbor and call the Fitchburg State University Police (for university housing) or the Fitchburg Police Department (for a private residence). If you are already inside, DO NOT DISTURB THE SCENE/TOUCH ANYTHING.

Walking alone

- If possible, avoid walking alone or walking near vacant lots, alleys, construction sites, and wooded areas.
- Use well-lit and busy sidewalks.
- Learn the location of emergency phones on campus.
- Carry a cell phone, whistle or a personal alarm to alert people that you need help.
- When walking to your car, carry your keys ready in hand.
- When being dropped off at your residence by a taxi, friend or family, ask the driver to wait until you get inside.
- When getting out of a car at a mall, rest stop, etc., take a look around to make sure that you are not being followed.
- Call the Fitchburg State University Police Department for a student security escort to your vehicle or building.
Athletic Facilities
- Avoid using athletic facilities alone, especially after dark or during off hours.
- Use the “buddy system.” Work out with a friend, and make arrangements to go to and from the gym together.
- Confine your running and jogging to the daylight hours and to open well-traveled areas.
- Avoid showering alone in the locker room. Shower back at your residence.
- Avoid bringing cash, wallets, watches, or other valuables to the athletic facilities.
- Avoid storing your valuable sports equipment in your locker.
- Keep your locker locked whenever unattended.
- Report suspicious persons and incidents of theft to the Fitchburg State University Police Department.

Elevators
- If while waiting for an elevator, you find yourself alone with a stranger, let them take the elevator and wait for its return.
- If you are on an elevator with someone who makes you feel uneasy, get off at the next floor.
- Always stand near the control panel, where you have access to the alarm and floor buttons.

Driving
- Do not pick up hitchhikers.
- Whenever possible, limit traveling to well-lit, well-traveled roads.
- Keep your windows closed and doors locked.
- When stopped at traffic lights or stop signs, keep your vehicle in gear. If threatened, sound your horn and drive away as soon as possible.
- If your vehicle breaks down, signal for assistance by raising your hood. Stay inside your vehicle with your windows and doors locked. If a roadside Samaritan stops, roll down your window just enough to talk and ask that he/she call police if you were unable to do so. If the person appears to be a threat, sound the horn and flash your lights.
- If you think you are being followed, keep out of desolate areas. Look for a place where there are people, then stop and let the vehicle pass you.
- If the vehicle continues to follow, drive to the nearest location where you can get assistance (gas station, shopping center, police or fire station, etc.)
- If you are followed into your driveway or parking lot, stay locked inside of your vehicle until you can identify the occupants of the vehicle. If threatened, sound your horn to draw attention.
- When parking at night, choose a well-lit area. Before getting out of your vehicle, check for people loitering.
- Always remove your ignition keys. Lock the vehicle whenever it is unattended.
- Before entering your vehicle, always check the interior, paying particular attention to the floor and rear seat.
Protecting Personal and University Property
Lock your door every time you leave your room or office. Engrave expensive equipment and valuables. The Fitchburg State University Police Department has an engraving program (Operation Identification). Don’t store your purse or wallet in an unlocked desk drawer. Don’t leave your belongings (books, gym bags, backpacks, laptops, cell phones, coats, etc.) unattended in the library, cafeteria, hallways, locker rooms, or classrooms.

If You Are Working Late
Notify the Fitchburg State University Police Department that you are in your office and indicate when you expect to leave. Keep your office door locked. Lock all doors behind you when entering and exiting at night. These prevention measures are advised for your protection. Your location on campus is important for officers to know in case of a sudden illness or in case of fire. For these reasons, the Fitchburg State University Police Department must know when you are in campus buildings after hours.

Residence Halls and Private Residences
- Avoid bringing large amounts of cash or valuables to campus or your residence.
- Keep items of value out of sight.
- Never lend your key to your residence.
- Do not hide keys under mats, above doors, in mailboxes, or anywhere else they can be easily found. If you live in a dorm, take your room key to the shower with you. Do not leave it with your clothing.
- For private residence, when having duplicate keys made, have them made in your presence.
- When leaving for vacation, store valuables out of sight.
- Check with your family insurance agent to determine if your property is covered under your parents’ homeowner’s insurance. If not, consider purchasing your own.

Private Residences
- When leaving your residence unattended, give the appearance of occupancy.
- Do not leave notes advertising your absence (Gone to get the mail, I’m over at the neighbors, be right back, etc.).
- When gone after dark, leave a light or radio/television on.
- Make sure all of your windows and doors are locked.
- Leave shades and blinds partly open.
- Close the garage door.
- Stop all deliveries (mail, newspapers, etc.).
- Inform your neighbors you are leaving and ask them to keep an eye on your residence.
- Notify the police department and request a residential patrol/checks.
- If leaving for a summer or winter vacation, have someone cut your lawn or shovel your driveway.
Offices and Laboratories

- Keep all offices and laboratories locked when not in use.
- Make sure that all locks are in working order.
- Keep desks, cabinets, etc., locked when not in use.
- Avoid bringing valuable personal property with you.
- Petty cash should be kept at a minimum.
- Women should keep their pocketbooks locked up, and men should not hang up coats or jackets with wallets or other valuable items in the pockets.
- Before leaving your office or laboratory, make sure there is no one left in the area and then secure the room.
- Watch out for your fellow co-workers areas as well. If you notice a door or window was left unsecured, please secure it. If you are unable to do so, notify the Fitchburg State University Police who will dispatch an officer to the area.
- Report any suspicious persons or activity to the Fitchburg State University Police immediately.

Motor Vehicles

- Report all suspicious persons or vehicles seen around the parking areas of the Fitchburg State University Police Department.
- Keep your vehicle locked and the windows rolled up tightly.
- Never leave your vehicle running when unattended.
- When parking, choose a well-lit, heavily traveled area.
- Packages, luggage, and other valuables should be locked in the trunk.
- Electronic accessories should be marked with identifiable numbers and registered under Operation Identification and placed in a secure area, not clearly visible to the public.

Bicycles

- Always lock your bicycle around the frame and through both wheels to an object such as a telephone pole, sign or lamppost, bicycle rack, etc.
- If you must leave your bicycle outside, choose a well-lit, heavily traveled location.
- Find out if your bicycle is covered under your parents’ insurance policy. If not, consider purchasing insurance on your own.
- Invest in a good bicycle lock.
Sexual Assault Awareness and Prevention

V.A.W.A. Violence against Women Act
The Violence Against Women Reauthorization Act (“VAWA”), which President Obama signed into law imposes new obligations on colleges and universities under its Campus Sexual Violence Act (“SaVE Act”) provision, Section 304. Under VAWA, colleges and universities are required to:

- Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- Adopt certain student discipline procedures, such as notifying purported victims of their rights; and
- Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.

VAWA provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery.

F.A.V.E. Fitchburg Anti-Violence Education

Mission
We will create a safe and respectful campus community for all, free from interpersonal and relationship violence, sexual assault, and stalking. We will do this by promoting healthy relationships through education and programming while empowering and supporting those affected by violence.

What is F.A.V.E.?
Fitchburg Anti-Violence Education (F.A.V.E.) is a campus-wide effort to prevent interpersonal and relationship violence, and sexual assault, at Fitchburg State and to support those affected by violence. Like many other colleges and universities, Fitchburg State has been impacted by these phenomena. We have chosen as a community to stand up and act.

F.A.V.E. is directed by Robert Hynes, Ph.D., Assistant Dean for Student Support Services. The program is coordinated by Amanda Sapienza, MA.

F.A.V.E. collaborates with a number of community partners (e.g., YWCA Domestic Violence Services, Pathways for Change) to meet our training needs and to link survivors with community based resources.

The project originated in 2010, with a grant awarded to Fitchburg State University by the U.S. Department of Justice Office on Violence against Women, through the Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program.

A key component of F.A.V.E. is mandatory educational programming for incoming first-year and transfer students about issues of interpersonal and relationship violence, sexual assault, and active bystander training.
F.A.V.E. provides resources for help or information about dating violence, domestic violence, sexual assault and stalking. If you or someone you know is in an abusive relationship or has been a victim of sexual assault, there are many places to go for help. Many can be accessed 24 hours a day, seven days a week, 365 days a year. On campus, free and confidential support is provided at both Counseling Services and Health Services.

Training for Incoming Students
A key component of Fitchburg State University's commitment to creating a safe and healthy campus community is mandatory educational programming for all incoming first-year and transfer students about issues of interpersonal and relationship violence and sexual assault.

All incoming students will be required to participate in a two-part educational program focusing on these issues, as well as the role that active bystanders play. For the 2016-2017 academic year, new students will:

Complete an online, interactive training: Haven: Understanding Sexual Assault prior to their arrival on campus. Students were provided details regarding their compliance with this requirement during summer, 2016.

Attend a performance, during Fall Orientation, of “Drawing the Shades”, a powerful student-run play that focuses upon sexual assault from the perspective of a survivor.

Anyone with questions on the training program should contact FAVE Director Robert Hynes, Ph.D. (978-665-3152).

Drawing the Shades
Drawing the Shades is a play written by April L. Elliott about sexual assault. It tells the true stories of four students at Virginia Commonwealth University; each story is unique and told from the perspective of the survivor. For several years, incoming students have seen the program at orientation and have described it as both powerful and enlightening. Annual performances of the play will be part of the mandatory educational program for incoming first-year and transfer students.

Bystander Training
In support of Fitchburg State University’s commitment to a community where all individuals can safely pursue their educational and professional goals, the University has been conducting bystander intervention training for students, faculty and staff.

Bystander intervention is based upon the principle that all members of a community play an important role in preventing interpersonal and relationship violence and sexual assault. This training helps participants to recognize the scope and causes of these forms of violence and to develop the skills to effectively and safely intervene to prevent acts of violence.

New students at the University will complete a bystander intervention module as a component of the mandatory Haven: Understanding Sexual Assault online training prior to their arrival on campus.
Resources for Faculty and Staff
For students who have experienced a trauma like domestic violence or sexual assault, recovery may take some time. Developing strong support networks and for some, seeking professional help, is an essential step in the recovery process. Faculty and staff are in a unique position to be able to assist students in crisis by providing referrals and support.

Before you are able to offer assistance to a student, you must be able to recognize when a student is in distress. Indications that a student might be having difficulty coping with a trauma include:

Red Folder

“Red Folder,” is a quick reference guide providing strategies for identifying and responding to student behavioral issues. This digital resource is distributed to the desktops of all university-owned computers assigned to faculty and staff.

By clicking on the Red Folder icon, viewers will open a PDF that contains information on how to recognize and respond to disruptive or distressed students, as well as alcohol or drug issues, harassment or stalking behavior, physical or sexual assaults, and medical problems.

Also within the Red Folder are selected guidelines and resources for the campus, including links to the University’s Student Handbook and Code of Conduct, as well as its Equal Opportunity/Affirmative Action Plan, its Title IX commitments and a list of helpful phone numbers.

Getting Help
If you or someone you care about is in an abusive relationship, there are many places to go to for help. This publication contains just some of the many resources that are out there for you. Several can be accessed 24 hours a day, seven days a week, 365 days a year. Free and confidential services can be accessed at both Counseling Services and Health Services.

Training For Faculty and Staff
All Employees, and new hires of the Fitchburg State University, are provided through the university email system access to the Workplace Answer Website and required to complete the following training; Preventing Discrimination and Sexual Violence: Title IX, VAWA and Clery Act for Faculty and Staff. This training informs all employees of the obligation and jurisdiction to respond to, investigate reports of, and prevent harassment and violence, including gender motivated discrimination, harassment and violence that implicate Title IX of the Education Amendments Act of 1972, the Violence Against Women Act and the Clery Act. The training also provides guidance for bystanders and resources for reporting and resolving violence.
CARE Team (Community Assessment and Risk Evaluation) Reporting

Purpose
Fitchburg State University strives to maintain a safe, responsive, and respectful academic community for all of its members. To this end, the CARE Team will serve as a vehicle to help ensure that circumstances that may be indicative of a community member who is unsafe, unable to minimally function in the academic environment, or potentially dangerous to other community members are appropriately acknowledged, reviewed, and (as appropriate) acted upon to ameliorate risk.

Whereas the University has historically engaged in effective response to concerns of this nature (e.g., most recently, an “Incident Response Team”), it is believed that this CARE Team model will allow for more timely and comprehensive responding, without the necessity of being “incident-driven.” That is, mechanisms will exist within the CARE Team to identify and respond to behaviors and concerns that have not yet risen to “incidents,” with the hope that earlier intervention may allow for improved outcomes.

Composition and Organization
The CARE Team will be comprised of the following individuals:

- Dean of Student and Academic Life
- Chief of University Police Department
- Associate Dean for Student Development
- Assistant Dean for Student and Academic Life / Student Conduct
- Assistant Dean for Student Support Services
- Director of Housing and Residential Life
- An Academic Dean
- A Representative from Enrollment Management

Additional individuals (e.g., Director of Health Services, Director of Athletics, Director of Disability Services, Chief Information Officer, Title IX Coordinator, etc.) may be invited to a CARE Team meeting if a particular individual or situation under consideration may impact (or be informed by) their area(s).

The CARE Team is not intended to be a hierarchical organization, however, a Chair and Vice-Chair, or, as appropriate, Co-Chairs, will be appointed for purposes of convening and facilitating meetings, preparing the agenda, organizing information, and communicating activities and findings (as indicated) to other University stakeholders (e.g., the President’s Office, Vice President(s), Executive Cabinet, etc.).

The CARE Team receives, considers and, when appropriate, acts upon information or behavior(s) of concern exhibited by a student or group of students. The Office of Student and Academic Life coordinates the group of professional staff that meets weekly during the academic year (and more frequently, if necessary) to address the safety, welfare, and academic success of students.
The FSU CARE Team includes representatives from across the institution, with a focus on reaching out to students whose behavior has in some way has come to the attention of others. The Team determines a plan of action (if deemed appropriate and needed) that is in the best interest of the student and the campus community.

The Team encourages faculty, staff, student or parental response to behavior that may be classified as:

- **Academic Concerns** – Concerns related to a student’s academics
- **General Concerns/Other** – General concerns about the behavior and/or welfare of a student
- **Missing Students** – Students’ who have been missing for a period of time
- **Distressed Behavior** – the most common, distressed behavior causes us to feel alarmed, upset or worried
- **Disruptive Behavior** – behavior that interferes or disrupts the educational environment of other students or the normal academic functions of the university
- **Dangerous Behavior** – behavior that causes one to feel frightened and/or in fear of one's personal safety or the safety of others.

This is not a system to use for emergencies. In case of an emergency, regardless of time of day, when a student’s well-being is in jeopardy, please contact University Police at 978-665-3111.

Concerned members of the Fitchburg State community are able to complete an online form using detailed examples of behavior that cause your concern. This form will be sent directly to the Dean of Students Office and CARE Team. You may be contacted for additional information or clarification if needed. If you are concerned about a student, but do not wish to submit concern(s) through this form, please contact the Dean of Students Office directly at 978-665-3130.

The online form can be found at: [https://cm.maxient.com/reportingform.php?FitchburgStateUniv&layout_id=9](https://cm.maxient.com/reportingform.php?FitchburgStateUniv&layout_id=9)

**Confidentiality and Non-Disclosure**

CARE Team members will, in the course of the effective fulfillment of their responsibilities, have access to considerable data regarding individuals of concern that should be considered “confidential.” Legal and ethical guidelines pertaining to the knowledge and maintenance of such information may, in fact, be quite stringent.

Team members are mindful of the necessity of maintaining the confidentiality of such information, and are bound by a Confidentiality and Non-Disclosure Agreement specific to their duties and responsibilities with the CARE Team.

Some members of the CARE Team (e.g., Assistant Dean/Director of Counseling Services) may have additional legal and ethical requirements regarding the maintenance of confidentiality.
Procedure for Responding to Sexual Assault

Fitchburg State University prohibits any member of the University community, male or female, from sexually assaulting another employee, student or other person having dealings with the institution.

The University Community defines sexual assault including, but not limited to rape, as any kind of sexual physical contact that involves force or any form of coercion or intimidation. Also prohibited is contact with a person who is unable to consent. Consent to sexual activity can be communicated in a variety of ways, but one should presume that consent has not been given in the absence of clear, positive agreement. Consent must be clear and unambiguous for each participant at every stage of a sexual encounter. The absence of "no" should not be understood to mean there is consent.

Sexual physical contact includes the intentional touching of another person on the area of the body generally recognized as a private part of the body, or touching any part of another person’s body with a private part of one’s own body. An unwarranted touch may be considered sexual physical contact no matter how slight it is.

A person who is unable to consent includes, but is not limited to any person under the age of 16; anyone who is physically helpless, or anyone who is mentally incapacitated. A physically helpless person is considered to be one who is unconscious, or for any other reason unable to communicate unwillingness to engage in any act. A mentally incapacitated person may be one who is under the influence of alcohol or a drug, or who is mentally incapable of understanding the implications and consequences of any act.

At times, students are hesitant to report the occurrence of sexual assaults to University officials because they are concerned that they themselves, or witnesses to the misconduct, may be charged with violations of the alcohol and/or drug policy. While the University does not condone these behaviors, the University can prioritize the need to address instances of sexual assault. Accordingly, in these cases, the University may not pursue disciplinary action against a student who, in good faith, is the complainant of a sexual assault in connection with the reporting of an incident, or against students named as witnesses to the incident.

Use of alcohol or any other drug to render another person mentally or physically incapacitated as a precursor to or part of a sexually assault, as previously defined, is prohibited.

The University urges victims to come forward with a report of any incident. An array of police, medical, psychological, administrative and disciplinary services are in place and immediately available to students reporting a sexual assault. FSU is committed to supporting students' exercise of informed choice among these services and insuring anonymity within the confines of legal requirements to report a sexual assault.

Off-campus support and legal/court services may play important roles and FSU provides support services to students who choose to seek criminal or civil prosecution as well as disciplinary action under FSU's Student Discipline System.

An in depth description of the Fitchburg State University Sexual Assault policy and procedure can be found at in Appendix “C” of this document.
Victim/ Survivors Rights

In accordance with the Campus Sexual Assault Victims' Bill of Rights, which was signed into law by President Bush as a part of the Higher Education Amendments of 1992, (Public Law: 102-325, section 486(c)), survivors are entitled to the following rights:

- The survivor will have the same opportunity to have others present during campus disciplinary proceedings as the accuser.
- The survivor will be informed of the outcome of any campus disciplinary proceeding.
- Survivors have the option of notifying municipal and/or campus law enforcement of a sexual assault.
- On-campus counseling is available to the survivor.
- Reasonable accommodations in the survivor’s academic and living arrangements may be made upon request.

In accordance with the Campus Security Act, anonymous statistics of sexual assaults will be maintained by the Dean of Student and Academic Life and reported to the Fitchburg State University Police Department.

Survivors of sexual assault may report an assault to University Police as follows:

**Informal Report**
Survivors of sexual assault may informally report a sexual assault to University Police. University Police will inform the survivor of his/her rights and options. A police investigation will not be conducted.

**Criminal Complaint**
Survivors of sexual assault may make a criminal complaint of sexual assault with University Police. University Police will inform the survivor of his/her rights and options. A police investigation of the assault will be conducted. Survivors will be a part of the decision process with regards to prosecution. If the investigation indicates that the case should be prosecuted, the case may be referred to the District Attorney for prosecution, regardless of the survivor’s wishes. This would be rare, but could occur if a crime was particularly brutal or if there were unusual circumstances, which require prosecution to protect the community.

Survivors may choose to orally report a sexual assault without pressure to submit a written report. Written reports may be submitted to Public Safety 24 hours a day, seven days a week.

Students interested in submitting an incident report involving allegations of sexual assault are encouraged to contact the Dean of Students and Academic Life about available options.

**Notification**
The University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense (incest or statutory rape), the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.
Fitchburg State University will provide both the accused and the accuser with simultaneous written notification of any result of any institutional disciplinary proceeding that arises from an allegation of Dating Violence, Domestic Violence, Sexual Assault or Stalking. In these cases, it is not necessary for a victim to make a written request.

**Overview of the Sexual Assault Protocol**

This protocol is based on the following understanding of sexual assault:

- Sexual assault is a single term covering a range of coercive behaviors, which violate both Commonwealth statutes and the FSU Anti-Violence Policy. The common element of these behaviors is the use of coercion, force or threat of force to obtain sexual contact against a person’s will. The type of coercion may range from psychological threat, to coercion due to a survivor’s physical or mental helplessness to physical violence with or without weapons. The type of contact may range from unwanted sexual touching to intercourse or other sexual penetration. The perpetrator of sexual assault may often be known to the survivor. The experience may severely traumatize the survivor even when no physical force was used in the coercion.

- Survivors of sexual assault need clear boundaries and role definitions in those who offer help because their personal boundaries have been violated. Survivors need to know what services are available and who provides them. Similarly, survivors need to know what is outside the scope of any given provider’s services and they need to know that providers will stay safely in their roles.

- Survivors of sexual assault need clearly defined choice points and options because they have been in a powerless position and denied choice. Survivors need a chance to reestablish a sense of personal control.

- “Time is of the essence” for survivors of sexual assault in several ways. “Time is short” in the sense that survivors are likely to be in a crisis and in need of immediate support. Time is also short for securing evidence for possible prosecution. On the other hand, survivors need time and ongoing emotional support in a constructive way.

- Trust in others may have been severely damaged so all helping efforts should respect the survivor’s need for safety and control. Those providing services must be clear about the boundaries of confidentiality in their communications because any outside communication may be experienced by the survivor as another violation of trust. Problem-solving efforts and strong recommendations may be perceived as blaming and further attack. In general, the survivor needs to be heard, needs to be respected, needs to understand options and needs to move at his or her own pace through the process of recovery.
Requirements for Reporting Sexual Assaults

All institutional officials with significant responsibility for campus and student activities have reporting obligations under the Campus Security Act. Any reports of sexual assault (not the name of the survivor) must be reported to the Dean of Student and Academic Life. Following a report of a sexual assault, the Dean of Student and Academic Life will report only what information is necessary in order to collect Clery crime statistics. The purpose of the report is to assist in maintaining statistics as required by law. The survivor’s name will not be included in the report. The Dean of Student and Academic Life will coordinate with departments to follow-up on the services they provided for each incident without the departments’ disclosing the survivor’s name. Such follow-up with departments will ensure consistent implementation of this protocol and generate feedback necessary for future revisions of the protocol. Such follow-up will also help departments stay informed about evolving services available at FSU and the Fitchburg community.

Protocols & Confidentiality
Specific protocols for several campus departments are provided as well as a general protocol for faculty members and other FSU employees. Within each protocol, the boundaries of confidentiality, services offered by the department, options and choices available to the survivor and statements about services offered by associated departments are specified.

Students under the Age of 18
Massachusetts General Law Chapter 119, Section 51A, requires certain college staff, who, in their professional capacity, have reasonable cause to believe that a student under the age of 18 is suffering physical or emotional injury resulting from sexual abuse which causes harm or substantial risk of harm to the student’s health or welfare, to report sexual assault to the Department of Social Services for investigation.

Housing and Residential Services
Because of the profound impact that sexual assault has on the survivor and the residence hall community, Resident Assistants (RAs) are required to report a sexual assault to their Resident Directors and may be required to share information with senior Student and Academic Life staff or University Police on a “need to know” basis only. Beyond these specific contacts, RAs are required to keep this information in the strictest confidence.

Resident Directors are required to report a sexual assault to the senior administrator on call and the counselor on duty and may be required to share information with senior Student and Academic Life staff or University Police on a “need to know” basis only. Beyond these specific contacts, Resident Directors are required to keep this information in the strictest confidence.

The Director/Associate Director of Housing and Residential Services are required to report a sexual assault to the Dean of Student and Academic Life and may be required to share information with senior Student and Academic Life staff or University Police on a “need to know” basis only. Beyond these specific contacts, the Director/Associate Director of Housing and Residential Services are required to keep this information in the strictest confidence.
Health Services
Contacts with Health Services are confidential. Health Services staff are not required to report a sexual assault. However, Health Services staff may at their discretion choose to anonymously make a good faith report, not including personally identifiable information, for inclusion in Clery Crime Statistics.

Counseling Services
Contacts with Counseling Services staff are confidential; however, counseling services staff may at their discretion choose to anonymously make a good faith report, not including personally identifiable information, for inclusion in Clery Crime Statistics.

Dean of Student and Academic Life
In accordance with the Student Right-to-Know and Campus Security Act, the Dean of Student and Academic Life will statistically report any sexual assaults to University Police for record keeping and reporting purposes.

University Police
University Police officers are required to report a sexual assault to the Chief of the University Police and the counselor on duty and may be required to share information with senior Student Affairs staff or University Police on a “need to know” basis only. Beyond these specific contacts, University Police officers are required to keep this information in the strictest confidence within the confines of the law.

The Chief of the University Police is required to report a sexual assault to the Dean of Student and Academic Life and may be required to share information with senior Student Affairs staff on a “need to know” basis only. Beyond these specific contacts, the Chief of the University Police is required to keep this information in the strictest confidence within the confines of the law.

In accordance with the Campus Security Act, anonymous statistics of sexual assaults will be maintained and reported by the University Police. Survivors of sexual assault may report an assault to University Police as follows:

Informal Report: Survivors of sexual assault may informally report a sexual assault to University Police. University Police will inform the survivor of her/his rights and options. A police investigation of the assault will not be conducted.

Criminal Complaint: Survivors of sexual assault may make a criminal complaint with University Police of a sexual assault. University Police will inform the survivor of her/his rights and options. A police investigation of the assault will be conducted. Survivors will be a part of the decision process with regard to prosecution. If the investigation indicates that the case should be prosecuted, the case may be referred to the District Attorney for prosecution regardless of the survivor’s wishes. This would be rare, but could occur if a crime was particularly brutal or if there were unusual circumstances that require prosecution to protect the community.

Survivors may choose to orally report a sexual assault without pressure to submit a written report. Written reports may be submitted to University Police at any time.
**Faculty Members and Campus Departments**

Because of the profound impact that sexual assault has on the survivor and the FSU community, faculty members and other university employees are encouraged to report a sexual assault to the Dean of Student and Academic Life. After normal business hours, faculty members and other college employees should report this information to University Police. Faculty members and other university employees may be requested to share information with senior Student Academic Life staff and University Police on a “need to know” basis only. Beyond these specific contacts, faculty members and other college employees should keep this information in the strictest confidence. Unless specifically asked by the survivor, faculty members and other university employees are asked to withdraw from the intervention process at this point.

**Resources**

Confidential Support and Resources

- Confidential support, meaning the information you share will be kept secret [subject to certain limitation] is available on and off campus.
- Students are encouraged to contact Counseling Services (978) 665-3152 or Health Services (978) 665-3643 for confidential support on-campus.
- Employees are encouraged to contact the Employee Assistance Program (EAP) at 1-800-828-6025 or any of the hotline numbers below.

Confidential support is available off-campus through the national hotline of RAINN (Rape Abuse, & Incest National Network) at 1-800-656-HOPE, National Domestic Violence Hotline at 1-800-799-7233. Resources and hotline numbers are also located on the FAVE (Fitchburg Anti-Violence Education) website at [www.fitchburgstate.edu/fave](http://www.fitchburgstate.edu/fave).

Additional Resources can be found in Appendix “B” of this document
Fitchburg State University Policies

Introduction
Only in an environment free of substance abuse can the university fulfill its mission of developing the professional, social, cultural and intellectual potential of each member of its community. The use of illegal substances and abuse of legal substances and alcohol impairs the safety and health of students and employees, inhibits personal and academic growth and undermines the public’s confidence in the university. For these reasons, it is the policy of Fitchburg State University that all university activities and university property shall be free of the unlawful use or abuse of drugs and alcohol.

Drug-Free Schools and Communities Act Amendments of 1989
Public Law 101-226

Fitchburg State University, in accordance with both federal legislation and existing university policy, is committed to providing a drug free, healthful, and safe environment for all faculty, staff and students. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, and the unauthorized possession or use alcoholic beverages on campus or as part of any university activity or business off university premises is prohibited. If it is determined that a violation of this policy has occurred, disciplinary action up to and including, dismissal (expulsion) of students, and referral for prosecution may result as deemed appropriate. Applicable legal sanctions for the unlawful possession or distribution of drugs and alcohol are summarized in the following section.

This information appears here to meet the requirements of the Drug Free Schools and Communities Act. In addition to this policy, other university policies remain in place. These policies are outlined in detail in as follows.

General Provisions
The students and employees of Fitchburg State University shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances, drug paraphernalia or alcohol. Any individual who violations this prohibition will be subject to disciplinary action. Sanctions may include dismissal (expulsion) or termination of employment from the university, mandatory participation in an alcohol/drug abuse assistance or rehabilitation program, as well as referral of the matter to law enforcement agencies for prosecution.

Students and employees are required to notify the university’s director of human resources (or designee), and, in the case of students, the director of financial aid (or designee), within five days of being convicted of violating a criminal drug statute in the workplace.
University Alcohol Policy
Fitchburg State University is a community dedicated to the academic, professional and personal development of its members and is committed to educational and social programs that promote such development. Personal and communal responsibility with regard to the university’s alcohol policy is essential in ensuring that Fitchburg State’s environment is conducive to student learning and development. This alcohol policy assumes that any student who consumes alcohol accepts responsibility for their conduct. Being intoxicated will not be accepted as an excuse for conduct that violates the Code of Conduct. Any student found to allegedly violate this alcohol policy will be subject to disciplinary action.

General Provisions
Fitchburg State University enforces all state laws and city ordinances regarding the possession, use and sale of alcoholic beverages, including those prohibiting drinking by individuals under 21 years of age. The law also forbids falsifying age and identification cards. University policy restricts when, where and how alcohol may be served on campus or at university-sponsored activities or events and the amount of alcohol that a resident student or guest may bring into the residence halls.

Use or possession of alcohol beverages in public areas (campus grounds, athletic events, parking lots, academic buildings, dining hall, and campus center) is prohibited, except where a license to serve alcoholic beverages has been obtained. In such cases alcohol is only permitted within the confines of the license and at the discretion of the permit holder.

Open containers of any alcoholic beverage (any beverage where the seal is broken) is prohibited, except when permitted by law.

Public intoxication while on university property or at university sponsored activities or events are prohibited.

Hard liquor is prohibited on the Fitchburg State University campus. Hard liquor includes rum, vodka, gin, whiskey, and other similar liquors as well as mixed drink coolers.

Drinking funnels are prohibited on university property or at university sponsored activities or events. Any activities that promote and/or encourage drinking such as drinking games are prohibited.
Prevention & Awareness Programs
Abuse prevention programs are coordinated through several campus departments. The programs provide training and direct services to the university community and offer preventative educational and outreach activities.

Counseling Services is available for consultation concerning individual students with alcohol and/or drug problems. Individual or group counseling is available to any student who seeks assistance for a personal drug and/or alcohol problem. Please Note: Counseling Services is not able to accommodate court-ordered (required) drug and alcohol counseling. Students may also be referred for an alcohol evaluation session (BASICS) as part of a disciplinary action.

Human Resources, Counseling Services, and Health Services have established working relationships with area hospitals, community mental health centers and other social service agencies to facilitate referrals when treatment is needed.

Off Campus Functions
If a function is held off-campus, the contracted server must agree in writing that it agrees to assume all responsibility for serving alcoholic beverages. It is up to the sponsoring organization whether they will provide transportation to the function.

The sponsoring organization will make every effort to reduce liability to the institution and ensure a safe and orderly function. Additionally, if sponsored by a student organization, the event must be registered and approved through applicable processes.

Alcoholic beverages may not be served in common sources, such as kegs, beer balls, boxed wines, punch bowls, pitchers, carafes, cases, tubs, etc.

Alcohol in the Residence Halls
Underage residents and their guests (regardless of age) may not possess or consume alcohol or be present in any residence hall room where alcohol is present.

There are also reasonable limits to the amount of alcohol that a resident student age 21 or older and his/her guest age 21 or older may possess in the residence halls at any given time. This is a privilege and not a right. Students may not store empty containers in the residence halls and are encouraged to participate in recycling programs. Limits apply to full, partially full or empty containers:

- One 4-pack of wine coolers, or
- One 6-pack of 12 oz. beers, or
- One 6-pack of 12 oz. malt beverages, or
- One bottle of wine no larger than 750 ml.

Common sources of alcohol, such as boxed wines, beer balls, beer kegs, cases and punch bowls of any amount of alcohol over the limits specified are prohibited in the residence halls.

The commercial delivery of alcoholic beverages to the residence halls is prohibited.
**On-Campus Functions**

Recognized student organizations must register all on and off campus events through applicable processes. Failure to register an event where alcohol is served is additionally considered a violation of this alcohol policy. Recognized student organizations in good standing are permitted to have alcoholic beverages at on and off campus functions when authorized through applicable processes.

The Falcon Hub holds a license through the city of Fitchburg to serve beer and wine to individuals’ age 21 or older upon presentation of proper identification. For events in locations other than the pub, beer and wine service must be provided by Chartwells, which holds a separate liquor license. Service of alcoholic beverages at on-campus functions is done so at the discretion and approval of the person whose name the liquor license is held in. The permit holder and sponsoring organization will make every effort to reduce liability to the institution and ensure a safe and orderly function. The permit holder shall be responsible for establishing applicable policies and procedures regarding the approval, sale, and service of alcoholic beverages on campus. University administration reserves the right to cancel the service of alcohol on campus for any reason.

Safeguards must be taken to ensure an orderly function, to protect the rights of other members of the community against undue interference, noise and other disturbances. The hiring of a university police officer for an event where alcohol is served is at the discretion of the permit holder. If the permit holder decides that a University police officer should be present during an event, the cost to hire the officer must be borne by the sponsoring organization.

To prevent underage drinking at events where students age 21 and younger are present, the serving of alcoholic beverages will be limited to one drink per person age 21 or older.

University funds and/or student fees may not be used to purchase alcoholic beverages for student use (with the exception of Pub stock). Recognized student organizations may not offer alcoholic beverages free of charge to any event participant. Alcoholic beverages may not be provided as awards. Participants may not bring their own alcoholic beverages to any event.

When alcoholic beverages are served, food and nonalcoholic beverages (other than water) must be made available. The cost of these refreshments must not be prohibitive. Alcoholic beverages may not continue to be served if nonalcoholic beverages run out.

When alcoholic beverages are served, the function must be supportive of best practices regarding service and alcohol education programs that encourage responsible decisions about the use or non-use of alcoholic beverages.
**Federal and State Drug Laws**

The following is a summary of legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol provided in compliance with the drug free schools and communities act.

Local, state and federal laws make illegal uses of drugs and alcohol serious crimes. Conviction can lead to assigned community service, fines and/or imprisonment. A felony conviction for such an offense can prevent an individual from entering many fields of employment and licensed professions. Cities and towns in Massachusetts, specifically Fitchburg, prohibit public consumption of alcohol and impose fines for violation. The Metropolitan District Commission and the State Division of Forest and Parks also prohibit public consumption of alcohol in parks.

Massachusetts’s laws prohibit sale or delivery of alcoholic beverages to persons under 21 with a fine of up to $2,000 and six months imprisonment, or both for violations. Misrepresenting one’s age or falsifying identification to obtain alcoholic beverages is punishable by a fine of $300. A first conviction of driving under the influence of alcohol has a penalty of a $1,000 fine, one year revocation of driver’s license, up to two years in prison, and mandatory participation in an alcohol rehabilitation program.

Massachusetts has criminal penalties for the illicit use of controlled substances (or drugs), with penalties varying with the type of drug. In general, narcotics, addictive drugs, and drugs with a high potential for abuse have heavier penalties.

A law enacted in Massachusetts in August 1990 imposes a mandatory minimum of five years imprisonment for causing, inducing or abetting a person under 18 years old to distribute, disperse or possess with intent to distribute controlled substances, or to deliver or possess money in conjunction with such controlled substances.

Possession of drugs is illegal without a valid authorization (E.g. a prescription). While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum must be served.

It is illegal in the Commonwealth of Massachusetts to be in a place where heroin is kept and to be in the company of a person known to possess heroin. Anyone in the presence of heroin at a private party risks serious drug conviction. Sale and possession of drug paraphernalia is illegal in Massachusetts.

Persons convicted of drug possession under state or federal law may be ineligible for federal student grants and loans for up to one year after the first conviction five years after the second. The penalty for distributing drugs is loss of benefits for five years after the first, 10 years after the second and permanently after the third conviction.
Under federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty with a mandatory one year in prison, and a third conviction punishable by mandatory life imprisonment. These penalties apply to distribution of drugs within 1,000 feet of a university or school. Federal law sets greatly heightened prison sentences for the manufacture and distribution of drugs if death or serious injury results from the use of the substance.

**Drugs and Other Substances**

**Disciplinary Process**
The unlawful manufacture, distribution, dispensation, sale, possession or use of illegal substances or of drugs (e.g. narcotics, stimulants, depressants, hallucinogens) for which a required prescription has not been obtained is prohibited. The misuse or abuse of any prescription medication or over the counter drug is prohibited.

Marijuana is considered a Class D illegal substance under Massachusetts’s law. The manufacture, distribution, dispensation, sale, possession or use of marijuana on campus is prohibited.

The Office of Student Conduct, under the direction of the dean of student and academic life, oversees the student conduct process and handles incidents involving students and complaints against students on a case-by-case basis.

The procedures and sanctions for violations of the Code of Conduct are outlined in the Code of Conduct and Disciplinary Process Handbook. Sanctions may include anything from a warning up to and including dismissal from the university. Typically, the severity of sanctions will be increased based upon the number of offenses or based upon the severity of the incident. Questions regarding sanction should be directed to the Office of Student and Academic Life.

**Parental Notification**
As recommended by the Massachusetts Board of Higher Education and permitted by the Family Educational Rights and Privacy Act (FERPA), Fitchburg State University may notify parents/guardians when Fitchburg State students under the age of 21 have been found responsible through the disciplinary process for violating the university’s alcohol, drug, and good neighbor policies.

**Alcohol EDU for College**

Because Fitchburg State cares about the health and safety of our students, Fitchburg State University is one of hundreds of institutions nationwide taking a new approach to alcohol prevention.

The University will be requiring every member of the first-year class to complete Alcohol EDU for College—a science–based course taken by tens of thousands of students each year. This course aims to educate students about alcohol and its effects on the mind and body. More information about this course will be posted on the Fitchburg State University Website and communicated via email.

Whether or not they drink, Alcohol EDU for College empowers students to make well-informed decisions and better cope with the drinking behavior of peers. More information about this program can be obtained by contacting the Office of Student and Academic Life.
Guidelines for Substance Abuse Counseling/Treatment
Students are encouraged to reflect very seriously upon their own attitudes and actions with regard to alcohol abuse and to seek out information and counseling assistance through the Fitchburg State University Counseling Services Office, Health Services Office, the dean of student and academic life, or other appropriate personnel. All currently enrolled students are eligible to receive counseling through the Office of Counseling Services. Please note, Counseling Services is not able to accommodate court-ordered (required) drug and alcohol counseling. To make an appointment to see a clinician, please call (978) 665-3152. Referrals to resources in the community can also be provided.

Additional Relevant Resources
Help concerning drug and alcohol—related problems is available from several sources. Individuals needing personal assistance, individuals who know of someone who needs help, or individuals with questions concerning alcohol and drug abuse may contact in confidence any of the following:

- Counseling Services
- Health Services
- Human Resources
- Department of Public Health, Substance Abuse Division, (800) 327-5050

Alcoholics Anonymous
Alcoholics Anonymous is a fellowship of men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from alcoholism. For a listing of local meetings you may visit www.aa.org.

Adult Children of Alcoholics
A listing of local meetings may be found at www.adultchildren.org.

Narcotics Anonymous
This self-help group can be reached locally at (508) 756-2284. Additional information can be found at www.na.org.
# Health Risks of Substance Abuse

<table>
<thead>
<tr>
<th>CNS Depressant</th>
<th>Inhalants</th>
<th>PCP</th>
<th>Cannabis</th>
<th>CNS Stimulants</th>
<th>Hallucinogens</th>
<th>Narcotic Analgesics</th>
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<td>Dilated (6)</td>
<td>Dilated (6)</td>
<td>Constricted</td>
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<td>Normal</td>
<td>Slow</td>
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<td>Down</td>
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<tr>
<td>BLOOD PRESSURE</td>
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<td>Down</td>
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<td>Up</td>
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**GENERAL INDICATORS**
- Uncoordinated
- Disoriented
- Sluggish
- Thick, Slurred speech
- Drunk-like behavior
- Gait ataxia
- Drowsiness
- Droopy eyes
- Fumbling
- Residue of substance around nose and mouth
- Odor of substance
- Possible nausea
- Skurred speech
- Disorientation
- Confusion
- Bloodshot, watery eyes
- Lack of muscle control
- Flushed face
- Non-communicative
- Intense headaches
- Perspiring
- Warm to the touch
- Blank stare
- Difficulty in speech
- Incomplete verbal responses
- Repetitive speech
- Increased pain threshold
- Cyclic behavior
- Confused and agitated
- Possibly violent and combative
- Chemical odor
- “Moon walking”
- Very red eyes
- Odor of marijuana
- Body tremors
- Eyelid tremors
- Relaxed inhibitions
- Increased appetite
- Impaired perception of time and distance
- Possible paranoia
- Disorientation
- Restlessness
- Body tremors
- Excited
- Euphoric
- Talking
toself
- Exaggerated
- Reflexes
- Anxiety
- Bruxism
- Redness to nasal area
- Runny nose
- Loss of appetite
- Insomnia
- Increased alertness
- Dry mouth
- Irritability
- Dazed appearance
- Body tremors
- Synesthesia
- Hallucinations
- Paranoia
- Uncoordinated
- Nausea
- Disoriented
- Difficulty in speech
- Perspiring
- Poor perception of time and distance
- Memory loss
- Disorientation
- Flashbacks
- Drowsiness
- Depressed
- Ataxia
- Incontinence
- Markers
- Track marks
- "Note: Tolerant users exhibit relatively little psychomotor impairment"

**USUAL METHODS OF ADMINISTRATION**
- Oral
- Injected
- Insufflated
- Smoked
- Oral
- Insufflated
- Injected
- Eye drops
- Smoked
- Oral
- Insufflated
- Injected
- Oral
- Injected
- Oral
- Smoked
- Insufflated

**DURATION OF EFFECTS**
- 1-16 hours (depending on the substance)
- 5 minutes to 8 hours (depending on the substance)
- 4-6 hours
- 2-3 hours
- 5 minutes to 12 hours (depending on the substance)
- Varies depending on type of hallucinogen
- 4-24 hours (depending on the substance)

**OVERDOSE SIGNS**
- Shallow breathing
- Cold, clammy skin
- Pupils dilated
- Rapid, weak pulse
- Coma
- Long, intense trip
- Fatigue
- Paranoia
- Agitation
- Increased body temp.
- Hallucinations
- Convulsions
- Long, intense trip
- Slow, shallow breathing
- Clammy skin
- Coma
- Convulsions

1. Soma and Quaaludes usually dilate pupils
2. Quaaludes and ETOH may elevate
3. Certain psychedelic amphetamines may cause slowing
4. Normal but may be dilate
5. Down with anesthetics, up with volatile solvents and aerosols
6. Pupil size possibly normal

*High dose for that particular individual
Weapons on Campus
In accordance to the Fitchburg State University policy to provide a safe environment to the university, community weapons are prohibited on campus. The General Laws of the Commonwealth of Massachusetts prohibit the possession of the following, on the campus of any college or university: any firearm, stiletto, dagger, dirk knife, any knife having a doubled-edge blade, a switch knife or any knife having an automatic spring release which has a blade of over one and one-half inches, a sling shot, black jack, metallic knuckles or knuckles of any substance with a similar effect as metallic knuckles. Only Fitchburg State University Police Officers and other law enforcement officers are authorized to possess firearms on campus. The possession or storage of any dangerous weapon on Fitchburg State University property is unlawful and may lead to judicial/criminal action against offenders.

The Commonwealth also requires anyone possessing a rifle or shotgun to have on his/her person either a Massachusetts Firearms Identification Card or a Massachusetts License to Carry a Firearm. Firearms Identification Cards and Licenses to Carry a Firearm can be obtained by application to the Chief of Police of the Massachusetts municipality in which you reside.

Out-of-state students should be cautioned that they must be in possession of a Massachusetts Firearms Identification Card or License to Carry a Firearm before bringing a firearm into the Commonwealth. Out-of-state students are also advised to become familiar with the firearm regulations of any state through which they travel before attempting the interstate transportation of a firearm. Pellet guns and BB guns are prohibited by law on campus. Replica guns and paintball guns are prohibited by policy. The Commonwealth of Massachusetts firearms laws are strictly enforced.

Massachusetts General Law Chapter 269§10 states the, “Whoever, not being a law enforcement officer and notwithstanding any license obtained by the person pursuant to chapter 140, carries on the person a firearm, loaded or unloaded, or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of the elementary or secondary school, college or university shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 2 years or both. A law enforcement officer may arrest without a warrant and detain a person found carrying a firearm in violation of this paragraph.” The University will also take judicial action against students who possess firearms on campus.

Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school, college or university that fails to report a violation of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than $500. Residents are permitted to carry pepper-spray, as long as they comply with Massachusetts law and register with the University Police Department. Laser pens are permitted as long as they are being used for their designed purpose. Improper use of laser pens will result in disciplinary action.
Good Neighbor Policy
Students who reside in or visit the university neighborhood are expected, as members of the Fitchburg State University community, to demonstrate respect and concern for all members of the local community. As such, Fitchburg State expects students to demonstrate responsible citizenship in the local neighborhood.

To support the goal of being good neighbors, the following conduct (and any other of a like sort) will not be tolerated: excessive or unreasonable noise; sponsoring parties for profit (the illegal sale or distribution of alcoholic beverages which may include the use of tickets, T-shirts, mugs, cups and/or any other items as a price or condition of admission); sponsoring excessively large parties; serving minors; disorderly conduct; public drinking; use, sale or distribution of illegal drugs; harassment of neighbors; defacing or damaging property; interfering with the city of Fitchburg Police Department or utility agencies in the performance of their duties; public urination; throwing objects out of apartment windows; and the use, sale, manufacturing or distribution of fake IDs.

Fitchburg State University students may be charged through the student conduct process for violating this policy and for misconduct, which arises off-campus, if the student is in violation of federal, state or local laws or university policy that brings into question one’s suitability as a member of the university community. If found responsible, students will be subject to sanctions up to and including loss of residence or suspension or dismissal from the university.

Off Campus Housing Policy
The Fitchburg State University does not have any officially recognized student organization or recognized student non campus housing facilities. Simonds Hall located at 45 North Street Fitchburg, MA and Dillon Hall located at 75 Day Street Fitchburg, MA are privately owned property rented predominantly to Fitchburg State University Commuter students. There is also a portion of the city near the university that contains non–campus housing and is surround by privately owned property predominantly rented to university commuter students. When incidents relating to our students occurring in these premises the city of Fitchburg Police will often contact an on duty officer to assist and document the incident. If no university officer is available the information is forwarded to the university through the City Police’s university liaison officer. Police Officers of the university has jurisdiction and police powers on all property owned or leased by the university.
Hazing Policy

In 1985, the Massachusetts legislature passed legislation entitled, An Act Prohibiting the Practice of Hazing, and amended the legislation in 1987 to increase the penalties for those who practice hazing. This legislation appears in Chapter 536 of The Acts of 1985 and in Chapter 665 of The Acts of 1987, and requires Fitchburg State University to certify that the university has adopted a disciplinary policy with regard to the organizers and participants in hazing. Accordingly, the following policy has been adopted: Hazing is defined as any conduct or method of initiation into any student organization, team, group, etc., whether on public property, which willfully or recklessly endangers the physical or mental health of any student or other person no matter how good the end result or intent. Such conduct includes but is not limited to:

- Applying any substance to a person’s body or belongings, such as whipped cream or paint
- Forced listening to loud, repetitive music or recordings
- Whipping, paddling or other beating Personal servitude
- Pranks such as streaking, panty raids, scavenger hunts, etc.
- Forced or coerced wearing of conspicuous clothing not normally in good taste, such as togas
- Extended deprivation of sleep, adequate study time, rest or extended isolation
- Forced or coerced branding/tattoos
- Deprivation of food or water
- Forced calisthenics
- Exposure to settings or conditions that adversely affect the physical health or safety of any student or which subjects such student or other person to extreme mental stress
- Individual or group interrogations
- Involuntary consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any student or other person

Hazing is banned in any form as a practice by an organization, group or team, etc. using the Fitchburg State University name, or claiming to act in any way under the supervision of Fitchburg State University. Any individual or organization found responsible of practicing hazing, in any form, is subject to penalty, including dismissal from Fitchburg State University, and, in the case of a recognized student organization, loss of recognition. An individual in an alleged violation of the Hazing Policy may not use consent as an acceptable reason for participation. Anyone with knowledge that another person is the victim of hazing shall immediately report such act to the Dean of Student and Academic Life or designee.

Fitchburg State University shall issue to every student organization, team, group, etc. which is recognized by Fitchburg State University or is known to exist as an unaffiliated student group, student team or student organization a copy of the Fitchburg State University Hazing Policy and Chapter 536 of The Acts of 1985 and in Chapter 665 of The Acts of 1987, as well as the Massachusetts Hazing Compliance as stated in, http://www.lawlib.state.ma.us/source/mass/cmr/cmrtex/610CMR5.pdf.
Policy against Discrimination and Harassment

The University is committed to a policy of non-discrimination, equal opportunity, diversity and affirmative action. The University is dedicated to providing educational, working and living environments that value the diverse backgrounds of all people.

The University do not unlawfully discriminate in admission or access to, or treatment or employment in, its educational programs and activities on the basis of race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status.

The University prohibit unlawful discrimination or discriminatory harassment on all of those bases. Such behaviors violate the University’s Non-Discrimination, Harassment and Retaliation Policy, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.

It is also the policy of the University to provide each student, employee, and other person having dealings with the institutions an environment free from unlawful sexual violence and all forms of misconduct on the basis of gender. The University prohibit rape, statutory rape, sexual assault, sexual exploitation, incest, sexual harassment, gender-based harassment, domestic violence, dating violence and stalking, and retaliation. These behaviors violate the University’s Sexual Violence Policy, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.

The University’s Non-Discrimination, Discriminatory Harassment and Retaliation Policy and Sexual Violence Policy apply in all University programs and activities, including, but not limited to, athletics, instruction, grading, housing, and employment. They apply to all members of the campus communities, including, but not limited to, students, faculty, librarians, staff, visitors, contractors and applicants for employment or admission. They also apply to off-campus conduct that negatively affects a community member’s experience in the University environment.

The University has appointed an Equal Opportunity Officer (“EO Officer”) to oversee its compliance with this Plan, as well as the state and federal non-discrimination and equal opportunity laws. Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment or retaliation may contact the EO Officer.

Any person with questions or concerns about any form of sexual violence, sexual harassment, gender-based harassment, discrimination, domestic violence, dating violence and stalking and/or retaliation may also contact:

Jessica Murdoch  
Assistant Vice President  
Human Resources and Affirmative Action Designated Coordinator for Title IX  
Section 504 and Title II of the ADA.  
(978) 665-3172

U.S. Department of Education  
Office of Civil Rights  
33 Arch Street, 9th Floor  
Boston, MA 02119-1424  
Telephone (617) 289-0111, FAX: (617) 289-0150  
TDD: (877) 521-2172, Email: OCR.Boston@ed.gov

A copy of the University’s Diversity and Affirmative Action Plan which was drafted and adopted by the Massachusetts’s State Colleges and University can be found here: http://www.fitchburgstate.edu/uploads/files/StudentAcademicLife/Affirmative-Action-Plan.pdf

Applicable portion of the University’s Diversity and Affirmative Action Plan can also be found in Appendix “C” and “D” of this document
EAP (Employee Assistance Program)
The Employee Assistance Program or "EAP" is a pre-paid benefit that provides short-term counseling and, when needed, referral services to Fitchburg State University faculty and staff, and their household members. This free service is provided by E4 Health, a leader in the field of EAP/Work-Life and Wellness programs. The EAP is staffed by licensed counselors who respond quickly to your request for help in a caring, respectful and confidential manner.

Please seek EAP counseling for help with relationship difficulties, parent-child worries, workplace issues, trauma, alcohol or drug use, domestic violence, or emotional distress, or any other concern that is a barrier to health and well-being. Many people consult the EAP just to be reassured that what they are experiencing is a typical response to a concern such as job loss, divorce or the serious illness or death of a loved one. The EAP does not replace or prevent you from accessing the mental health benefits of your own medical insurance.

Financial Difficulties - If you are experiencing problems with credit card debt or other financial difficulties, the EAP can help you get started with American Consumer Credit Counseling. You will get help recovering your financial health, setting up emergency budgets, negotiating with creditors or considering the personal bankruptcy process.

Legal Questions - Through the EAP, you can speak with an attorney over the phone for 30 minutes at no cost to you. For more complex legal matters, you will be referred to an attorney for a face-to-face consultation. The first 30 minutes are free. Subsequent fees are discounted by 25%. This has become a popular benefit and provides help with trusts, wills, small claims, divorce, custody and child support, consumer complaints and other personal legal issues.

All of these services are available to you and your household members simply by calling the toll free number, 800-828-6025. Licensed, trained counselors are available 24/7 to take your call.

OTHER SOURCES OF INFORMATION ON CAMPUS
In addition to the information contained in this booklet, the Fitchburg State University Student Handbook, the Fitchburg State University Student Code of Conduct, and Anti-Violence Policy are excellent resources with more detailed information about what is expected from students, faculty, staff and guests of the University.

Consider these publications as guides for a productive experience at Fitchburg State University. New and returning students have opportunities to discuss issues of safety and security during Orientation programs with advisors, and at residence hall meetings. A variety of programs are held throughout the year for students, faculty, and staff dealing with a range of issues including alcohol and drug abuse, sexual assault, acquaintance rape, domestic violence, emergency procedures, Active Shooter and many other safety and security-related topics.

The University’s social media also provide announcements of events as well as publishing a health and wellness e-magazine for students. Student Health 101 actively promotes campus health & wellness tips and articles.
“Suzanne’s Law” amends Section 3701 (a) of the Crime Control Act of 1990 so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21 and reports the missing person to the National Crime Information Center of the Department of Justice.

The Fitchburg State University Police Department policy has always been to initiate very aggressive investigations of reported missing persons. Any person (student, staff or faculty) believed to be missing from the campus unexpectedly shall be immediately reported to the Fitchburg State University Police Department.

The Fitchburg State University Police will investigate any report of a missing person that is filed by someone with knowledge of that student being missing or otherwise not where she/he is expected to be. This report may be filed by a parent/guardian or other family member of the person, by a roommate, Dean of Students and Academic Life or Residential and Housing Services staff member (including student staff), Health Services staff member, faculty member, employment supervisor, or anyone else with information that indicates the person is missing. The police will conduct an initial investigation to determine if the person appears to be missing, or has simply changed their routine unexpectedly, and whether or not there is reason to believe the person is endangered.

Police officers will check the person’s access records, class schedules, interview fellow students and faculty, and use other methods to determine the status of a missing person. From this initial investigation, the scope will continue to expand to make attempts to determine the location of the person reported missing to assure she/he is safe.

**Students under Age 18 and Not Emancipated**

For any student under the age of 18 who is not emancipated, the University must notify a custodial parent or guardian no later than 24 hours after the time the student is determined to be missing. For any situation in which a missing person is believed to be endangered, this notification will be made as early as possible while officers are continuing to investigate.

**Students under the Age Of 21**

For students under the age of 21, Suzanne’s Law requires that student to be entered into the national missing persons database as soon as it is determined that student is missing. Should a student be determined missing for more than 24 hours, the following will occur:

- Police will notify the Dean of Student and Academic Life.
- Police will again contact the student’s parent or guardian to update them on information known at that time, efforts made to locate the person, and to get further information that may lead to the location of the missing person.

**Missing Student Contact Information**

Every student who lives in on-campus student housing, regardless of age, should register one or more individuals to be a contact in case of an emergency, or in case they are reported missing. The contact person can be anyone. Fitchburg State University does not require students to provide an emergency contact number, but it strongly encourage that they do so.

A student’s contact person information will be kept confidential and considered part of a student’s record according to the guidelines established under F.E.R.P.A. If student choose to register a contact person, they are, in effect, also providing permission for law enforcement personnel to contact the identified individual if they are reported as a missing student.

To register a missing person contact information please speak to a member of Housing and Residential Services in their office at 234 North Street, Aubuchon Hall.
Campus Sex Crimes Prevention Act

Under the “Campus Sex Crimes Registration Act,” which took effect on October 28, 2002, the Fitchburg State University Police Department is a repository for information concerning registered sex offenders who study, work and/or carry on a vocation at Fitchburg State University.

Under the current procedures of the Commonwealth of Massachusetts Sex Offender Registry Board the only method for obtaining sex offender information as it applies to Fitchburg State University requires that an individual seeking such information either apply for it in person at the “City of Fitchburg Police Department” or the individual applies directly to the Massachusetts Sex Offender Registry Board.

The Massachusetts Sex Offender Registry Board which was established pursuant to Massachusetts General Laws Chapter 6, Sections 178C-178F, classifies each registered offender into one of three categories:

- **Level 1**: considered a low risk offender
- **Level 2**: considered a moderate risk offender
- **Level 3**: considered a high risk offender

**How to Inquire**

Sex offender information is available to the public by Massachusetts Law only if the person has a duty to register, and has been classified by the Massachusetts Sex Offender Registry Board as a level 2 or level 3 offender.

Any member of the public who is 18 years of age or older may request sex offender information. Sex offender information is provided to any person who is seeking the information for his or her own information or for the protection of a child who is under 18 or for the protection of another person for whom the requesting person has the responsibility, care or custody.

In an effort to provide the Fitchburg State University community with the most up-to-date Sex Offender Registry Information, we are providing the web site and location of the Massachusetts Sex Offender Registry Board and the City of Fitchburg Police Department contact information.

**The Commonwealth of Massachusetts**
Sex Offender Registry Board
P.O. Box 4547
Salem, MA 01970
(978) 740-6400
www.state.ma.us/sorb

**Fitchburg Police Department**
20 Elm Street
Fitchburg, MA 01420
(978) 345-9648
www.fitchburgpolice.com

**Penalties for Improper Use of Sex Offender Registry Information**

Information contained in the Sex Offender Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two and one-half years in the house of corrections or by a fine of not more than $1,000.00 or by both such fine and imprisonment.
Collection of Annual Crime Statistics

The Fitchburg State University Police Department is the centralized reporting authority for Fitchburg State University. The Police Department collects statistics from the Dean of Student and Academic Life’s Office, Health Services, and the Counseling Center for the annual report. Statistical information of alcohol, drug and weapons referrals is compiled through the Dean of Students and Academic Life and The Fitchburg State University Police records.

The Fitchburg State University Police additionally collect statistical information from the City of Fitchburg Police Department and the Massachusetts State Police for all publically held properties adjacent or contiguous to the campus as defined by federal law.

Fitchburg State University does not recognize any off campus student organizations and does not collect statistical data from private off campus student activities for inclusion of this report.

The Title IX Coordinator collects data from confidential reports of sexual assault and rape and forwards those statistics to the University Police. Fitchburg State University Police report statistical information to the Title IX Coordinator to prevent counting incidents more than once.

Fitchburg State University report crimes using the definitions as described in the Federal Bureau of Investigation’s Uniform Crime Reporting program. Fitchburg State University also reviews all crimes for manifest evidence that the victim was intentionally selected because of the victims actual or perceived race, religion, sexual orientation, gender, ethnicity, or disability. Statistics are reported for those reportable crimes that are also Hate Crimes.

ALL CRIMES SHOULD BE REPORTED TO THE FITCHBURG STATE UNIVERSITY POLICE

Crime Statistics

The crime statistics found in this report represent alleged criminal offenses reported to the Fitchburg State University Police authorities and/or local law enforcement agencies. Therefore, the data collected does not necessarily reflect prosecutions or convictions for crimes. Because some statistics are provided by non-police authorities, such as Housing and Residential Services and the Office of Student and Academic Life, who use Maxient reporting system, the data are not directly comparable to data from the FBI's Uniform Crime Reporting System which only collects statistics from police authorities. The fire statistics are reported only by institutions with an on-campus student housing facility or facilities, and the fire statistics are for those facilities only.

This report contains a glossary that provides definitions for the various crime, fire, and geographic categories presented in the reports. Please note that valid comparisons of campus statistics are possible only with study and analysis of the conditions affecting each institution.

The statistics provided in this report covers the following areas:

- On Campus
- Residence Halls
- Non-Campus Buildings and Property
- Public Property
- Hate Crimes
- VAWA Offenses
- Disciplinary Offenses
Clery Definitions

The Clery Act is provided to assist in the classification of crimes. Clery definitions are taken from the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting Handbook (UCR) as required by the Clery Act regulations.

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. This includes death or injuries received in a fight, argument, quarrel, assault or commission of a crime.

Manslaughter by Negligence: The killing of another person through gross negligence

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the age of consent.

Robbery: 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.

Aggravated Assault: 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.

Burglary: The unlawful entry of a structure to commit a felony or a theft. This includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; and safecracking.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Arson: Any willful or malicious burnings or attempts to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
**Larceny-theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Domestic Violence:** is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By 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 in which the crime of violence occurred.

**Dating Violence:** Is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

*For the purposes of this definition:*

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**Stalking:** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

*For the purposes of this definition:*

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
**Arrest:** Persons processed by arrest, citation or summons. An arrest has occurred when a law enforcement officer detains an adult with the intention or seeking charges against the individual for the specific offense(s) and a record is made of the detention. 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:** The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Illegal Weapons Possession:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosive, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. This also includes the manufacture, sale, or possession of deadly weapons; carry deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; illegal aliens possessing deadly weapons; and attempts to commit any of the above.

**Drug Law Violations:** 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 the derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturate, Benzedrine). Possession of a small amount of marijuana will no longer be counted as less than an ounce of marijuana has been decriminalized. However possession will be still considered a violation and subject to student conduct hearing.

**Liquor Law Violations:** 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. This includes: The manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; under age possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.
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<th>Non-Campus</th>
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## Violations Leading to Judicial Referrals

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A full explanation of On Campus Property, Noncampus and Public Property see Appendix A
Hate Crimes
A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

**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 or African Americans, whites.

**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 actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

**Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

**National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

**Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property
The first seven offenses are previously defined. In addition to those offenses, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in the Clery Act statistics only if they are Hate Crimes.

**Larceny-Theft:** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

**Simple Assault:** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. Included are assaults that do not involve the use of a firearm, knife, cutting instrument or other dangerous weapon, and in which the victim did not sustain serious or aggravated injuries.

**Intimidation:** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. A person is assumed to be placed in “reasonable fear” if he or she reports threatening words or other conduct to law enforcement personnel. To be the victim of Intimidation, one doesn’t have to be the intended target of the offender. (For the Intimidation to be considered a Hate Crime there would have to be other supporting evidence of bias as well.)

**Destruction/Damage/Vandalism of Property:** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. However, Incidents of burning that willfully or maliciously destroy, damage or deface property would be classified as Arson.

**Hate Crime Report Statistics for 2015, 2014, and 2013**
Under the above stated requirements there have been only ONE reported Hate Crimes for the reporting years of 2013, 2014, or 2015.

In 2015, we experienced an incident of Intimidation against one’s Ethnicity, (via a social media post towards an on campus group).

**Unfounded Crimes Reported Statistics for 2015, 2014, and 2013**
Under the above stated requirements there have been no reported Hate Crimes for the reporting years of 2013, 2014, or 2015.
Emergency Management Plan

INTRODUCTION

In 2004, the Department of Homeland Security established the National Incident Management System (NIMS), which identified a systematic, proactive approach to guide all levels of government, non-governmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, and recover from the effects of emergencies, regardless of cause, size, location or complexity.

Fitchburg State University recognizes its responsibility for managing emergency and disaster situations affecting the university. The plan is also designed to satisfy portions of the Higher Education Opportunities Act-2008 requiring emergency response procedures, and implements the National Incident Management System (NIMS).

The development of this plan is based on a realistic assessment of potential hazards that could affect our community, and an assessment of existing capabilities to respond to those situations. This plan recognizes the importance of partnering with local community emergency response agencies in an emergency or disaster, which will be the first units of government officially notified and to which requests for assistance are forwarded.

Comprehensive Approach

The following are highlights from the University’s Emergency Management Plan, which details how the campus community will respond to major emergencies in conjunction with local emergency response agencies and references the role that campus departments will have in supporting the overall emergency response. The University Police department has been trained in NIMS protocols and will respond accordingly in the event of a campus emergency. Should the emergency require external emergency response assistance, the NIMS framework will support an integrated tactical response, highlighting interoperability and compatibility of all response agencies.

The full Emergency Management Plan can be read on the University’s website:


Preparedness Responsibilities

The plan acknowledges that preparedness begins with the individual, and builds upon individual responsibility to include the department, division, school, and university. The plan assigns responsibilities for emergency management to existing Fitchburg State University departments. The assignments are made within the framework of the existing management organization of the various departments. Each department is encouraged to maintain standard operating procedures during special situations and they are considered part of this plan.

Fitchburg State University, in cooperation with local officials, has primary responsibility for managing and coordinating all phases of a disaster that occurs within Fitchburg State University. Local and state authorities are expected to provide assistance to Fitchburg State University after resources are exhausted and Fitchburg State University is unable to cope with the disaster.
**Emergency Management Team**
The University’s Emergency Management Plan is overseen and assisted by the Emergency Management Team (EMT). To enhance the efficiency and effectiveness of the Emergency Management Team (EMT), the team is broken into five sub-committees. These committees enable the group to focus on specific components of University’s overall emergency preparedness efforts. The sub-committees include:

1. Systems & Technology
2. Fire Safety
3. Education & Training
4. Exercises & Drills
5. Policy & Compliance

**Activation of Emergency Operations**

**Emergency Notifications: Safety Alert**
In most situations, emergencies will first be encountered by faculty, staff and students. However, the University Police Department will serve as the initial point of contact for reporting emergency situations on campus. Emergencies such as disease outbreaks and utility outages could potentially be reported in other manners.

Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus, the Fitchburg State University Police Department will immediately notify the University community using a systemized emergency communications procedure (RAVE Alert Mass Notification System).

The University has developed an integrated and comprehensive procedure which includes all of the following emergency alert systems: cell phone text messages, emails, voice-mails, out-door mass notification system announcements using a siren voice alert system, indoor notification monitors, blue telephones, social networking sites, face-to-face communications, and website notifications.

The Fitchburg State University Police will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

**Release of Information: General Guidelines**
Appropriate information to release to internal and external audiences includes:

- Verified facts
- Campus response(s) to those affected
- Provision(s) made by the University to those affected (e.g., counseling services, housing, etc.)
- Timely updates with verified facts
FSU Emergency Alert (RAVE)

FSU Emergency Alert (RAVE) is an emergency notification system designed to notify the campus population of an event that entail life-threatening concerns. It utilized multiple modes of communication, including cell phone (text and voice), land-line phones, and emails. In order to receive the FSU Emergency Alert via one’s cell phone or land line phone, campus personnel must register their contact information through the Fitchburg State Alert.

In the event of an emergency, The University Police Department will notify the campus community via the FSU Emergency Alert advising them of the emergency and any instructions on actions to be taken. Alerts will also contain information that directs personnel to the FSU Home Page for additional information and updates.

Emergency Response Plans

Emergency Response Plans are plans that a department develops for a specific area or unit that provides direction to employees on what to do in specific emergency situations (i.e., fire, severe weather). Emergency Response Plans will be incorporated into the Building/Departmental Emergency Plan Annex. Employees are to be trained on these plans so that a common response protocol is understood. Faculty and staff who work in multiple locations will also need to know the evacuation assembly areas and tornado shelter areas for all buildings in which they work. At a minimum, department Emergency Response Plans should address:

- Evacuation;
- Sheltering in place;
- Severe weather shelter;
- Medical emergencies;
- Communication methods to contact employees who do not have access to customary modes of emergency notification;
- Reporting protocols relative to communicating information relevant to an on-going emergency situation;
- Actions to be taken to ensure continuity of operations including critical tasks, services, key systems, and infrastructure;
- Methods to ensure that all personnel have been made aware of the plan and the plan is reviewed and if necessary, revised at least annually. Emergency Support Plans

During an emergency, support is provided to emergency responders form many entities, including the university. While the university support can come in the form of many types of actions or activities, preplanned actions of the university are called Emergency Support Plans. Emergency Support Plans which require significant coordination must be developed and documented so that they can be called upon to provide quick and efficient direction to university personnel during an emergency. These plans will be campus specific and support Incident Command operations and/or continuity of operations to the university. The intent of each plan should focus on the appropriate response to specific identified emergencies in an effort to mitigate or resolve a situation.
Exercises/Drills

In order for the university to maintain a state of readiness and test critical response components, semi-annual exercise and drills will be conducted. These drills provide opportunity to ensure that adequate preparations are in place to effectively respond to emergencies on campus and personnel are ready to perform their assigned duties.

Fitchburg State University Police Department in coordination with Capital Planning and Management will conduct table top exercise and drill scenarios that will challenge the University emergency response groups and affiliated departments to effectively respond to any given emergency. Similarly the FSU Police Chief will schedule drills and table top exercise to ensure that the FSU remains in a ready state to respond to any emergency utilizing the National Incident Management System protocols. To the extent necessary, Incident Command exercises and drills will involve participation from external tactical emergency response organizations and governmental agencies to ensure that responses are compatible, synchronized and interoperable.

Approximately once every two years, FSUPD and CPM, collaborating with FSU, will develop a comprehensive exercise that will evaluate and test both IC capabilities (FSUPD) and university support operations capabilities in unison. All drills and table top exercise will result in an “After Action Report.”

Fire Drills will be conducted at least two times a year in all University’s On Campus buildings, both residential and academic. These will consist of one announced and one unannounced drill. This will test and ensure community members are familiar with building evacuation procedures and will be overseen by members of the University’s Emergency Management Team (EMT) to include at the minimum the following team members:

- Director of Auxiliary Services
- Director of Housing and Residential Services
- Executive Director of Capital Planning and Maintenance
- Health & Safety Officer for Fitchburg State
- Lieutenant, (Emergency Management Director) Fitchburg Fire Department
- Lieutenant, (Fire Prevention/Arson) Fitchburg Fire Department
- Representative from University Police
Purpose of an Emergency Response Protocol

A campus-based Emergency Response Protocol is necessary:

- To provide management plans and procedures that most effectively protect the health, safety, and welfare of students, faculty, staff, and the public, protect the environment, and to mitigate potential damage in the event of an emergency.
- To provide a coordinated response to emergencies that may impact members of the campus community and/or the environment while paying special attention to the safety and security needs of all.
- To provide for the essential needs of students and employees during and following an emergency.
- To coordinate training and review procedures in order to maintain a state of readiness and provide effective response should an emergency occur.
- To use critical emergency incidents, when appropriate, as teachable experiences to enhance the quality of life for all those impacted by the incident.

Campus State of Emergency
The authority to declare a campus state of emergency rests with the President of the University or his designee as follows. During the period of any major campus emergency, the president of the University will place into effect the appropriate procedures necessary in order to meet the emergency, safeguard persons and property, and maintain educational facilities. When necessary, the President will convene the Emergency Operations Center Team (EOCT).

Emergency Response
During a campus emergency, the Fitchburg State University Police Department will take appropriate and immediate measures necessary to meet the emergency and to protect persons and property. The Chief of University Police, or designee, will immediately notify the University President regarding the emergency.

The EOCT will be activated depending on the level of emergency designated by the University Police Chief or designee. The level of the emergency and instructions will be communicated with the University community through the University Police Department in conjunction with the University’s Chief of Staff/General Counsel and the President by one or all of the following:

- Campus wide e-mail
- Campus wide telephone broadcast
- FSU Alert text message and cell phone community notification system
- Public announcement (PA) systems (WEBS Wide Area Emergency Box System)
- Alert scrolls that will appear on university computers, monitors and electronic message boards
- University Social Media, Specifically Facebook and Twitter.
**Definition of an Emergency**

Fitchburg State University has defined an emergency as an event that would likely result in injury to members of the community and/or destruction to facilities and equipment. Such events include unanticipated circumstances such as fire, explosion, natural disaster, acts of violence, or release of hazardous materials. Other events may be foreseeable and there may be sufficient warning to provide for a planned response; such emergencies include forecasted storms or pandemic conditions.

**Localized Emergency:** Localized emergencies impact only a small part of the University community and do not impact the overall functioning of Fitchburg State University. A localized emergency may not require the intervention of the EOCT as a whole but may require certain members of the team to be involved as necessary. Examples include a small, localized fire, an isolated power failure, or a hazardous material spill of small proportion.

**Major Emergency:** A major emergency is defined as a serious emergency that completely disrupts one or more major operations of Fitchburg State University. The EOCT would need to make major decisions about the functioning of the University.

**Disaster:** A disaster is defined as a campus wide, municipal, regional, national, or global emergency that seriously impairs or halts the operation of Fitchburg State University. Outside public safety and other emergency services will be required but may not be immediately available. In this scenario, major policy decisions will always be required by the EOCT.

**Emergencies Involving: Harassment, Violence, or Threats of Violence**

Harassment, threats, and violent behavior are unacceptable and will not be tolerated at Fitchburg State University. All reports of harassment, intimidation, threats, and physical violence will be investigated and individuals found responsible for such actions will be subject to disciplinary action, including expulsion, termination, and prosecution.

Planning and practice are effective tools individuals may use to prevent and protect against the unlikely event of violence on campus. Preventive actions include:

- Learning to recognize early warning signs
- Early reporting, and intervention
- Considering potential scenarios
- Planning a response

Every hostile or potentially violent situation is different; threatened individuals will have to rely on their best judgment on the best course of action, given the unique situation. Your own safety and the safety of others are the top priority.
Harassment

Do not ignore harassing behavior, which is defined as behavior that causes alarm or concern for the safety of oneself or others. Report concerns to your supervisor or, if the individual exhibiting such behavior is a student, to the Dean of Student and Academic Life. Any time a person believes that violence is imminent, University Police should be called. Treat all threats or rumors of violence as serious.

Call University Police if you observe a weapon, are informed of someone on campus in possession of a weapon, or informed of someone’s intent to bring weapons to campus.

Every situation is different and the threatened individual will have to rely on his or her best judgment as to the best course of action. Your own safety and the safety of others are the top priority. General guidelines include:

- Do not tolerate verbal or physical harassment from anyone. Do not give out personal information about yourself or others (co-workers or students). Information you should protect include your home address, class schedule, or telephone number.
- Those using web-based social networking sites such as Facebook, Twitter, and Instagram should not include private information such as phone numbers and addresses in profiles.
- Report civil protection orders ("No Contact Orders", "Restraining Orders" or "Harassment Prevention Orders") to University Police. The University Police Department will request a copy of the order. If you encounter a stranger whose actions appear to be suspicious:
  - Establish eye contact and ask if you can help him or her.
  - Do not physically confront the person. Keep a safe distance.
  - Do not let anyone block your access to an exit.
  - Do not let anyone into a locked building or office.
  - Do not block the person’s access to an exit.
  - Note the person’s travel direction, clothing, body type (weight and height), sex, race, approximate age, jewelry worn, any visible scars, identifying body marks, body piercing, tattoos, etc.
Active Shooter Incident
Students, staff, and faculty are encouraged to review the following video, which was developed by the U.S. Department of Homeland Security (DHS). As part of Fitchburg State University's emergency preparedness efforts, we have adopted many of the recommendations from the DHS model.

https://www.dhs.gov/video/options-consideration-active-shooter-preparedness-video

How to Respond When an Active Shooter is in your Vicinity
Quickly determine the most reasonable way to protect your own life. Remember that people are likely to follow the lead of employees and managers during an active shooter situation.

1. Get Out
If there is an accessible escape path, attempt to evacuate the premises. Be sure to:
   - Have an escape route and plan in mind
   - Evacuate regardless of whether others agree to follow
   - Leave your belongings behind
   - Help others escape, if possible
   - Prevent individuals from entering an area where the active shooter may be
   - Keep your hands visible
   - Follow the instructions of any police officers
   - Do not attempt to move wounded people
   - Call 911 when you are safe

2. Hide Out
If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.

Your hiding place should:
   - Be out of the active shooter’s view
   - Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
   - Not trap you or restrict your options for movement

To prevent an active shooter from entering your hiding place:
   - Lock the door
   - Blockade the door with heavy furniture

If the active shooter is nearby:
   - Lock the door
   - Silence your cell phone and/or pager
   - Turn off any source of noise (i.e., radios, televisions)
   - Hide behind large items (i.e., cabinets, desks)
   - Remain quiet

If evacuation and hiding out are not possible:
   - Remain calm
   - Dial 911, if possible, to alert police to the active shooter’s location
   - If you cannot speak, leave the line open and allow the dispatcher to listen
3. Take Out
As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:
- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions

Training for your Group
The Fitchburg State University Police Department delivers presentations on a range of public safety topics. Our staff may serve as guest lecturers in classrooms, attend student events and participate in forums designed to provide training on particular topics for students, staff, and faculty.

If you would like to schedule an active shooter presentation for your group, please contact Michael Cloutier, Interim Chief of Police, at 978-665-3111.

Bomb Threat

If you receive a bomb threat over the telephone:
- Be calm--do not panic.
- On display-type telephones, note the number from where the call is coming. Note the exact time of the call.
- Write down as accurately as possible the statements made.
- Listen to the voice to determine, if possible, the sex and age of the caller and note any identifying attributes such as an accent, a lisp, or a background noise. Attempt to question the caller.
- Immediately notify your supervisor and the University Police Department at 3111.
- Complete a Bomb Threat report form, available from University Police. The on-duty University Police shift supervisor will direct the following: notify the appropriate responders (Fire Department, Fitchburg Police Department) and campus staff (President’s Office, Dean of Resident and Academic Life’s Office).

If a bomb threat is received, University Police, in conjunction with other emergency responders as appropriate, will conduct a thorough search of the campus or specific area under threat. The following procedures are followed in order to conduct such a search:
- The University Police department shift supervisor will direct the search in such a manner that all areas of the threatened facility is methodically searched.
- All available University Police officers will be dispatched to conduct a discreet search of the location involved.
- Maintenance personnel will be asked to assist in the search on a volunteer basis.
• Radios will not be transmitted within 500 feet of the threatened facility. A location outside the area will be designated for pre-search instruction and searchers can monitor their radios for instructions during the search.

• The search will include all rooms, locked and unlocked (unless otherwise directed by the University (University Police Department shift supervisor), all unlocked cabinet doors and drawers, classroom furniture, trash receptacles, shelves and ledges, and all other unsealed containers (boxes and crates).

• If a suspicious item is discovered, it will not be touched or moved. University Police will coordinate the securing of a safe perimeter pending the arrival of personnel equipped and trained to remove the threat.

**Threatening Behavior and Classroom Disturbances**

Behavior that is clearly intended to pose a threat to self or others is not tolerated at Fitchburg State University. Report such disturbances to University Police immediately:

• Be prepared to give a description of the person or persons causing the disturbance.
• Gather key details of what happened.

If the disturbance is in a classroom, faculty can take the following actions:

• If safe to do so, the disruptive person(s) should be told to leave the classroom.
• If the safety of the others is threatened, dismiss the class; ask students to leave the room in an orderly manner.
• Inform University Police of any incident involving overt threats or acts of violence.
• Notify the Dean of Students if a student’s disturbing behavior is ongoing or is disruptive of the teaching and learning environment of the classroom.

**Contaminated Mailings**

Campus and non-campus based mail and delivery services may be used to distribute toxic or lethal materials such as Anthrax. Some characteristics of suspicious packages and letters include the following:

• Excessive postage
• Handwritten or poorly typed addresses
• Incorrect titles
• Title, but no name
• Misspellings of common words
• Oily stains, discoloration, or odor
• No return address
• Excessive weight
• Lopsided or uneven envelope
• Excessive security material such as masking tape, string, etc.
• Restrictive terms such as “Personal” or “Confidential” or a state postmark that does not match the return address

If you receive a package you feel to be suspicious:

• Do not shake or empty the contents of any suspicious envelope or package.
• Place the envelope or package in a plastic bag or some other type of container to prevent leakage of contents.
• If you do not have any container, COVER the envelope or package with anything (e.g., clothing, paper, trash can, etc.) and do not remove this cover
• Leave the room and CLOSE the door or section off the area to prevent others from entering.
• Call the University Police.
• Wash your hands with soap and water to prevent spreading any contaminant to your face.
• Remove heavily contaminated clothing as soon as possible and place in a plastic bag or some other container that can be sealed. This clothing bag should be given to the emergency responders for proper handling. SHOWER with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
• List all people who were in the room or area when this suspicious letter or package was received. Give this list to law enforcement officials for follow-up investigations and advice.
• Note: Anthrax organisms can cause infection in the skin, gastrointestinal system, or the lungs. To do so, the organism must be rubbed into abraded skin, swallowed, or inhaled as a fine, aerosolized mist. Disease can be prevented after exposure to the anthrax spores by early treatment with the appropriate antibiotics. Anthrax is not spread from one person to another.
• If you have reason to believe that a room or area on campus has been contaminated by AEROSOLIZATION (a small device triggered, warning that air-handling system is contaminated, or warning that a biological agent has been released in a public space):
  • Turn off all local fans or ventilation units in the area.
  • LEAVE the area immediately.
  • CLOSE the door or section off the area to prevent others from entering (i.e., keep others away).
  • Report the incident to University Police and your supervisor.
  • List all people who were in the room or area. Give this list to law enforcement officials for further investigation.

See the Centers for Disease Control web site on Emergency Preparedness for more Anthrax information; www.emergency.cdc.gov/preparedness/
Emergencies Resulting from: Accident, Power Outage, or Fire

Aircraft Crash

The following procedures should be followed should an aircraft crash on the campus:

- Immediately take cover under tables or desks and remain clear of all windows to protect against debris until mass movement stops.
- Activate the nearest fire alarm pull station and evacuate the building quickly, following the established routes and procedures if possible. Even if fire or explosion does not occur on impact, the threat of fire or explosion remains and individuals should respond accordingly.
- Assemble at the pre-designated assembly point if it is safe to do so or proceed to an alternate assembly point as directed by University Police or other emergency response personnel. Wait at the safe assembly point until otherwise directed.
- If required, a campus wide evacuation will be conducted when it is safe to do so without complicating the emergency response.

Persons who are trapped and unable to evacuate a building should:

- Alert emergency search and rescue crews or anyone within shouting distance of your location.
- If a telephone is available, attempt to call University Police at extension 3111 (or 978-665-3111 from a cell phone) and report your location.
- If a window is accessible, place an article of clothing or other signal in the window to alert rescuers to your location. Whistle, shout, use any object at hand to pound on a wall or door to make noise at regular intervals to alert rescuers to your location.
- Stay low, near the floor. During a fire the air nearest the floor will contain the least smoke, contaminants, and heat.
- If you are injured, tend to your wounds.
- Remember, the first priority during any emergency is life safety. Help is on the way.

If an airplane crashes near campus:

- The campus may be used as a staging area or command post by emergency responders.
- Keep campus access roads open and remain clear of the command post and responders.
- Follow building evacuation plans.
- Wait at designated assembly points until receiving further instructions from a campus official or emergency responder.

Power Failure

If there is a large-scale power failure, you should do the following:

- Contact University Police at 3111 from any telephone on campus (or 978-665-3111 from a cell phone) and give your name, telephone number, location, and nature of the emergency.
- University Police will notify appropriate university officials.
- Representatives of the Capital Planning and Maintenance will verify the failure and its cause.
- In cases where power failures will affect classes, residence halls, or other university activities for extended periods, the University EOCT will be notified to respond to campus.
Fire
Fire and the associated dangers of smoke, structural damage, or toxic releases can pose serious threats of injury and death to faculty, students, staff, visitors, and emergency personnel. DO NOT TRY TO FIGHT A FIRE UNLESS YOU HAVE RECEIVED TRAINING IN HOW TO SAFELY DO SO. In order to control a fire and minimize its damage, the following steps should be taken immediately:

- Leave the area at once.
- Pull the fire alarm.
- Alert other people in the area and instruct them to leave the building.
- Close, DO NOT LOCK, all doors and windows if you can safely do so to help contain the fire.
- Stay as low as possible to avoid smoke and heat.
- Evacuate the building calmly, but quickly, following evacuation and assembly procedures posted in the building (see Evacuation Plan).
- Do not use elevators.
- Go directly to the designated assembly area and await additional instructions.
- Report anyone who is missing and who was in your classroom or area when the evacuation began to the University Police or Housing and Residential Services’ staff.
- Remain at the assembly area until you are instructed how to proceed by the University Police or Fitchburg Fire Department official.

If Trapped:

- Alert emergency responders of your location by whistling, shouting, or using an object to beat on walls or floor in a rhythmic manner.
- If a telephone is available, call extension 3111 (or 978-665-3111 from a cell phone) and notify University Police of your location. You may also place an article of clothing or other device to use as a signal in a window, if a window is available.
- Stuff material in door cracks to minimize smoke and try to stay low near the floor where heat, smoke, and contaminants may be less.
- If you are injured, tend to injuries.

General Medical Emergencies
A medical emergency can occur anywhere on campus. The reaction of the victim or those around him/her can ensure quick arrival of trained emergency personnel. What to do if someone is injured or becomes ill:

- Stay calm.
- Dial 3111 (or 978-665-3111 from a cell phone) and explain the type of emergency, the location of the victim, and the condition of the victim. Let the dispatcher know of any safety hazards—chemical spill, fire, fumes, etc. Be sure to tell the dispatcher if the person is unconscious, not breathing, is bleeding profusely, or has chest pain. These all cause the dispatcher to summon an ambulance.
- Do not hang up unless told to do so by the dispatcher.
- Do not move the victim unless there is danger of further injury if he/she is not moved.
- Do not give the victim anything to eat or drink.
University Police officers are trained as Massachusetts First Responders. All officers receive annual re-certification in First Aid and CPR and use of the department’s Automatic External Defibrillators (AED).

Accidental Poisoning
Call University Police immediately in the case of poisoning:

- Try to provide information about what material may have caused the poisoning.
- Have the container or data sheet available for emergency responders.
- While officers respond quickly on campus, someone in the area can call the Poison Control Center at 1-800-222-1222 for further instructions.

These procedures are taken from the American Association of Poison Control Centers (www.aapcc.org).

Animal Bites
A bite from any animal, wild or domesticated, constitutes a localized emergency. As soon as possible after injury, report the bite to University Police and to the area supervisor. Take the following actions to minimize the effects of the injury:

- Control bleeding by the application of continuous pressure for 5-10 minutes.
- Wash all wounds immediately with soap or detergent solution and a high volume of water for at least 5 minutes. Primate bites require special care. Scrub with an antiseptic solution if available for 15 minutes under running water.
- Seek follow-up medical care.

Emergencies Resulting From Natural Forces

Earthquake
Earthquakes are one of the most potentially damaging emergencies the campus could face. The potential coexistence of other disasters with earthquakes, such as fires, natural gas line ruptures, power outages, and ground failures add to the potential for catastrophic damage to campus and the surrounding area. Organizations are expected to be self-sufficient up to three days following a major earthquake without government agency or utility company response. In the event of an earthquake:

If Inside:
- Take cover under a desk or table and hold on. If your cover moves, move with it. Brace in a doorway if cover is not available—be cautious of swinging doors and people traffic. Avoid outside or high use doorways.
- Stay away from windows and objects that could fall.
- If in a theater or lecture hall, stay in your seat or get under it, if possible. Protect your head with your arms.
- When shaking stops, move cautiously outside. Be careful of falling building materials or uneven ground. When outside, move away from the building.
• Proceed to a designated assembly point, or if unsafe, an alternate assembly point.
• Remain for further instruction.
• Instructors and supervisors:
• Notify University Police of anyone unaccounted for from your area.

DO NOT GO BACK INTO THE BUILDING WITHOUT AUTHORIZATION!

If Outside:

• Move away from buildings, overhead lines, poles, or other objects that could fall or move abruptly (vehicles and equipment).
• Get low to the ground and protect your head with your arms.

Always:

• Proceed to the designated assembly area and WAIT.
• Be prepared for after-shocks.
• If you suspect gas, electrical, or other problems, notify campus officials.

Flood
If you encounter high water, do the following:

• Move immediately to higher ground.
• Do not get under tall trees during rainstorms; lightning may strike.
• Avoid fast flowing water whether on foot or in a vehicle (water depth is not always obvious).
• Avoid contact with and DO NOT USE electrical devices.
• Be especially careful with high water at night as darkness may hide other hazards.

Tornado Warning
When a tornado warning is issued by the National Weather Service, University Police will activate the emergency notification system(s). All individuals on campus should proceed to the nearest designated shelter. Persons already in a building should stay in that building and go to the nearest designated shelter area. Those outside should immediately enter the nearest building and proceed to the nearest designated shelter area. Note: only resident students have card access to the residence hall to which they are assigned.
During a tornado or other weather crisis, persons who are not resident students or students who are not near their residence halls should seek shelter in classroom or administrative buildings.

During a tornado emergency, faculty members and supervisory personnel will:

• Direct occupants to proceed in a quick and orderly manner to the nearest designated shelter area in the building.
• Instruct occupants not to leave the building.
• Turn off all lights and electronic equipment in the room.
• Provide assistance to persons with disabilities if necessary.
All others should:
• Proceed to the nearest designated shelter area in the building by the closest route.
• Move quickly but in an orderly manner so that all may arrive safely.
• Take a seat in the shelter area.
• Residence hall residents will follow the specific residence hall guidelines for a tornado warning.

Places to avoid during a tornado emergency include:
• All outside walls, elevators, and windows of buildings.
• Any low-lying area that could flood.
• Vehicle—these should not be used for shelter.
• Building areas with a large roof span.

Remain in the shelter until the tornado warning is over. There is no “all clear” signal given. Listen to a radio or television station to determine when the threat has passed, or call University Police.

Emergency Evacuation Plans for Campus Buildings

The following instructions apply to evacuation of ALL campus buildings:

• When leaving, do not stop to gather personal belongings other than key and immediate essentials.

• Do not open any door if it feels hot. If you are inside a room and cannot exit the building, open a window, and signal for help. Do not panic. Do not jump.

• If you are able to exit, open curtains, leave lights on and close door.

• When descending stairs, use the handrail and stay on the right-hand side in order to allow passage on the left-hand side for the fire department.

• Only re-enter building when told to do so by a uniformed University Police officer.

• When exiting a building due to emergency, keep all roadways and walkways clear to allow access of emergency personnel.

Emergency Response Plans
Emergency Response Plans are plans that a department develops for a specific area or unit that provides direction to employees on what to do in specific emergency situations (i.e., fire, severe weather). Emergency Response Plans are incorporated into the Building/Departmental Emergency Plan Annex. Employees are trained on these plans so that a common response protocol is understood. Faculty and staff who work in multiple locations will also need to know
the evacuation assembly areas and tornado shelter areas for all buildings in which they work. Department Emergency Response Plans at a minimum addresses:

- Evacuation;
- Sheltering in place;
- Severe weather shelter;
- Medical emergencies;
- Communication methods to contact employees who do not have access to customary modes of emergency notification;
- Reporting protocols relative to communicating information relevant to an on-going emergency situation;
- Actions to be taken to ensure continuity of operations including critical tasks, services, key systems, and infrastructure;
- Methods to ensure that all personnel have been made aware of the plan and the plan is reviewed and if necessary, revised at least annually.

Emergency Support Plans

During an emergency, support is provided to emergency responders from many entities, including the university. While the university support can come in the form of many types of actions or activities, preplanned actions of the university are called Emergency Support Plans. Emergency Support Plans which require significant coordination must be developed and documented so that they can be called upon to provide quick and efficient direction to university personnel during an emergency. These plans will be campus specific and support Incident Command operations and/or continuity of operations to the university. The intent of each plan should focus on the appropriate response to specific identified emergencies in an effort to mitigate or resolve a situation.

Exercises/Drills

In order for the university to maintain a state of readiness and test critical response components, semi-annual exercise and drills will be conducted. These drills provide opportunity to ensure that adequate preparations are in place to effectively respond to emergencies on campus and personnel are ready to perform their assigned duties. Fitchburg State University Police Department in coordination with Capital Planning and Maintenance will conduct table top exercise and drill scenarios that will challenge the University emergency response groups and affiliated departments to effectively respond to any given emergency. Similarly the FSU Police Chief will schedule drills and table top exercise to ensure that the FSU remains in a ready state to respond to any emergency utilizing the National Incident Management System protocols. To the extent necessary, Incident Command exercises and drills will involve participation from external tactical emergency response organizations and governmental agencies to ensure that responses are compatible, synchronized and interoperable.
Approximately once every two years, FSUPD and CPM, collaborating with FSU, will develop a comprehensive exercise that will evaluate and test both Incident command capabilities (FSUPD) and university support operations capabilities in unison. All drills and table top exercise will result in an “After Action Report” generated by FSUPD and CPM for their respective drills and table top exercise. After Action Reports’ will be developed and formatted following the Department of Homeland Security HSEEP) (Homeland Security Exercise Evaluation Program) guidelines. All After Action Reports will be maintained by FSUPD.

Training

FSUPD and CPM will specify training requirements and maintain training documentation for those university personnel designated to act in a support role for university emergencies. Similarly, the FSUPD Chief will determine training needs for FSU staff to become compliant with all National Incident Management System requirements, in accordance with the National Response Framework, and Homeland Security Presidential Directives 5 & 8. FSUPD Training documentation will be maintained by FSUPD.

Emergency Response Mobilization

In response to an emergency, the university will call upon its personnel to mobilize and respond in one of three teams to support the response and recovery of the incident, all while providing for continuity of operations. The three groups that work collaboratively to provide these services are the Emergency Management Team, Public Relations Team and the Policy Group (Board of Trustees).

These teams are designed to:

- Oversee university operations during an emergency, ensuring for the overall security and welfare of the campus, as well as addressing all related issues associated with the emergency and university operations;
- Provide accurate and timely information to the campus populations, media, parents and interested parties external to the university;
- Provide university support as requested by the Incident Commander, to include university intelligence, support personnel, equipment, material, etc.
Lock Down Procedures

A “Lock-Down” condition is initiated for weapons related violence, usually involving the presence of an emotionally disturbed person or persons who are threatening, have committed, or are in the process of committing, violent acts.

Lock-Down is a baseline plan designed to deny the attacker access to potential victims. There is no one magic solution to cover all situations and scenarios; members of the campus community are encouraged to “think on their feet.” Lock-Down applies to everyone: faculty, staff, students, administrators, and guests of the University.

Any member of the campus community who believes weapon related violence is taking place should dial 3111 (or 978-665-3111 from a cell phone) immediately.

Lock-Down announcements can be made by FSU Alert, a campus-wide emergency notification system, and by police cruiser public announcement (PA) systems or hand-held bullhorns, WEBs Call Boxes or by Official FSUPD Social Media Account.

Once a Lock-Down order is given:
- Immediately lock classroom or office door.
- Shut lights off, turn monitors off.
- Help students remain calm and caution them to remain completely quiet.
- Maintain your attendance of those you have in your area.
- Ensure everyone remains in a safe spot out of view from both exterior and interior windows.
- Faculty, staff, and students outside should pay attention to police PA system.
- Keep cover and concealment in mind.
- If you are attacked directly, scatter.
- Lock-Down protocol supersedes standard Fire Alarm evacuation procedures. Ignore the Fire Alarm unless evidence of fire is apparent (you see smoke or fire). This is a “think on your feet” moment.

Police Response:
- Lock-Down buys a handful of minutes for police to take action.
- Outer perimeter of the campus will be established and secured.
- Police will arrive and form a contact team.
- Police will make rapid entry to aggressively address the threat—stay out of the way.
- Police will move directly to the violence, past injured people (they will be cared for as soon as possible).

Situation Resolved:
- Unlock or evacuation will begin when situation is resolved or stabilized.
- Be prepared for Lock-Down to last hours.
- Unlock teams consisting of University Police and other law enforcement agencies will open your doors, inspect occupants of the room, and give further instructions.
- Staging areas for medical triage will be established for treating injured.

*This Lock-Down plan remains fluid and may be changed during an emergency.*
Distinction between “Lockdowns” And “Shelter in Place”

**LOCKDOWNS:** A lockdown occurs when occupants of the University are directed to remain confined to a room/area with specific procedures to follow regarding locking of doors, closing of windows/shades, seeking cover, etc. This procedure is implemented when a criminal element is believed to be on the premises and officials expect that these measures will minimize risk exposure of the occupants to the criminal element. Lockdowns necessitate a law enforcement response and immediate intervention. While responsibility for determining an immediate lockdown rests primarily with that University Police, both the University officials and law enforcement officials are strongly encouraged to confer with one another during this process. This will help ensure safe and efficient handling of University lockdown events.

**SHELTER IN PLACE:** Sheltering in place is similar to lockdown in that the occupants are to remain on the premises, but may require that they be moved to a different part of the University due to an environmental event taking place outside of the University, for example the release of a chemical cloud from a nearby incident, power lines down, hurricane or weather related emergency. To evacuate the occupants may put them at greater risk than sheltering them within the University. However, it may be prudent to move all of the occupants to another part of the University to further minimize the risk of exposure.
Fire Safety Report

Fire Safety
The Fitchburg State University Police Department and Capital Planning and Maintenance work together with the Fitchburg Fire Department to ensure that Fitchburg State University is in compliance with all fire and life safety codes and standards. All residence halls meet or exceed local and national fire safety codes and are equipped with modern fire alarm systems including smoke detectors and sprinkler systems. In addition, all fire extinguishers are inspected on a regular basis.

Smoking
All Fitchburg State University Academic, Administration, Athletic, and Residential Halls are smoke free. This includes all student rooms, hallways, and common areas. As posted, there is no smoking within 25’ of any building on campus.

Fire Safety Equipment
Fire alarm systems and fire safety equipment are provided for the protection of the residents. The fire extinguishers, smoke detectors, fire alarm horns, pull stations, and emergency exit signs are critical to the safety equipment.
Fire Reporting Procedures

The following general procedures should be followed if you discover a FIRE:

Smoke is the greatest danger in a fire. As you evacuate, or if you are trapped, always stay near the floor where the air is less toxic. **STAY LOW!**

In advance, familiarize yourself with fire extinguisher locations, exits, and alarm pull stations.

- Close the door to the room involved. This will contain the fire.
- Activate the closest fire pull station.
- Call the Fitchburg State University Police when it is safe to do so.
  - Outside phone: (978) 665-3111
  - Campus phone: 3111
- Awaken any sleeping roommate
- Feel the door knob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate.
- Get on your knees or belly and stay low always making way to the nearest marked exit.
- Alert others as you exit.
- **DO NOT USE ELEVATORS!**
- Resident life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible.
- Stay back at least 500 feet or more from the building.

If trapped during a fire:

- Shout at regular intervals to alert emergency crews of your location.
- Find a window and place an article of clothing outside of it to use as a marker for rescue crews.
- If there is no window, stay near the floor where the air is less toxic.

Whom Students and Employees Should Report That a Fire Occurred

Per federal law, The Fitchburg State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the Fitchburg State University Police Department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Fitchburg State University Police **(978) 665-3111**
Fitchburg State University Housing and Residential Services **(978) 665-3219**
Fitchburg State University Capital Planning and Maintenance **(978) 665-3115**

When calling, please provide as much information as possible about the location, date, time and cause of the fire.
Fire Safety Education and Training Programs Provided to Students and Employees

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the college’s fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory.

The Fitchburg State University also utilizes a documentary, “After the Fire” which is mandatory for all incoming students. “After the Fire” discusses the January 19, 2000 Seton Hall University fire that claimed three lives and injured 56 others. In addition, copies of their book, “After the Fire,” are available in the library. Members of the Fitchburg Fire Department and Fitchburg State University Police Department are also on hand to answer questions.

Emergency Procedures

General Procedures for Students and Employees in case of a Fire; All faculty, staff, and students are required to evacuate the building during a fire alarm.

Evacuation Procedure

- When evacuating the building, use the most direct means of egress possible.
- Before opening the door, feel the door with the back of your hand. If the door is hot, or you can see fire or smoke in the corridor, do not pass through. Stay in the room. Pack towels (wet if possible) under the door to prevent smoke from entering. Telephone Fitchburg State University Police and report your location.
- If the door is cool, open it slowly. If there is no smoke, proceed to the nearest exit. If the smoke is light, crawl low to the closest exit. If you encounter smoke along the way, choose an alternate escape route. Make sure the doors close behind you to prevent the spread of smoke.

Evacuation Plan for Persons with Disabilities

- If the occupant, resident, or visitor is located on the ground floor of the building, exit through the closest appropriate means of egress.
- If the occupant, resident, or visitor is located above the ground floor, DO NOT USE THE ELEVATOR. Stay in your office or room, or see specific examples below.
- Call the Fitchburg State University Police at (978) 665-3111 and give the dispatcher your name, exact location, room number, and telephone number. Remain by the phone until
contacted by the Fitchburg State University Police. Firefighters will assist persons who are unable to evacuate.

- Persons with hearing impairments can be assisted out of the building, providing that they are made aware of the activation of the fire alarm.
- Persons with visual impairments can be safely helped out of the building, provided that a person is there to assist them, and that most of the other building occupants have already left the building. The evacuation of persons with disabilities at the same time as everyone else might increase the risk of accident or otherwise endanger all persons trying to vacate the building.
- Persons with mobility impairments should most often remain in their rooms until assisted by the Fire Department. Untrained occupants should not attempt to carry people from the building. This could cause stairway restriction for other evacuees and may also result in serious injury to the parties involved as well as others.

Infractions

Failure to Evacuate
Except for emergency response agencies (i.e., Fitchburg Fire Department, Fitchburg State University Police) all occupants in the building will evacuate when a fire alarm has been activated. Individuals or groups failing to evacuate will be subject to disciplinary action. Fitchburg State Residence Halls are required to hold a fire drill each semester and all occupants of the building are required to participate. Failure to participate can result in disciplinary action. Students who fail to vacate the residence hall during a fire alarm are subject to disciplinary action.

Fire Department Access
Persons who intentionally block or otherwise hamper the duties of the Fitchburg Fire Department or Fitchburg State University Police Department during a fire or medical emergency will be subject to disciplinary action, fines, or expulsion from University housing and/or criminal prosecution.

Fire Detection and Suppression Equipment Tampering
Fire alarm systems and fire safety equipment are provided for the protection of the residents. The fire extinguishers, smoke detectors, fire alarm horns, pull stations, and emergency exit signs are critical safety equipment. Tampering with fire safety equipment can result in criminal prosecution, disciplinary action and/or housing occupancy agreement termination. Where fire sprinklers exist, all sprinkler heads must remain free of obstructions to allow them to operate properly. Nothing may be attached, or placed against any part of the sprinkler system, this includes piping.

False Alarms
Any person who, without proper justification, turns in a false fire alarm by activating a fire alarm pull station or calling in a report of fire may be punished with disciplinary action, fines, or expulsion from University housing, and/or criminal prosecution.

Malicious Burning of Building Component(s) or a Building
Any person who knowingly sets fire to components of a building (i.e. doors, bulletin boards, and furniture) and/or the building itself will face disciplinary action, fines, or expulsion from University housing, and/or criminal prosecution.
Smoke Bombs and Bomb Threats
Any person who possesses and/or activates a smoke bomb in a building without the permission of the Fitchburg State University Police, or any person who initiates a bomb threat, will be subject to disciplinary action, fines, or expulsion from University housing and/or criminal prosecution.

Fire Hydrants and Fire Lanes
No vehicle except for emergency response apparatus or cars shall park in designated fire lanes or in front of a fire hydrant. Fitchburg State University shall not be responsible for any damage to a motor vehicle that obstructs the response of the Fitchburg Fire Department or other emergency response agency.

Fire Hazards
Motorcycles, automobiles, mopeds, gasoline, propane, flammable liquids and other similar items are not allowed in buildings other than those facilities specifically designed for that intended purpose and shall be removed at the owner’s expense.

Explosives, Fireworks and Flammables
The possession and/or storage of fireworks, explosives, gun powder, ammunition, any flammables or material which may jeopardize the safety of others is strictly prohibited.

Any person possessing and/or discharging fireworks on campus will face disciplinary action, fines, or expulsion from University housing, and/or criminal prosecution.

Exit Doors
Using an Emergency Exit in a non-emergency situation may result in a fine and disciplinary action.

Fire Drills
Fire Drills at Fitchburg State University will be conducted at least twice during the academic year. One drill will be announced and another will be unannounced. Fire Drills are performed to familiarize occupants in the building with the sound of the fire alarm, to verify that the system is functioning properly, and the test the evacuation systems for faculty, staff and students.

Inspections/Fire Drills
Most residence hall fires start in a student room. The cause of the fire could be careless disposal of smoking material, cooking equipment, candles, or improper lights and wiring. Wastepaper baskets, sheets, futons, wall hangings, and furniture are fuel sources for a potential fire; if ignited, each will allow smoke and flame to spread throughout the room, floor, or building.
If during a schedule fire drill or fire alarm, the Fitchburg State University police or Resident Directors discover any of the above items located in a student’s suite the items will be confiscated.
Posters, pictures, and knick-knacks can make a resident feel more at home. Decorations are encouraged as long as they do not create health or fire hazards or damage to the room. Candles are not permitted, even if unburned. Alcohol bottles may not be used for decorations or storage. Tapestries are permitted if they have been fireproofed and are labeled as such. No items may be hung from the ceiling or attached to the outside of student room doors. Nails, screws, and tacks on or in the walls, furniture or fixtures are prohibited. Only masking tape, double stick tape, or poster putty may be used on surfaces. Residents can bring additional furniture, but remember all additional furniture and decorations are subject to the approval of room/suites mates.

Room Entry
The Office of Housing and Residential Services respects the student’s rights for privacy within the group living-learning environment and will strive to protect and guarantee this privacy. This policy is designed to ensure only legal and appropriate entry into a resident’s room by specifically authorized staff, and to define the conditions under which authorized personnel may enter a student’s room. Rooms may be entered under the following conditions:

- To provide room maintenance inspections, repair service or perform a safety inspection.
- When there is reasonable cause to believe that University regulations or laws are being violated.
- For an emergency situation that requires that the room be entered.
- When a resident vacates a room for a break period, authorized personnel may enter a room to provide room maintenance inspections, repair service or to perform safety inspections.

Illegal materials or items in plain view will be removed if they are noticed in the course of a room maintenance or vacation inspection, or in response to a violation of University or departmental policy. The resident will receive written notification of this action if confiscation of property is required when the student is absent.

A student’s room will not be entered without knocking. A sufficient time lapse will be allowed to provide the residents ample opportunity to open the door. If no response is received, the room may be entered under the four conditions listed above. Before entering a room with the use of a key, staff members will identify themselves. Authorized University staff members who may enter a student’s room are administrative housing staff members, Resident Directors, Resident Assistants and inspection, maintenance, custodial, and safety personnel.

Appliances
For health, safety and sanitation considerations, only the following appliances are authorized for use in the residence halls: small electrical appliances that have a completely enclosed heating element and are UL approved (i.e. coffee makers and popcorn poppers); and, small microwaves and refrigerators that meet the residence hall specifications:
Refrigerators
- Maximum size, internal dimensions of less than 4.0 cubic feet.
- Maximum of 2 running amps. Remember, your refrigerator must be unplugged during semester break periods.

Microwaves
Maximum wattage, less than 1000 watts.
Appliances that are not permitted in the student rooms are electric skillets, toaster ovens, electric blankets, hot plates, items with exposed heating elements, air conditioners, and halogen lamps. The high potential of fires and damage from these items make these provisions necessary.

Candles, Open Flames Devices, and Smoking
Open flame devices (except for cigarette lighters and matches) are prohibited in residence halls. Candles incense, and similar items may not be burned or lit in any residence hall. If lit or previously burned candles or incense are found or reported they will be confiscated. Smoking is prohibited in all academic buildings and residence halls. Smoking in not permitted in buildings or within 25 feet of a building entrance or air intake. Do not dump smoking materials into plastic waste containers or dumpsters without properly extinguishing them with water.

Holiday Decorations
In accordance with the Massachusetts Fire Prevention Regulations, the following decorative items shall not be permitted in the Fitchburg State University buildings and residence halls:
- Candles
- Christmas or other sawn trees (except UL or FM approved artificial Christmas or decorative trees)
- Christmas or other decorative wreaths (except UL or FM approved artificial Christmas or decorative wreath)
- Corn stalks or shucks
- Cotton or confetti
- Dry moss or leaves
- Hay or straw
- Paper streamers
- Sawdust or wood shavings
- Tree branches or leaves

Only UL or FM-approved lighting for indoor use can be used in academic and residential buildings. If used, the lights cannot be run over ceiling tiles or grids, or through walls or doorways. The lights must be hung below the ceiling using non-conductive material (i.e., string or tape). Not more than three sets of lights can be attached to a single extension cord. Lights must be turned off when the area is left unattended.

Electrical Extension Cords
Electrical Cords (primary and extension) must not pass through walls, floors, or above suspended ceilings. Electrical Cords (primary and extension) cannot be beneath carpets or across corridors or fire escapes. This type of placement could cause a fire or be responsible for a personal injury accident. If temporary wiring is required, the cord must be run along the wall, not across an aisle or overhead.
It must be held up with a non-conductive material such as string or tape, and may not run above a concealed space such as a drop ceiling.

Electrical and mechanical closets and rooms are hazardous locations. They are not to be used for general storage and they must be kept clean at all times to reduce the risk of fire. Electrical panels shall be properly maintained. In accordance with the Massachusetts Electrical Code, there must be at least three square feet of space around any and all electrical panels, boxes, disconnects, fuses, and other associated equipment. Students having questions about electrical closets, disconnects, panels, rooms, or service should contact the Capital Planning and Maintenance Department at (978) 665-3115 or (978) 665-3230.

**Fire Doors, Escapes, and Exits**

For health and safety reasons, all means of egress and their components must be properly maintained at all times in accordance with the requirements of the State Building and Fire Prevention Regulations. A means of egress shall include but is not limited to corridors, doorways, fire escapes, and stairwells. They incorporate an “exit access” (corridors and stairs that lead to an exit), and “exit” (the door itself), and the “exit discharge” (the exterior side of the door, which could include a fire escape, another building, or sidewalk).

Each corridor and stairwell in our residence halls has the following equipment: emergency lighting, exit signs, fire extinguishers, fire alarms, and smoke detectors.

The corridors in the residence halls are required to be free of hazard and obstructions. Corridors, fire escapes, hallways, and stairwells cannot be used for the placement or storage of combustible material (i.e. boxes, cardboard and/or paper), bicycles or furniture, waste receptacles, or any other item or equipment that would hinder a safer means of egress or firefighting operations. Corridors, fire escapes, hallways, and stairwells cannot be used as runways for extension cords, telephone wires, or television cables that could create a personal injury hazard. Fire escapes cannot be used for storage of grills, regardless of size or fuel. Fire doors in corridors and stairwells cannot be chocked open (except smoke-activated fire doors that close when the fire alarm is activated).
Fire Definitions

The following definitions are applicable to this section:

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire Drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-Related Injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of a fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.

Fire-Related Death: Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of a fire.

Fire-Safety System: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.
### Fire Safety Systems

<table>
<thead>
<tr>
<th>Fire Safety Measures</th>
<th>Aubuchon Hall</th>
<th>Cedar House</th>
<th>Herlihy Hall</th>
<th>Mara Village</th>
<th>North Street Apartments</th>
<th>Russell Towers</th>
<th>Townhouse</th>
<th>Simonds Hall 3rd Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Alarm Monitoring</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Fitchburg State</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Fire Alarm Monitoring</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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<tr>
<td>Fitchburg Fire Dept.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Sprinkler System</td>
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<td>Full Building</td>
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<td></td>
</tr>
<tr>
<td>Sprinkler System</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partial Building</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
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<td>X</td>
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<td>Heat Detection</td>
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<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
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</tr>
<tr>
<td>Fire Extinguishers</td>
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</tbody>
</table>

### Fire Statistics for On Campus Residential Facilities

There were no fires in any on campus residential facilities for 2013 and 2014. In 2015 there were two reported fires inside an On Campus residential facility. The chart below indicates the cause, the dollar amount of damage the fire caused. In both instances, there were no reported injuries or death.
Fire Statistics for On Campus Residential Facilities 2015

<table>
<thead>
<tr>
<th>Building</th>
<th>Fire Drills per Year</th>
<th>Total Number of Fires</th>
<th>Cause of Fire</th>
<th>Number of Injuries that requiring medical treatment</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damaged Caused by Fire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aubuchon Hall 234 North Street</td>
<td>2</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
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<tr>
<td>Cedar Street House 30 Cedar Street</td>
<td>2</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
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<tr>
<td>Herlihy Hall 320 North Street</td>
<td>2</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #1 299 Highland Ave</td>
<td>2</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #2 210 Cedar Street</td>
<td>2</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #3 220 Cedar Street</td>
<td>2</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #4 329 Highland Ave</td>
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<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #5 339 Highland Ave</td>
<td>2</td>
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<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #6 250 Cedar Street</td>
<td>2</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #7 260 Cedar Street</td>
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<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Mara Village #8 349 Highland Ave</td>
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</tr>
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<td>Mara Village Common 319 Highland Ave</td>
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<td>N/A</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>North Street Apartments 185 North Street</td>
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<td>N/A</td>
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<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Russell Towers 260 North Street</td>
<td>2</td>
<td>1</td>
<td>Intentional: Flame set against smoke detector</td>
<td>0</td>
<td>0</td>
<td>$150.00</td>
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<tr>
<td>Simonds Hall 45 North St</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
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<tr>
<td>Townhouse #1 241-243 Highland Ave</td>
<td>2</td>
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<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Townhouse #2 261-263 Highland Ave</td>
<td>2</td>
<td>1</td>
<td>UNINTENTIONAL: Burner on stove left on.</td>
<td>0</td>
<td>0</td>
<td>$1,796.18</td>
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<tr>
<td>Townhouse #3 170 Cedar Street</td>
<td>2</td>
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<td>$0</td>
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<tr>
<td>Townhouse #4 158 Cedar Street</td>
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<tr>
<td>Townhouse #5 152 Cedar Street</td>
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<tr>
<td>Townhouse #6 150 Cedar Street</td>
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<td>0</td>
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<td>0</td>
<td>$0</td>
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<tr>
<td>Townhouse #7 140 Cedar Street</td>
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<td>0</td>
<td>N/A</td>
<td>0</td>
<td>0</td>
<td>$0</td>
</tr>
</tbody>
</table>
## Important Phone Numbers

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Red Cross—Leominster</td>
<td>(978) 537-3339</td>
</tr>
<tr>
<td>Capital Planning and Maintenance (Facilities)</td>
<td>(978) 665-3115 or Ext. 3115</td>
</tr>
<tr>
<td>City of Fitchburg Emergency Services</td>
<td>911</td>
</tr>
<tr>
<td>City of Fitchburg Fire Department</td>
<td>General Calls (978)345-9660</td>
</tr>
<tr>
<td></td>
<td>Fire Prevention 978-345-9672</td>
</tr>
<tr>
<td></td>
<td>Fire Alarm office 978-345-9678</td>
</tr>
<tr>
<td>City of Fitchburg Police Department</td>
<td>(Non-Emergency) (978)345-9648</td>
</tr>
<tr>
<td>Counseling Services</td>
<td>(978) 665-3152 or Ext.3152</td>
</tr>
<tr>
<td>Dean’s Office</td>
<td>(978) 665-3130 or Ext. 3130</td>
</tr>
<tr>
<td>Disabilities Services</td>
<td>(978) 665-4029</td>
</tr>
<tr>
<td>HealthAlliance Hospital Leominster</td>
<td>(978) 466-2000</td>
</tr>
<tr>
<td>Health Services</td>
<td>(978) 665-3643/3894 or Ext.3643 / 3894</td>
</tr>
<tr>
<td>Housing &amp; Residential Services</td>
<td>(978) 665-3219 or Ext 3219</td>
</tr>
<tr>
<td>Massachusetts Emergency Management Agency (MEMA)</td>
<td>(508) 820-2000</td>
</tr>
<tr>
<td>Massachusetts Hazardous Materials Response Program</td>
<td>(877) 385-0822</td>
</tr>
<tr>
<td>Massachusetts Poison Control</td>
<td>(888) 222-1222</td>
</tr>
<tr>
<td>Massachusetts State Police Bomb Squad</td>
<td>(508) 820-2121</td>
</tr>
<tr>
<td>Massachusetts State Police—Leominster Barracks</td>
<td>(978) 537-2188</td>
</tr>
<tr>
<td>University Police</td>
<td>(978) 665-3111 or Ext.3111</td>
</tr>
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</table>
Appendix “A”: Campus Maps
## Campus Property and Locations

<table>
<thead>
<tr>
<th>Location</th>
<th>Street Address</th>
<th>Clery Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admission Visitor Lot</td>
<td>279 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Anthony Student Center</td>
<td>280 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Aubuchon Hall</td>
<td>234 North Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Cedar Street Annex (Staff Housing)</td>
<td>22 Cedar Street</td>
<td>Non-Campus</td>
</tr>
<tr>
<td>Cedar Street House</td>
<td>30 Cedar Street</td>
<td>Non-Campus Residential</td>
</tr>
<tr>
<td>Center for Professional Studies</td>
<td>150 Main Street</td>
<td>Non-Campus</td>
</tr>
<tr>
<td>Condike Science Center</td>
<td>333 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Congress Street Lot</td>
<td>4 Congress Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Conlon Fine Arts</td>
<td>367 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Conlon Hall</td>
<td>316 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Dupont Facilities Building (CPM)</td>
<td>299 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Edgerly Hall</td>
<td>281 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Elliot Athletic Fields</td>
<td>51-53 Pearl Hill Road</td>
<td>Non-Campus</td>
</tr>
<tr>
<td>Exercise Science</td>
<td>155 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Faculty/Staff Apartment</td>
<td>46 Clinton Street</td>
<td>Non-Campus</td>
</tr>
<tr>
<td>Green Street Lot 1</td>
<td>60 Green Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Green Street Lot 2</td>
<td>63 Green Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Hammond Hall</td>
<td>160 Pearl Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Healy Guest House</td>
<td>147 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Herlihy Hall</td>
<td>320 North Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Holmes Dining Hall</td>
<td>280 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Institutional Research and Planning</td>
<td>340 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Klondike Service Center</td>
<td>167 Klondike Avenue</td>
<td>Non Campus</td>
</tr>
<tr>
<td>Landry Arena</td>
<td>1000 John Fitch Highway</td>
<td>Non Campus</td>
</tr>
<tr>
<td>Lower Cedar Street Lot</td>
<td>158 Cedar Street</td>
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<td>Miller Hall</td>
<td>230 Highland Avenue</td>
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<td>299 Highland Avenue</td>
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<td>260 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Mara Village Eight</td>
<td>349 Highland Avenue</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Mara Village Commons Building</td>
<td>319 Highland Avenue</td>
<td>On Campus Residential</td>
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<tr>
<td>Mazzafero Center</td>
<td>291 Highland Avenue</td>
<td>On Campus</td>
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<tr>
<td>McKay Campus Complex</td>
<td>67 Rindge Road</td>
<td>On Campus</td>
</tr>
<tr>
<td>McKay Front Lot</td>
<td>67 Rindge Road</td>
<td>On Campus</td>
</tr>
<tr>
<td>McKay Lower Lot</td>
<td>382 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>McKay Upper Lot</td>
<td>380 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>North Street Apartments</td>
<td>185 North Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>North Lot 1</td>
<td>186 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>North Lot 2</td>
<td>187 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>North Lot 2 - Upper Lot</td>
<td>42 Clinton Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>North Lot 4</td>
<td>129 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Location</td>
<td>Address</td>
<td>Campus Type</td>
</tr>
<tr>
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<tr>
<td>Percival Hall</td>
<td>254 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Police Community Outreach Center</td>
<td>150 Main Street</td>
<td>Non Campus</td>
</tr>
<tr>
<td>President House</td>
<td>131 Highland Avenue</td>
<td>Non Campus</td>
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<tr>
<td>Recreation Center</td>
<td>130 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Robert V Antonucci Science Complex</td>
<td>333 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Ross Street Lots (Upper and Lower)</td>
<td>150 Ross Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Russell Towers</td>
<td>260 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Sanders Administration</td>
<td>300 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Sanders Administration Lot</td>
<td>300 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Simonds Hall (3rd Floor)</td>
<td>45 North Street</td>
<td>Non Campus Residential</td>
</tr>
<tr>
<td>South Cedar Lot</td>
<td>20 Cedar Street</td>
<td>Non Campus</td>
</tr>
<tr>
<td>Townhouse 1 (Worcester House)</td>
<td>241-243 Highland Avenue</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 2 (Middlesex House)</td>
<td>261-263 Highland Avenue</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 3 (Essex House)</td>
<td>170 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 4 (Norfolk House)</td>
<td>158 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 5 (Hampden House)</td>
<td>152 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 6 (Plymouth House)</td>
<td>150 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 7 (Suffolk House)</td>
<td>140 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 2 (Middlesex House)</td>
<td>261-263 Highland Avenue</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse 3 (Essex House)</td>
<td>170 Cedar Street</td>
<td>On Campus Residential</td>
</tr>
<tr>
<td>Townhouse South Lot</td>
<td>235 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Thompson Hall</td>
<td>240 Highland Avenue</td>
<td>On Campus</td>
</tr>
<tr>
<td>Undeveloped Land</td>
<td>198 Pearl Street</td>
<td>Non Campus</td>
</tr>
<tr>
<td>University Police Department</td>
<td>32 Clinton Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Upper Cedar Street Lot</td>
<td>200 Cedar Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Wallace Civic Center (Gatez Arena)</td>
<td>1000 John Fitch Highway</td>
<td>Non Campus</td>
</tr>
<tr>
<td>Wallace Civic Lots</td>
<td>1000 John Fitch Highway</td>
<td>Non Campus</td>
</tr>
<tr>
<td>Weston Auditorium</td>
<td>353 North Street</td>
<td>On Campus</td>
</tr>
<tr>
<td>Weston Lots (Upper and Lower)</td>
<td>350 North Street</td>
<td>On Campus</td>
</tr>
</tbody>
</table>

All roadways, sidewalks, crosswalks adjacent to the university On Campus property are considered Public Property for the purpose of this report with the only exception of the portion of Highland Avenue from 230 Highland Avenue to the Intersection of Highland Avenue at Holman Street. This portion is clearly marked when visiting the campus as a private way at 230 Highland Avenue and has a gate at the end of Highland Avenue at Holman Avenue. As such this portion of Highland Ave is considered On Campus.
Appendix “B” Fitchburg State On and Off Campus Resources

On Campus Resources

Counseling Services
Hammond Hall, Suite 317
(978) 665-3152

Student Health Services
Russell Towers, Side Entrance
(978) 665-3643

University Police
32 Clinton Street
(978) 665-3111

Human Resources
Sanders Administration, Suite 202
(978) 665-3172

Housing and Residential Life
Aubuchon Hall, Side Entrance
(978) 665-3219

Employee Assistance Program
24 Hour Hotline
(800) 828-6025

Student and Academic Life
Sanders Administration, Suite 204
(978) 665-3130

Fitchburg Anti-Violence Education Program (FAVE)
www.fitchburgstate.edu/fave

Off Campus Resources

Fitchburg Police Department
20 Elm Street; Fitchburg, MA 01420
(978) 345-9648 (Non-Emergency Number)

HealthAlliance Hospital-Leominster
60 Hospital Road; Leominster, MA 01453
(978) 466-2000 (Non-Emergency Number)
HealthAlliance Hospital provides emergency medical services and treatment 24 hours a day seven days a week.

UMASS Memorial Medical Center-Worcester
119 Belmont Street, Worcester, MA 01605
(508) 334-1000 (Non-Emergency Number)
A Sexual Assault Nurse Examiner (SANE) is available to conduct evidence collection, a rape kit, at UMASS Memorial Medical Center in Worcester, University Police, Health Services, and/or Pathways for change can assist in arranging transportation to UMASS Memorial Medical Center or HealthAlliance Hospital.

YWCA of Central Massachusetts/Battered Women’s Resources
(978) 537-8601 (Hotline)

Pathways for Change (Rape Crisis Center of Central Massachusetts)
(800) 870-5905

RAINN [Rape Abuse & Incest National Network]
(800) 656-4673 (Hotline)
www.rainn.org (On-Line Chat Live)

National Suicide Prevention Lifeline
(800) 273-8255 (Hotline)

National Domestic Violence Hotline
(800) 799-7233 (Hotline)
United States White House Initiative to Combat Sexual Assault on College Campuses
www.notalone.gov
Appendix “C” Fitchburg State University's Procedure for Responding to Sexual Assault

POLICY INTRODUCTION

Fitchburg State University is committed to maintaining safe and healthy learning, living and working environments that are free from all forms of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. Consistent with this commitment, the Universities comply with Title IX of the Higher Education Amendment of 1972, which prohibits discrimination and harassment on the basis of sex in education programs and activities, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. The Universities do not discriminate on the basis of sex in admission to or employment in its education programs and activities.

This Policy prohibits all forms of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These behaviors are antithetical to the Universities’ educational mission and are prohibited forms of harassment under Title IX. The University provide educational and prevention programs, services for individuals who have been impacted by discrimination and harassment on the basis of sex, and accessible, timely and equitable methods of investigation and resolution of complaints.

This Policy and the Complaint Investigation and Resolution Procedures are intended to comply with Title IX, the reauthorized Violence Against Women Act, including the Campus SaVE Act, the Clery Act, and the guidance documents on Title IX issued by the Department of Education’s Office for Civil Rights and the White House Task Force to Protect Students from Sexual Assault.

Policy Purposes

The purpose of this Policy is for the Universities to educate their campuses about sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, as well as their efforts to prevent, address and remedy all forms of such prohibited conduct. Accordingly, this Policy:

- States that sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are prohibited and will not be tolerated;
- Defines and describes the conduct that is prohibited;
- Explains what to do if one experiences sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation;
- Identifies available on- and off-campus resources;
- Identifies the persons with whom one may speak confidentially;
- Describes all reporting options, including how to file a complaint with the university;
- Specifies the rights of both complainants and respondents; and
- Explains the universities’ response to alleged incidents, including how reports of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are evaluated, investigated and resolved.

Prohibition against Sexual Violence, Sexual Harassment, Gender-Based Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation

The University prohibit and will not tolerate sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These behaviors violate this Policy, state and federal civil rights laws, and possibly the criminal laws of Massachusetts.
These behaviors can occur between strangers or acquaintances, including between people involved in an intimate or sexual relationship. Victims can be any gender. Any person, regardless of gender identity, can commit sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, and these behaviors can occur between people of the same or different gender.

The University prohibit any student, faculty or staff member, visitor or contractor, regardless of gender, from sexually harassing, stalking, engaging in sexual violence toward or committing domestic or dating violence against another community member or anyone having dealings with the Universities. Any member of the University community who believes that s/he has been subjected to such misconduct is encouraged to report it as described in this Policy. Upon receiving a report, the University will respond quickly and seriously, and, where appropriate, will take steps to prevent the recurrence of the behavior, remedy its effects, and discipline individuals who violate this Policy.

The University prohibit retaliation against anyone who reports sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, who assists another in making a report, or who participates in an investigation of a report. All persons should feel free to report their concerns without fear of retribution or reprisal.

Policy Application

This Policy applies to all University community members, including students, faculty, staff, visitors, contractors and applicants for employment or admission, and without regard to a person’s race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status. This Policy applies to all University programs and activities, both on and off campus.

Acts of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation that take place off campus may be subject to investigation and disciplinary action under this Policy when the conduct involves behavior by or toward a community member, which:

1) Occurs during University-sponsored events or the events of organizations affiliated with the University, including study abroad and outside internships;
2) Negatively impacts a person’s access to education programs and activities;
3) Adversely affects or disrupts the campus community; and/or
4) Poses a threat of harm to the campus community.

Title IX Coordinator

Pursuant to Title IX and its implementing regulations at 34 C.F.R. Part 106, the University has appointed a Title IX Coordinator, who has the primary responsibility for coordinating the University’s efforts to comply with and carry out its responsibilities under Title IX.

In this role, the Title IX Coordinator: administers this Policy; monitors the University’s responsive actions to ensure that the learning, living and working environments are free of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation; and monitors the steps taken to remedy the effects of the misconduct on the complainant(s), including any investigation, resolution or disciplinary proceedings. The Title IX Coordinator also: provides information about reporting options and support resources; initiates interim protective measures; evaluates requests for confidentiality; coordinates appropriate accommodations; assists persons in filing complaints with law enforcement (when requested); provides or facilitates training for faculty, staff and students; and may investigate complaints.
The Title IX Coordinator may also serve as the University’s Equal Opportunity Officer (“EO Officer”). The Deputy Title IX Coordinator is designated to assist the Title IX Coordinator in the performance of the Coordinator’s duties and to whom specific responsibilities may be delegated.

Anyone with questions, concerns or complaints related to Title IX, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, and/or this Policy may contact the Title IX Coordinator. The names and contact information for the Universities’ Title IX Coordinators and any Deputy Coordinators are:

**Title IX Coordinator**
Jessica Murdoch
Associate Vice President of Human Resources and Payroll
(978) 665-3172
jmurdoch@fitchburgstate.edu

**Deputy Title IX Coordinator**
William Cummings, Ed.D.
Assistant Dean
(978) 665-3887
wcumming@fitchburgstate.edu

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**Coordination with the Non-Discrimination, Harassment and Retaliation Policy**

Harassment, misconduct or violence related to a person’s sex, sexual orientation, gender identity or expression is sometimes also related to a person’s race, age, disability, or membership in another protected class. Discriminating against or harassing any person on such bases is prohibited by the Universities’ Non-Discrimination, Harassment and Retaliation Policy. In cases where the alleged conduct implicates both Policies, the University will coordinate its evaluation, investigation and resolution efforts to address the alleged conduct on all prohibited bases.

**Note:** While this Policy and the Complaint Investigation and Resolution Procedures identify certain University officers and employees who have particular roles and duties, the Universities may designate other officers or employees to perform specific roles and/or duties set forth in this Policy or the Complaint Investigation and Resolution Procedures.

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**Definitions and Examples of Policy Violations**

For the purposes of this Policy, the following definitions and terms apply:

1. **Sexual Violence**

As defined by the U.S. Department of Education’s Office for Civil Rights, sexual violence “refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the [person’s] age or use of drugs or alcohol, or because an intellectual or other disability prevents the [person] from having the capacity to give consent).” All forms of sexual violence are prohibited by the Universities and Title IX.

a. **Rape**

Rape is the penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person’s consent. Rape is also the performance of oral sex or anal sex on another person without that person’s consent.
b. Sexual Assault

Sexual assault is any kind of sexual physical contact that involves any form of coercion, force or lack of consent. Sexual physical contact includes the intentional touching of another person on an area of the body generally recognized as a private part of the body, or touching any part of another person’s body with a private part of one’s own body or object, no matter how slight. Sexual intercourse means penetration, no matter how slight, of a bodily orifice (vagina, anus, or mouth) by an object or by a body part, and/or non-consensual oral sex or anal sex.

Examples of sexual assault include, but are not limited to:

- Kissing or fondling without consent;
- Rape;
- Advancing sexual activity without consent;
- Ignoring a partner’s objections to sexual activity on one occasion even when consent has been given in the past; and
- Engaging in manipulative, threatening and coercive behavior to obtain consent.

c. Sexual Exploitation

Sexual exploitation is taking sexual advantage of another person for one’s own benefit or the benefit of anyone other than that person without that person’s consent.

Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;
- Distributing through social media, texting, email or other media images (e.g., video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and
- Objects to such disclosure; and
- Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person’s consent.

d. Incest

Incest is sexual intercourse between persons who are related to each other and whose marriage would be prohibited by law. Attempts to commit incest are also prohibited.

e. Statutory Rape

Statutory rape is sexual intercourse with a person who is under the statutory age of consent, which is 16 in Massachusetts. Attempts to commit statutory rape are also prohibited.

f. Aiding in the Commission of Sexual Violence

The aiding or assisting in the commission of an act(s) of sexual violence is prohibited.

Examples of aiding in the commission of violence include, but are not limited to:

- Videotaping a friend having sex with a person who has passed out drunk at a party;
- Helping a friend to drug the friend’s date’s drink; and
- Encouraging students to engage in sexual activity when one knows those students to be incapacitated by drugs or alcohol.
g. Affirmative Consent

Consent is an understandable exchange of affirmative words or actions, which indicate a willingness by all parties 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.

Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent. For example, a position of influence could include supervisory or disciplinary authority.

Silence, previous sexual relationships or experiences, and/or a current relationship may not, in themselves, be taken to imply consent. While nonverbal consent is possible (through active participation), it is best to obtain verbal consent. Similarly, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.

h. Incapacitation

An individual who is incapacitated by alcohol and/or drugs both voluntarily or involuntarily consumed may not give consent. Alcohol or drug related incapacitation is more severe than impairment, being under the influence, or intoxication. Evidence of incapacity may be detected from context clues, such as slurred speech, bloodshot eyes, and the smell of alcohol on the breath, shaky equilibrium, vomiting, unusual behavior or unconsciousness. While context clues are important in determining incapacitation, they alone do not necessarily indicate incapacitation.

Persons unable to consent due to incapacitation also include, but are not limited to: persons under age 16; persons who are intellectually incapable of understanding the implications and consequences of the act or actions in question; and persons who are physically helpless. A physically helpless person is one who is asleep, blacked out, involuntarily physically restrained, unconscious, or, for any other reason, unable to communicate unwillingness to engage in any act.

The use of alcohol or drugs to render another person mentally or physically incapacitated as a precursor to or part of a sexual assault is prohibited. The use of alcohol, medications or other drugs by the respondent or accused does not excuse a violation of this Policy.

i. Force

Force is the use of physical strength or action (no matter how slight), violence, threats of violence or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor.

j. Coercion

Coercion is unreasonable pressure or emotional manipulation to persuade another to engage in sexual activity. When someone makes it clear that s/he does not want to engage in sexual behavior, or s/he does not want to go beyond a certain point of sexual activity, continued pressure beyond that point can be considered coercive. Being coerced into sexual activity is not consent to that activity.
2. Sexual Harassment

Unwelcome conduct of a sexual nature is prohibited when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of
- An individual’s employment or education; and/or
- Submission to, or rejection of, such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; and/or
- Such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance or creating a sexually intimidating, hostile, or offensive employment, educational, or living environment.

Examples of sexual harassment may include, but are not limited to:

- Repeatedly pressuring another person for sexual activity;
- Making sexist remarks about an individual’s clothing, body or sexual activities;
- Unnecessary touching, patting or pinching another person;
- Demanding sex from a subordinate while making threats concerning the subordinate’s
  - Job;
- Demanding sex from a student while making implied threats concerning the student’s
  - Grade;
- Electronically transmitting derogatory, demeaning or pornographic materials;
- Posting explicit sexual pictures on an exterior office door or on a computer monitor; and
- Sexually assaulting another person.

Sexual harassment can occur between people of any gender. It can occur between equals (e.g., student to student, staff to staff, faculty to faculty) or between persons of differing power status (e.g., supervisor to subordinate, faculty to student, coach to athlete). It is possible for a person who appears to have the lesser power to commit sexual harassment (e.g., a student harassing a faculty member).

In order for conduct to constitute sexual harassment under this Policy, a reasonable person under similar circumstance would have to conclude that the behavior was harassing or discriminatory.

Reasonable directions or warnings by authorized University personnel as to the time, place and manner in which employees perform their assigned responsibilities, students carry out their educational assignments or program participants engage in sponsored activities do not constitute evidence of sexual harassment under this Policy.

Hostile Environment

A hostile environment exists when sexual harassment is sufficiently serious to deny or limit a person’s ability to participate in or benefit from the University’s programs or activities. A hostile environment can be created by anyone involved in the University’s programs or activities (e.g., administrators, faculty members, students, and campus visitors).

To make the ultimate determination of whether a hostile environment exists for campus community member(s), the University considers a variety of factors related to the severity, persistence, or persuasiveness of the sexual harassment, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and, (5) the degree to which the conduct affected one or more person’s education or employment.
A single or isolated incident may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to show evidence of a hostile environment, particularly if the harassment is physical.

3. Gender-Based Harassment
Unwelcome conduct of a nonsexual nature based on a person’s actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes, is prohibited when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of
- An individual’s employment or education; and/or
- Submission to, or rejection of, such conduct by an individual is used as a basis for academic or employment decisions affecting that individual; and/or
- Such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance or creating an intimidating, hostile, or offensive employment, educational, or living environment based on gender.

**Examples** of gender-based harassment include, but are not limited to:

- Using derogatory comments and terms toward a male or female who do not act in ways that align with their gender stereotype, such as a male being called names for being interested in the arts or a female being called names for being interested in construction;
- Telling someone to use a restroom that does not align with that person’s gender identity;
- And
- Making generalized derogatory comments about one gender, such as “all females” are or “all males” are ______.

While harassment based on non-sexual factors may be distinguished from sexual harassment, these types of behaviors may contribute to the creation of a hostile environment. Thus, in determining whether a sexually hostile environment exists, the University may consider acts of gender-based harassment. In order for conduct to constitute gender-based harassment under this Policy, a reasonable person under similar circumstance would have to conclude that the behavior was harassing or discriminatory.

Reasonable directions or warnings by authorized University personnel as to the time, place and manner in which employees perform their assigned responsibilities, students carry out their educational assignments or program participants engage in sponsored activities do not constitute evidence of gender-based harassment under this Policy.

The definition of hostile *environment* provided under the Sexual Harassment section above also applies in the context of gender-based harassment.

4. Domestic and Dating Violence
Domestic and dating violence are acts of abusive or coercive behavior (physical, sexual, financial, verbal and/or emotional) used by a perpetrator to gain or exercise control over another, including any behaviors that intimidate, manipulate, humiliate, isolate, frighten, threaten, blame, hurt, injure, or wound someone. Domestic and dating violence can occur in relationships between persons of any gender.

Domestic violence is such behavior directed against a current or former spouse, family member (blood, step, adoptive or foster), person with whom a child is shared, or cohabitant (possibly a roommate).

Dating violence is such behavior directed against another person in a social relationship of a romantic or
intimate nature, and where the existence of such a relationship is determined based on a consideration of the length and type of relationship and frequency of interaction between the persons involved. **Examples** of domestic and dating violence include, but are not limited to:

- Hitting, slapping, punching, kicking, pulling hair or other physical misconduct;
- Isolating a partner from family and friends;
- Destroying a roommate’s personal items;
- Physically assaulting the child of a partner;
- Pursuing sexual activity when a partner is not fully conscious, is not asked, or is afraid to say no, or coercing a partner to have sex without protection;
- Threatening to reveal a person’s sexual orientation without the person’s permission;
- Exhibiting excessive possessiveness and jealousy;
- Constantly belittling or insulting a partner;
- Checking a roommate’s cell phone or email account without permission;
- Demanding that a partner dress or act in a certain way; and/or
- Threatening violence against the victim’s acquaintances, friends, or family members.

5. Stalking

Engaging in a course of harassing, threatening, or unwanted behavior that would cause a reasonable person to suffer substantial emotional distress or fear for their safety or the safety of others. Stalking may occur in a range of formats including, but not limited to, in-person conduct, writings, texting, voicemail, email, social media, following someone with a global position system (GPS), and video/audio recording.

**Examples** of stalking behaviors include, but are not limited to:

- Repeated unwanted or unsolicited contact or leaving unwanted gifts or items;
- Posting disturbing messages or threats online;
- Creating, attempting to create, or disseminating unauthorized recordings of another;
- Gathering information about an individual from family, friends, co-workers, and/or classmates, or by electronic means by installing spy-ware on a computer or using GPS;
- Threats in any form about an individual or their loved ones or threats to harm oneself;
- Damaging, stealing, borrowing, or relocating property, trespassing and vandalism;
- Pursuing, waiting, or showing up uninvited at a workplace, residence, classroom, or other locations frequented by an individual; and
- Directing a third party to take any of the above acts.

6. Retaliation

The University prohibit retaliation against any person for making a complaint of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, for assisting in making a complaint, for resisting or openly opposing such conduct, or for otherwise using or participating in the complaint investigation process under the Policy. Persons who file, or participate in the investigation or resolution of, claims or complaints of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation with outside agencies, law enforcement or otherwise pursuant to any applicable state or federal law, are also protected from retaliation by this Policy.
Prohibited retaliation includes, but is not limited to: threats; intimidation; reprisals; continued harassment or misconduct; other forms of harassment; slander and libel; and adverse actions related to employment or education. Retaliation can be committed by individuals or groups, including friends, relatives or other associates of the person against whom a complaint is filed. Retaliation, even in the absence of proven sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence or stalking in an underlying complaint, constitutes a violation of this Policy that is just as serious as the main offense itself.

Any person who believes that he or she is the object of retaliation, or any person with questions or concerns about retaliation should contact the University’s EO Officer.

C. Conduct That Is Not Prohibited

The University is committed to protecting, maintaining and encouraging both freedom of expression and full academic freedom of inquiry, teaching, service and research. Nothing in this Policy shall be construed to penalize a member of the University community for expressing an opinion, theory, or idea in the process of responsible teaching and learning. Any form of speech or conduct, no matter how offensive, unpleasant or even hateful, which is protected by the principles of academic freedom or the U.S. Constitution, is not subject to this policy.

D. Consensual Relationships

Consensual romantic and/or sexual relationships in which one party retains a direct supervisory or evaluative role over the other party are unethical and create a risk for real or perceived coercion. The Universities do not intrude upon private choices regarding personal relationships when these relationships do not violate the Universities’ policies, or cause harm or increase the risk of harm to the safety and wellbeing of members of the campus community.

1. Faculty/Administrator/Staff Member Relationships with Students

No faculty member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who is being taught or advised by the faculty member or whose academic work is being supervised or evaluated, directly or indirectly, by the faculty member. No administrator or staff member shall have a romantic and/or sexual relationship, consensual or otherwise, with a student who the administrator or staff member supervises, evaluates, advises, or provides other professional advice or services as part of a University program or activity. A romantic and/or sexual relationship, consensual or otherwise, between a faculty member, administrator or staff member and a student is looked upon with disfavor and is strongly discouraged.

2. Relationships between Supervisors and Subordinates or Between Co-Workers

A consenting romantic and/or sexual relationship between a supervisor and subordinate or co-workers may interfere with or impair the performance of professional duties and responsibilities and/or create an appearance of bias or favoritism. Further, such relationships could implicate state ethics laws and/or result in claims of discrimination, sexual violence, sexual harassment, and gender-based harassment, domestic violence, dating violence, stalking and retaliation. Therefore, such workplace relationships are strongly discouraged.
E. Resources

The safety, health and well-being of the campus communities are of paramount importance to the University. All who experience any form of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation are strongly urged to talk to someone to get the support they need, no matter when or where the incident occurred.

For information on the location, phone numbers, hours and services provided for the campus and community resources listed below, please contact the Title IX Coordinator or Deputy Title IX Coordinator, the EO Officer, Human Resources, Student Life or Student Conduct, Residence Life, Heath Services, the Counseling Center and/or University Police. The information is also listed on the University’s website.


1. Immediate Needs: Assuring One’s Safety and Preserving Evidence

If an incident occurs, the University encourage victims to report the incident and seek both police and medical assistance. Seeking police or medical assistance does not obligate a victim to make a complaint or take any further action, but the decision to seek medical help and gather evidence allows victims to preserve the full range of available options. The Universities will assist any community member to get to a safe place, provide transportation for medical help and, if requested, contact law enforcement. For 24/7 help, contact University Police, or contact the Title IX Coordinator during normal University hours.

Any person who has experienced sexual violence is encouraged to take steps to preserve evidence of the incident, as doing so may be necessary to the proof of a crime or to obtain a protection order from the court. After an incident occurs, one should try to refrain from bathing, showering, brushing teeth, drinking, eating, douching or changing clothes until the evidence can be collected. If one changes clothes, one should place each garment in a separate paper (not plastic) bag. If the incident involves any written or electronic communications (e.g., pictures/videos, texts, social media posts, etc.), take care to preserve copies and not delete the originals.

2. Confidential Medical Attention

Medical attention is strongly encouraged to treat any possible injuries, including internal injuries, or infections. Please note that there are some medical actions that are more effective if taken within a few days after an offense, such as preventative treatment for pregnancy and sexually transmitted infections, evidence collection, and toxicology testing if there are signs that drugs or alcohol facilitated the offense. Generally one may discuss the incident with licensed medical personnel on a confidential basis.

a. Confidential Medical Resources on Campus

Students may access the services of the Student Health Center on a confidential basis. Employees may seek the confidential services of the Employee Assistance Program (“EAP”).
b. Confidential Community Medical Resources

Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical-legal exams. Here one may find more information about SANE services and where to obtain them: [http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/](http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/)

3. Confidential Counseling and Support

Generally, one may discuss the incident with a licensed mental health counselor or a counselor recognized by a religious order or denomination on a confidential basis. These counselors are good options if one wishes to discuss one’s situation with someone who can keep one’s information as confidential as possible while assisting one to determine what additional steps to take, such as obtaining further counseling, seeking medical attention, preserving evidence, and/or reporting to University or law enforcement authorities then or at a later time.

a. Confidential Counseling and Support Resources on Campus

Students may access the services of Counseling Services on a confidential basis. Employees may seek the confidential services of the EAP. All community members may access the confidential services of any religious/pastoral counselors on campus.

b. Confidential Community Counseling and Support Resources

Many off-campus counseling resources are available. These service providers are not required to report any information to the University and will generally maintain one’s confidentiality.

**White House Initiative to Combat Sexual Assault on College Campuses**  
[www.notalone.gov](http://www.notalone.gov)
(searchable listing of local resources & hotlines)

**The National Stalking Resource Center**  

**National Sexual Assault Hotline**  
(800) 656-4673 (24 hour)

**National Domestic Violence Hotline**  
(800) 799-7233 (24 hour)

**National Suicide Prevention Lifeline**  
(800) 273-8255 (Hotline)

**RAINN [Rape Abuse & Incest National Network]**  
(800) 656-4673 (Hotline)  
[www.rainn.org](http://www.rainn.org) (On-Line Chat Live)

**MA Spanish Language Rape Crisis Center Hotline**  
(Llanamos)  
(800) 223-5001(Hotline)

**Victim Rights Law Center**  
115 Broad Street, 3rd Floor Boston, MA 02110  
Phone: 617-399-6720  
(legal services for victims of sexual assault)

Additionally, the Rape Crisis Centers listed below offer FREE services, including:

- 24/7 hotline counseling, information, and referral;
- Will go with survivors to hospitals and/or police stations 24/7;
- Will go with a survivor to court;
- Provide one-to-one counseling and support group counseling; and
- Provide primary prevention education; professional training; outreach.
Central Massachusetts

Rape Crisis Center of Central Mass., Worcester, 800-870-5905 Hotline, 508-852-7600 TTY Rape Crisis Center of Central Mass., Fitchburg, 800-870-5905
Wayside Victim Services, Milford, 800-511-5070 Hotline, 508-478-4205 TTY Voices Against Violence, Framingham, 800-593-1125 Hotline, 508-626-8686 TTY

As the above contact information may be subject to change, current contact information on rape crisis centers in Massachusetts can be found at: http://www.mass.gov/eohhs/consumer/physical-health-treatment/health-care-facilities/rape-crisis-centers.html. For more information about programs and services offered by the Commonwealth regarding sexual and domestic violence see: http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/sapss/

4. Non-Confidential Campus Resources

The University offer a variety of resources to those community members who have experienced or been affected by sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. While the following resources are not bound by confidentiality, they will maintain one’s privacy within the limited group of University personnel necessary to address the issues of prohibited conduct presented.
- Title IX Coordinator (and any Deputies)
- EO Officer
- University Police
- Human Resources
- Housing/ Residence Life
- Student Life/Student Affairs
- Student Conduct
- Disability Services
F. Reporting Options

The University strongly encourage all who have experienced sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation to report the incident so that the University can provide support and pursue an appropriate resolution. The University prohibit and will not tolerate retaliation against anyone who makes a report.

Victims have several options for reporting: **Confidential Reports, Non-Confidential Reports** and **Making No Report**. While each option will be described in detail below, as a general rule, if a University receives a report of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation, it must investigate the report. If one is unsure of someone’s duty to report or ability to maintain one’s privacy, one should ask them before one talks to them about an incident. They will be able to explain if they are required to make a report, and they can identify others who can help.

All parties and witnesses to incidents of such prohibited conduct have reasonable expectations of privacy in matters reported and investigated under this Policy. The University want all community members to seek the assistance they need without fear that their private information will be shared more broadly than they would like. Federal and state laws, however, impose reporting obligations on certain University employees that, under some circumstances, require those employees to share information about an incident of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation with others at the University. Even when these employees have an obligation to report, they will protect the privacy of the reporter to the greatest extent possible and share information on only a need-to-know basis.

When a person makes a report, a University employee or official will try to ensure that the person is informed of their reporting obligations, and they will direct the person to Confidential Resources to whom one may make a private report. So that one fully understands the ability to make reports and the ability to keep one’s information confidential, please review the following reporting options. If one needs assistance in making a report, please contact the Title IX Coordinator.

1. Confidential Reporting Options

a. Clergy, Pastoral Counselors, Licensed Medical and Mental Health Providers

One may report sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation in confidence to licensed mental health counselors, licensed health care personnel, pastoral counselors or clergy who work for the Universities. Employees may also report such misconduct in strict confidence through the EAP. Except in rare, extreme circumstances, these individuals will share nothing without one’s permission. For example, a University official who works as a clinical provider is legally required to break confidentiality when there appears to be a risk of immediate harm. Also, the University may be required to notify the Massachusetts Department of Children and Families if it receives a report regarding the abuse (including sexual assault) of a child.

Even if one does not wish to make a complaint, these individuals can help one to obtain support services and provide information about one’s options. Please bear in mind, however, that if one requests certain protective interim measures from the University, e.g., extension for academic work or changing classes, residence halls or work locations (see Section H), the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of providing the requested measures. In such cases, one’s privacy will be maintained to the extent that maintaining confidentiality will not impair the University’s ability to provide the requested measures.
One may also confidentially report sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation to community support resources, which are not required to share information with the University.

b. Anonymous Reporting

One may file an anonymous report (without including one’s personal identification) with the Title IX Coordinator. Anonymous reports will typically be used only for statistical data collection under the Clery Act, will be kept confidential, and will not be used to initiate an investigation or a complaint except: (1) when necessary to comply with applicable law; or (2) to protect the health and safety of the campus community.

2. Non-Confidential Reporting Options

a. Campus Reporting Options

If one wishes to report sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation to the University, one may notify the Title IX Coordinator or a Deputy Title IX Coordinator, the EO Officer, University Police, the Human Resources Director, the Dean of Students or Student Conduct. Upon receipt of a report, the University will conduct appropriate follow-up to ensure that one has access to support, services, safety measures, and accommodations. One may also request a criminal investigation through University Police, who will assist in contacting the appropriate law enforcement agency that has jurisdiction (see below for more information on Criminal Reporting Options).

The University recognize that one may feel most comfortable disclosing an incident to a University employee that one knows well, such as a resident advisor, coach or faculty member. Pursuant to Title IX, however, certain employees are required, under nearly all circumstances, to report incidents to the Title IX Coordinator. These employees, known as “Responsible Employees” or “REs” are those with supervisory responsibilities or the authority to address or remediate sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, or whom a student might reasonably believe has such supervisory responsibility or authority.

The University encourage victims to speak with an RE so that the incident can be investigated and properly resolved. When one makes a report to an RE, one has the right - and should expect - The University to take the report seriously, to undertake a prompt, thorough and fair investigation, and to resolve the matter in accordance with the procedures in this Policy.

The REs at the Universities include persons holding the following positions:

- Members of the Boards of Trustees;
- The President and Vice Presidents;
- Assist./Assoc. Vice Presidents;
- Title IX Coordinator/ Deputy Coordinators;
- EO Officer;
- University Police;
- Institutional Security Officers;
- Director and Assist./Assoc. Director of Human Resources;
- Departmental Directors and Assist. /Assoc. Directors;
- Residence Life Staff (including RDs and RAs);
- Athletic Coaches, Assistant Coaches and Athletics Administrators;
- Studio Managers;
- Lab Managers;
- Deans and Assistant/Associate Deans
- Academic Department Chairs;
- Academic and Non-Academic Program Directors/ Coordinators;
- Faculty/Staff Leading or Chaperoning
- Travel or Overnight Trips; and
- Faculty/Staff Advisors to Student Organizations.
Once an RE receives the report, the University is “on notice” of the incident and the University is then required, under most circumstances, to investigate. If one makes a report to an RE, however, only the people who need to know about the report will be told. Personal information will be shared only as necessary, and consistently with state and federal law: (1) with Administrative Investigators, witnesses, and the accused; (2) with other University officials to provide interim measures or accommodations; or (3) when required to be disclosed by law.

Whenever possible, REs will disclose their duty to report incidents before someone reveals information about an incident. REs will also inform a person making a report of their option to make a confidential report on campus, and where to obtain support services.

Additionally, University employees who are designated as Campus Security Authorities (“CSAs”) for the purposes of the Clery Act must provide University Police with non-identifying statistical victim information regarding all reported incidents of sexual assault, dating violence, domestic violence and stalking. This statistical information is used by the Universities to compile their Annual Security Report, and by University Police for purposes of advising the campus of any potential safety risks or concerns.

Accordingly, unless a University employee or official is identified as a Confidential Resource, most other University employees and officials who receive reports of incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation are required to report them to the Title IX Coordinator.

b. Criminal Reporting Options

Victims may file a criminal complaint with University Police and/or the local police department where the incident occurred. Victims can make a criminal report and a report to the University; one does not have to choose one or the other.

The University encourage victims to report incidents to the police so that the police can take appropriate measures to help victims and prevent future crimes. If one would like assistance in filing a report with local law enforcement, University Police will help.

Victims are never required, however, to report an incident to University Police or local law enforcement. If a victim elects not to make a criminal report, the Universities will respect that decision to not report the incident to the police.

If a victim chooses to make a report to University Police, the Department will conduct an investigation and, if wished, assist the victim in filing criminal charges against the alleged offender. University Police can also assist a victim in the process of obtaining protective restraining orders and abuse prevention orders for relationship/domestic violence. The Department has specially trained officers to respond to complaints of sexual assault and domestic violence, and, whenever possible, University Police will make every effort to offer female victims/survivors an opportunity to have a female officer present during all interviews. University Police also helps the University to evaluate, investigate and resolve complaints under this Policy, and University Police assists in protecting the safety of complainants.
c. Governmental Reporting Options

If one wishes to file a complaint of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation outside of the University or in addition to a complaint filed under the University’s Complaint Investigation and Resolution Procedures, the following agencies may provide additional resources:

**U.S. Department of Education, Office for Civil Rights**
http://www2.ed.gov/about/offices/list/ocr/index.html

**U.S. Department of Education**
Office for Civil Rights
33 Arch Street, 9th Floor
Boston, MA 02119-1424
(617) 289-0111, TDD (877) 521-2172
Email: OCR.Boston@ed.gov

**U.S. Department of Justice, Office on Violence Against Women**
http://www.ovw.usdoj.gov/

**Office on Violence Against Women**
145 N St., NE, Suite 10W.121
Washington, D.C. 20530
(202) 307-6026
Fax: (202) 305-2589
Email: ovw.info@usdoj.gov

Persons who have questions or who wish to file a complaint of gender discrimination or sexual harassment under state law may contact the Massachusetts Commission Against Discrimination:

- **Boston Office:**
  One Ashburton Place, Rm. 601
  Boston, MA 02108
  (617) 727-3990

- **Worcester Office:**
  Worcester City Hall
  455 Main Street, Rm. 101
  Worcester, MA 01608 (508) 799-8010

- **Springfield Office:**
  424 Dwight Street, Rm. 220
  Springfield, MA 01103
  (413) 739-2145

- **New Bedford Office:**
  800 Purchase Street, Rm. 501
  New Bedford, MA 02740 (508) 990-2390

Employees with complaints, questions or concerns about gender discrimination, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation may also contact the Equal Employment Opportunity Commission, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203, (800) 669-4000, TTY (800) 669-6820.
d. Third Party Reporting

Anyone may make a report of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation against another member of the campus community or a person affiliated with the University by contacting the Title IX Coordinator, University Police or another Responsible Employee.

e. Unknown/Non-University Offenders

If one does not know the identity of an alleged offender, or if the alleged offender is not a member of the campus community, the University will assist a victim in identifying appropriate resources or local authorities if the victim wishes to file a report. In addition, the University may investigate to the fullest extent possible and take other actions to protect the University community.

3. Making No Report

Victims have the right not to make a report to anyone. The University, however, strongly encourage victims to seek medical attention, counseling and support. Victims are always welcome to file a report at a later date, but please note that a delay in reporting could weaken the evidence necessary to determine whether the accused is found responsible for committing an act of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation.

4. Amnesty

Students may be hesitant to report sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation out of concern that they, or witnesses, might be charged with violations of the University’s drug/alcohol policies. While the University do not condone such behavior, they place a priority on the need to address sexual violence and misconduct. Accordingly, a University may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation.

5. Timeframe for Reporting

The University do not limit the timeframe for filing a complaint under this Policy. While reports may be made at any time, complainants are reminded that the more time that passes from the time of the incident, the more difficult it is for the University to obtain information and contact witnesses, and the alleged respondent may no longer be affiliated with the University.

6. False Charges

The filing of a knowingly false report of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation is a serious offense prohibited by this Policy. A report made in good faith, however, is not considered false merely because the evidence does not ultimately support the allegation of prohibited conduct. If an investigation reveals that a complainant knowingly filed false charges, the University shall take appropriate actions and issue sanctions pursuant to other applicable University policies, including any applicable collective bargaining agreement. The imposition of such sanctions does not constitute retaliation under this Policy.
7. Employees’ Duty to Report

All members of the University campus community are encouraged to promptly report incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation to the Title IX Coordinator.

As set forth above in Subsection 2, each University employee designated as a Title IX Responsible Employee who is informed about an allegation of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation involving any member of the campus community is required to notify the Title IX Coordinator either directly or through their relevant reporting structure.

Additionally, as set forth above in Subsection 2, University employees who are designated as CSAs for the purposes of the Clery Act must provide University Police with non-identifying statistical information regarding all reported incidents of sexual assault, dating violence, domestic violence and stalking.

University employees who serve in professional roles in which communications are afforded confidential status under the law (e.g., licensed mental health care providers, medical providers, pastoral counselors and clergy) may, consistent with their ethical and legal obligations, be required to report limited information about incidents without revealing the identities of the individuals involved, to the Title IX Coordinator. Such employees who receive reports of violence or misconduct when not functioning in their licensed capacity (e.g., teaching a course) are not prohibited by their ethical codes or legal obligations from making a full report to the University.

8. Employees’ Duty to Cooperate

Every faculty member, librarian, administrator, staff member and University employee has a duty to cooperate fully and unconditionally in an investigation conducted pursuant to the Complaint Investigation and Resolution Procedures at Appendix 3 of the EO Plan, subject to the provisions of any relevant collective bargaining agreements. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Administrative Investigator, reviewing or appellate body, and voluntarily providing all documentation that relates to the claim being investigated. The failure and/or refusal of any employee to cooperate in an investigation may result in a separate disciplinary action up to and including termination.

G. PRIVACY AND CONFIDENTIALITY: ADDITIONAL CONSIDERATIONS

1. Requests for Confidentiality or for No Investigation

If a victim discloses an incident of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation, but requests that the University maintain confidentiality or that no investigation or disciplinary action occur, the University will weigh the request against its obligation to provide a safe, non-discriminatory environment for its entire community, including the victim, and its obligation to comply with applicable laws. It is important to understand that the University’s ability to meaningfully investigate an incident and pursue disciplinary action against the alleged perpetrator(s) may be limited if the University honors a confidentiality or no investigation request.
In consultation with University Police and other University personnel as necessary, the Title IX Coordinator will evaluate a request for confidentiality or that investigation/discipline occur by considering a range of factors including, but not limited to, whether:

- There have been other similar complaints about the same alleged perpetrator;
- The alleged perpetrator has a history of arrests or records indicating a history of violence;
- The alleged perpetrator threatened any further violence against the victim or others;
- The misconduct was committed by multiple perpetrators;
- The act was perpetrated with a weapon;
- The alleged perpetrator holds a position of power over the victim;
- The victim is a minor;
- The university possesses no other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence);
- There appears to be a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group; and/or
- Other circumstances indicating an increased risk of violence or harm.

The presence of one or more of these factors could lead the University to investigate and/or pursue discipline. The University will inform the victim prior to starting an investigation and will, to the extent possible, share information with only the people responsible for handling the University’s response.

The University may not require a victim to participate in any investigation or disciplinary proceeding. If none of the factors listed above are present, the University will likely honor the victim’s request for confidentiality. It will also take interim measures as necessary to protect and assist the victim. In this circumstance, the University will consider broader remedial action, such as increased monitoring, supervision or security, increased or targeted education or prevention measures, conducting climate assessments/victimization surveys, and/or revisiting its policies and practices.

In the event that the victim requests that the University inform the alleged perpetrator that the victim asked the University not to investigate or seek discipline, the University will honor this request and inform the alleged perpetrator that the University made the decision to go forward.

2. Privacy for Respondents Who Are Students

A student’s right to privacy is primarily governed by the Family Educational Rights and Privacy Act (“FERPA”), which provides that personally identifiable information maintained by the Universities in students’ educational records may not be disclosed except with the consent of the student or as otherwise specified by law. For more information, see the University’s website for its Annual Notice on FERPA.

3. Disclosures Made At Public Awareness Events

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which individuals disclose incidents of sexual violence or relationship violence are not considered notice to the Universities and do not trigger an obligation to investigate any particular incident(s). Such events may, however, inform the Universities’ education and prevention efforts.

http://www.fitchburgstate.edu/offices-services-directory/registrar/student-records/ferpa/
4. Statistical Reporting and Timely Warnings under the Clery Act

The Clery Act requires the University to maintain a daily log of reports of crimes that occurred on campus, University-controlled property or public property immediately adjacent to campus, including reports of sexual assault, domestic or dating violence and stalking. The Universities must also publish an Annual Campus Crime Report concerning reported incidents. The University do not include names or other personally identifying information in the daily logs or the Annual Security Reports.

Additionally, when the University becomes aware that an incident of sexual misconduct or violence occurred, and there is a potential for bodily harm or danger to members of the campus community, the University will issue a timely warning to the campus. While the University will provide enough information to safeguard the campus community, a victim’s name or other personally identifying information will not be disclosed in the timely warning.

H. Protective Interim Measures

The University are committed to supporting victims by providing the necessary crisis intervention, safety and support services, and academic accommodations throughout the investigation and resolution process. The University want all community members to be safe, to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational or employment opportunities. The University also want victims to understand their reporting options and how to access available interim measures. The University encourage victims of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation to report incidents to the Title IX Coordinator or any Responsible Employee with whom the victim feels comfortable.

Victims may obtain protective interim measures by either (1) reporting the incident to the Title IX Coordinator or other Responsible Employee and requesting interim measures, or (2) disclosing the incident to a counselor, who in turn can request interim measures on the victim’s behalf from the University.

If a victim elects to confidentially disclose an incident to a counselor and also seeks protective interim measures from the University, the counselor may ask the victim to sign a release specifying the information that may be shared with the University. In accordance with the University’s practice of allowing counselors to seek such measures for victims of trauma without requiring that the nature of the trauma be disclosed, the University will not require a counselor to disclose that sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation is the basis for the request. Additionally, if a victim does not wish for the University to investigate or otherwise notify the alleged respondent of the reported incident, a counselor may still request protective interim measures on behalf of the victim. In such cases, the Title IX Coordinator will consider whether the University can honor the request for confidentiality or no investigation while still providing a safe and nondiscriminatory environment for the campus.

Upon receipt of a report or request for protective interim measures, the University will provide the victim, or the victim’s counselor, with a written explanation of the interim measures available, and shall ask victims, or their counselors, which measures are sought. Some possible interim measures are listed below, and the University determines which measures are appropriate for each victim on a case-by-case basis. Not all of the measures listed below will be necessary to keep every victim safe and ensure their equal access to University programs and activities. If the victim or counselor requests an interim measure that is not already provided by the University, it will consider whether the request can be granted. In cases where interim measures affect both the victim and the alleged respondent, the University will minimize the burden on the victim wherever appropriate.
The Universities will maintain as confidential any accommodations or protective interim measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the Universities to provide the accommodations or protective interim measures.

The University may provide one or more of the following protective measures:

- “No contact/communication” orders;
- Escorts to ensure safety while moving between locations on campus;
- Changes in academic or work schedules;
- Statutorily-provided leave to employees, such as domestic violence leave pursuant to M.G.L c. 49, §52d;
- Alternative housing, dining and/or office accommodations;
- Restrictions from areas of campus;
- Medical and/or mental health services;
- Assistance in identifying an advocate to help secure additional assistance, such as off-campus and community advocacy, support and services; and/or
- Academic accommodations, such as:
  - Transferring to another section of a course, lecture or lab;
  - Rescheduling an academic assignment or test;
  - Arranging for incompletes, a leave of absence, or withdrawal from campus; and
  - Preserving eligibility for academic, athletic, or other scholarships, financial aid,
- Internships, study abroad, or foreign student visas.

The University may also suspend a student on an interim basis or place an employee on paid administrative leave prior to completing an investigation under this Policy when it reasonably concludes that the person: (a) poses a threat to health or safety; (b) poses a threat to University property or equipment; (c) is disruptive or interferes with an investigation under this Policy or the normal operations of the University; or (d) is charged with a serious violation of state or federal law. The University shall provide the employee or student of the specific reason(s) for the interim action. During an interim action, the University reserves the right to prohibit the person from entering upon the University’s property or participating in any University activities absent written authorization from an appropriate University official. When a person has been placed on interim suspension or paid leave of absence, the Universities will make reasonable efforts to complete the investigation process in an expedited manner.

The failure of a person to comply with an interim suspension, temporary leave or other interim measure is a violation of this Policy and may lead to additional disciplinary action.

Additionally, in some circumstances, a victim may wish to seek an order of protection from a court or appropriate jurisdiction against the alleged perpetrator. In these circumstances, University Police will assist individuals in their attempt to secure these orders. Individuals may also seek restriction of access to the University by non-students or non-employees when appropriate.
I. Written Notification of Rights, Options, Available Resources, Services and Information

The University will provide written information to community members regarding counseling, medical and mental health services, disability accommodations, victim advocacy, legal assistance, visa and immigration assistance, and other services available on and off campus. In addition, the Universities will provide notification to victims of their rights and options set forth in this Policy, including, but not limited to, options for, protective interim measures, regardless of whether the victim chooses to report the crime to the police or file a complaint with the University.

The Universities will notify complainants alleging sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation in writing that they have the following rights:

- To an explanation of the options available;
- To referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
- To a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- To request that the university impose no contact/communication orders or other interim measures;
- To make a complaint that starts the university’s investigation and resolution processes;
- To a prompt, thorough and equitable investigation and resolution of a complaint;
- To choose whether or not to initiate a formal investigation of the complaint, unless the university deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- To the confidentiality of the investigation process to the extent possible (see privacy and confidentiality at section g);
- To an advisor of one’s choice who will assist and be present at any time during the investigation proceedings, but who may not participate in or otherwise provide representation in any way throughout the process;
- To reasonable accommodations for a documented disability during the process;
- To know, in advance, the names of all persons known to be involved;
- Not to have irrelevant sexual history discussed;
- To be present at meetings and review documents;
- To speak and present information on one’s own behalf;
- To submit questions for the administrative investigator to ask witnesses;
- To know the status of the case at any point during the process;
- To be informed of the outcome of the process in a timely manner;
- To an appeal from the outcome of the process;
- To file no complaint with the university, but receive support services from the university;
- To file a police report and/or take legal action separate from and/or in addition to the University discipline process;
- To seek and enforce a no contact, restraining or similar court order;
- To be assisted by the university in seeking assistance from or filing a complaint with local law enforcement;
- To not file a complaint or seek assistance from local law enforcement, but receive support services from the university;
- To be free from any behavior that may be construed by the university to be intimidating, harassing or retaliatory; and
- To have the matter handled in accordance with university policy.

Respondents to claims of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation have the following rights:
• To an explanation of the allegations against them;
• To referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
• To receive a copy of the complaint filed against them;
• To be presumed not in violation of university policy until a violation is established through the complaint investigation process;
• To the confidentiality of the investigation process to the extent possible (see privacy and Confidentiality at section g);
• To an advisor of one’s choice who will assist and be present at any time during the investigation proceedings, but who may not participate in or otherwise provide representation in any way throughout the process;
• To reasonable accommodations for a documented disability during the process;
• To know, in advance, the names of all persons known to be involved;
• Not to have irrelevant sexual history discussed;
• To be present at meetings and review documents;
• To speak and present information on one’s own behalf;
• To submit questions for the administrative investigator to ask witnesses;
• To know the status of the case at any point during the investigation and resolution process;
• To be informed of the outcome of the process in a timely manner;
• To an appeal from the outcome of the process;
• To be free from any behavior that may be construed by the university to be intimidating, harassing or retaliatory; and
• To have the matter handled in accordance with university policy.

Note: In some circumstances, a complaint alleging an act of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation may also allege conduct that may constitute a potential violation of other University conduct policies. To avoid duplicative efforts, the University may undertake a joint investigation of the conduct under Complaint Investigation and Resolution Procedures. Based on the findings of the joint investigation, the respondent may be subject to disciplinary action for violations of the Sexual Violence Policy and/or the Student Code of Conduct, as well as other policy violations.

J. Education and Prevention Programs

As part of the Universities’ commitment to providing working, living and learning environments free from sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, this Policy shall be disseminated widely to the campus communities through publications, new employee and student orientations, physical posting in places where students and employees are likely to see it, and other appropriate communications. A copy of this Policy shall be prominently posted on each University’s website.

The University provide sustained and comprehensive training to the campus community concerning: (1) prevention and awareness programs that address rape, acquaintance rape, domestic and dating violence, sexual assault, and stalking; (2) the provisions of the Universities’ Sexual Violence Policy; and (3) the Universities’ Complaint and Investigation Procedures for alleged violations of the Sexual Violence Policy. Additionally, the Universities provide all new or incoming students and employees primary prevention and awareness programs that promote awareness of rape, acquaintance rape, domestic and dating violence, sexual assault, and stalking.
The University have implemented primary and on-going prevention and awareness programs for students and employees focused on sexual violence, domestic and dating violence and stalking, and the promotion of positive and healthy behaviors that foster mutually respectful relationships and sexuality. The Universities shall make preventative educational materials available to all community members to promote compliance and familiarity with this Policy.

In the training programs for students and employees, the University will address the following:

- The Universities’ prohibition of sexual assault, domestic violence, dating violence and stalking.
- The University’s Sexual Violence Policy and Complaint and Investigation Resolution Procedures for addressing complaints of sexual assault, domestic violence, dating violence and stalking.
- The Massachusetts’ legal definitions of the crimes of sexual assault, domestic violence, dating violence and stalking.
- The legal definition of “consent” in reference to sexual activity in Massachusetts.
- The rights and remedies of students and employees under Title IX.
- Practical information about identifying, preventing, and reporting sexual violence and sexual harassment.
- The reporting options available to victims, on and off campus.
- The confidential resources available to the victims, on and off campus.
- How to obtain accommodations and/or interim protective measures.
- How the University’s analyze complaints.
- Positive options for bystander intervention that an individual may take to prevent harm or intervene in risky situation.
- The role of alcohol and drugs and student safety.
- How employees should respond to reports of sexual violence, sexual and gender-based harassment, domestic and dating violence, and stalking; employees’ duty to make reports to the Universities and how to make such reports.
- The University’s prohibition against retaliation.

In addition, the University provides annual training to its Title IX Coordinators and Deputy Coordinators, EO Officers, Administrative Investigators, review and appellate body members, responsible employees, University Police, and all others involved with the administration of this Policy and the Complaint Investigation and Resolution Procedures on the topics listed above, as well as the following:

- The obligations of responsible employees when interacting with students or employees making reports of sexual violence, sexual and gender-based harassment, domestic and dating violence, and stalking.
- The obligations of responsible employees to forward reports to the Universities.
- The dynamics of sexual violence and the unique toll it can take on self-blaming and traumatized individuals.
- Understanding how sexual violence occurs, how it is perpetrated, and how victims naturally respond during and after assault.
- Issues related to sexual violence, domestic violence, dating violence and stalking.
- The requirements of the Complaint Investigation and Resolution Procedures.
- How to conduct an investigation in a manner that protects the safety of victims and promotes accountability.
- How to conduct prompt, fair, impartial and thorough investigations. Furthermore, the University’s pledge to routinely:
  - Evaluate current policies, procedures, and practices;
  - Ensure appropriate training of all persons charged with administering this Policy and/or involved in the
complaint investigation and resolution process;

- Evaluate who is designated an RE for Title IX reporting purposes and/or CSA for Clery
- Act reporting purposes, and disseminate and publish applicable list of res and CSAs;
- Ensure appropriate training of res and CSAs;
- Evaluate campus climate assessment survey data;
- Provide education and prevention programming for students and employees; and
- Evaluate physical security needs on campus.

K. Independent Investigations

At any time, the University, at its discretion, may conduct an investigation independent of, or in addition to, the procedures described in this Policy. The investigation may involve complaints or allegations of violence, or concerning violations of Title IX, VAWA and/or the Clery Act against the University, or any of its employees or students. Any such independent investigation will comply with the requirements of Title IX, VAWA and/or the Clery Act, as applicable.

L. Compliance Concerns

All are encouraged to report any concerns about the University’s handling of a sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation investigation to the University’s Title IX Coordinator. Individuals may also report concerns about the University’s handling of such investigations to:

U.S. Department of Education
Office for Civil Rights
33 Arch Street, 9th Floor
Boston, MA 02119-1424
Telephone: (617) 289-0111
FAX: (617) 289-0150; TDD (877) 521-2172
Email: OCR.Boston@ed.gov

M. Massachusetts Legal Definitions

Alleged incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are determined by the language of this Policy rather than by the provisions of the criminal laws of Massachusetts. However, community members who believe they have been the victim of a crime may choose to pursue a criminal investigation through local law enforcement. In those instances, the criminal laws will apply. Here are the definitions of Massachusetts crimes related to the conduct prohibited by this Policy:

A. Sexual Assault

Massachusetts uses the term “rape.” The definition encompasses (1) the penetration of any orifice by any body part or object (2) by force (or threat) and (3) without consent. Rape also includes instances where the victim is incapacitated (“wholly insensible so as to be incapable of consenting”) and the perpetrator is aware or should have known of the incapacitation. Relatedly, under M.G.L. c. 268, § 40, a person who knows that an individual is a victim of an aggravated rape and is at the scene of the crime, must report the crime to law enforcement as soon as is reasonably practicable.

http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22;
http://masscases.com/cases/sjc/450/450mass583.html
B. Domestic Violence

Section 1 of M.G.L. c. 209A defines domestic abuse as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”
http://www.massmalelegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A

For the purposes of Chapter 209A, “family or household members” are defined as persons who (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) have a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts’ consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination.
http://www.massmalelegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A

Section 13M of M.G.L. c. 265 prohibits assault and/or assault and battery against family or household members, which is defined as: “persons who: (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship.”
https://malelegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13m
https://malelegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260

In determining whether Section 13M applies to a particular relationship, the courts shall consider the following factors: “(1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time that has elapsed since the termination of the relationship.”
https://malelegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13m

Section 15D of M.G.L. c. 265 prohibits the strangulation or suffocation of another person.
https://malelegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260

C. Dating Violence

While Massachusetts does not have a law concerning dating violence, conduct may constitute an assault or assault and battery under M.G.L. c. 265, § 13A. An assault or an assault and battery: (i) upon another and [the perpetrator] by such assault and battery causes serious bodily injury; (ii) upon another who is pregnant at the time of such assault and battery, [the perpetrator] knowing or having reason to know that the person is pregnant; or (iii) upon another who [the perpetrator] knows has an outstanding temporary or permanent vacate, restraining or no-contact order or judgment issued pursuant to [applicable law], in effect against him at the time of such assault or assault and battery.”
https://malelegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13a
Section 13M of M.G.L. c. 265 prohibits assault and/or assault and battery against family or household members, which is defined as: “persons who: (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship.”
https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13m
https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260

In determining whether Section 13M applies to a particular relationship, the courts shall consider the following factors: “(1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time that has elapsed since the termination of the relationship.”
https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13m

Section 15D of M.G.L. c. 265 prohibits the strangulation or suffocation of another person.
https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260

D. Stalking

Section 43 of M.G.L. c. 265 defines “stalking” as “(1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily harm.”
http://www.malegislature.gov/Laws/GeneralLaws/PartIII/TitleI/Chapter265/Section43

E. Consent

There is no definition of the term “consent” in the Massachusetts General Laws. Massachusetts courts use the term “against his/her will” which means without consent. Cases have held that consent cannot be compelled or induced by force or threats, and consent is not present when the victim is incapacitated. In other words, consent requires a voluntary agreement demonstrated by words or actions, by a person with sufficient mental capacity to make a conscious choice to do something proposed by another, free of duress. Commonwealth v. Lopez, 433 Mass. 722 (2001), Commonwealth v. Lefkowitz, 20 Mass. App. Ct. 513 (1985); see also:
http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22
## CONFIDENTIALITY AND REPORTING

<table>
<thead>
<tr>
<th>Personnel/Organization</th>
<th>Confidential Status</th>
<th>Obligation to Report to the University’s Title IX Coordinator and/or Outside of the University</th>
</tr>
</thead>
</table>
| University Counseling Services | Confidential       | **None, with the following exceptions:**  
If there is reasonable cause to suspect that a minor, or an elderly or disabled person, has been abused, Counseling Services may report this to the University in compliance with state law.  
If a person presents an imminent threat of harm to one’s self or Others, a clinical provider may break confidentiality.  
If one would like to request certain protective interim measures in the aftermath of reported sexual violence, e.g., more time to submit academic work or changing classes, residence halls or work locations, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures.  
De-identified statistical information may be reported to Campus Police in compliance with the Clery Act. |
| University Health Services  | Confidential       | **None, with the following exceptions:**  
If there is reasonable cause to suspect that a minor, or an elderly or disabled person, has been abused, Counseling Services may report this to the University in compliance with state law.  
If a person presents an imminent threat of harm to herself or others, a medical provider may break confidentiality.  
If one would like to request certain protective interim measures in the aftermath of reported sexual violence, e.g., more time to submit academic work or changing classes, residence halls or work locations, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures.  
De-identified statistical information may be reported to Campus Police in compliance with the Clery Act. |
<table>
<thead>
<tr>
<th>Role</th>
<th>Confidentiality</th>
<th>Information Disclosure</th>
</tr>
</thead>
<tbody>
<tr>
<td>University Chaplains, Clergy or Pastoral Counselors</td>
<td>Confidential</td>
<td>None, with the following exceptions:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If one would like to request certain protective interim measures in the aftermath of reported sexual violence, e.g., more time to submit academic work or changing classes, residence halls or work locations in the aftermath of reported sexual violence, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>De-identified statistical information may be reported to Campus Police in compliance with the Clery Act.</td>
</tr>
<tr>
<td>University Employee</td>
<td>Confidential</td>
<td>None</td>
</tr>
<tr>
<td>Off-Campus Medical Providers</td>
<td>Confidential</td>
<td>None</td>
</tr>
<tr>
<td>Off-Campus Rape Crisis Centers, Counseling and/or Victim Support Services</td>
<td>Confidential</td>
<td>None</td>
</tr>
<tr>
<td>Off-Campus Chaplains, Clergy, Pastoral Counselors</td>
<td>Confidential</td>
<td>None</td>
</tr>
<tr>
<td>Local Police or other Law Enforcement</td>
<td>Not Confidential</td>
<td>There is no obligation for local police or law enforcement to make a report to the University, but information may be shared with the University within the requirements of Massachusetts law.</td>
</tr>
<tr>
<td>Outside Agencies (MCAD, EEOC, OCR, BHE)</td>
<td>Not Confidential</td>
<td>The relevant agency will notify the University of accepted complaints.</td>
</tr>
<tr>
<td>Title IX Coordinators (and Deputies)</td>
<td>Not Confidential</td>
<td>Yes. The Title IX Coordinator will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>EO Officers</td>
<td>Not Confidential</td>
<td>Yes. The EO Officer will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>University Police</td>
<td>Not Confidential</td>
<td>Yes. University Police will share information with University officials and employees who need to know it in order to implement University policies and procedures. Depending on the circumstances, an anonymous public warning may be issued by University Police. Whenever possible, the University will notify one if this will be issued and one’s name and identifying information will not be included.</td>
</tr>
<tr>
<td>Role</td>
<td>Confidential</td>
<td>Information Provided</td>
</tr>
<tr>
<td>--------------------------------------------------------</td>
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</tr>
<tr>
<td>University Trustees</td>
<td>Not</td>
<td>Yes. Members of the Board of Trustees will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>The President</td>
<td>Not</td>
<td>Yes. The President will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Vice Presidents, Associate and Assistant Vice Presidents</td>
<td>Not</td>
<td>Yes. The Vice Presidents and Associate/Assistant Vice Presidents will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Director and Assistant Director of Human Resources</td>
<td>Not</td>
<td>Yes. The Director/Assistant Director of Human Resources will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Departmental Directors and Assistant Directors</td>
<td>Not</td>
<td>Yes. Departmental Directors and Assistant Directors will share information with University officials and employees who need to know it in order to implement University policies and procedures, except: Those Departmental Directors and Assistant Directors who serve in professional roles in which communications are afforded confidential status under the law (e.g., licensed mental health care providers, medical providers, pastoral counselors and clergy) will maintain confidentiality.</td>
</tr>
<tr>
<td>Residence Life Professional Staff (including RDs/RAs)</td>
<td>Not</td>
<td>Yes. These Residence Life professionals will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Athletic Coaches, Assistant Coaches and Athletics Administrators</td>
<td>Not</td>
<td>Yes. These members of the Athletics Department will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Deans, Associate and Assistant Deans</td>
<td>Not</td>
<td>Yes. The Deans and Associate/Assistant Deans will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Academic Department Chairs</td>
<td>Not</td>
<td>Yes. Academic Department Chairs will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Academic and Non-Academic Program Directors and Program Coordinators</td>
<td>Not</td>
<td>Yes. Academic and Non-Academic Program Directors/ Coordinators will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Faculty and Staff Leading or Chaperoning Travel or Overnight Trips</td>
<td>Not</td>
<td>Yes. Faculty and Staff Travel Leaders and/or Chaperones will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
<tr>
<td>Faculty and Staff Advisors to Student Groups</td>
<td>Not</td>
<td>Yes. Faculty and Staff Advisors to Student Groups will share information with University officials and employees who need to know it in order to implement University policies and procedures.</td>
</tr>
</tbody>
</table>
Policies for Reasonable Accommodations for Persons with Disabilities

The University are committed to providing equal access to employment and educational opportunities for otherwise qualified persons with disabilities. The University recognize that individuals with disabilities may need reasonable accommodations to have equally effective opportunities to participate in or benefit from educational programs, services, activities and employment.

Education of Persons with Disabilities

The University will examine all existing admissions, student support and other student life policies, practices and facilities to assure that they do not disparately treat or impact otherwise qualified persons with disabilities. Where such disparity is found, it will be corrected as quickly and completely as is reasonable under existing financial constraints.

In accordance with the requirements of state and federal law, the University will provide necessary reasonable accommodations, auxiliary aids and academic adjustments (including support services) to otherwise qualified students with disabilities to assure equal access to its programs, facilities and services. Reasonable accommodations will also be afforded to applicants for admission who have disabilities to enable them to adequately pursue all opportunities for enrollment in the University’s programs of study.

Employment of Persons with Disabilities

The University will examine all existing employment policies, practices and facilities to assure that they do not disparately treat or adversely impact otherwise qualified persons with disabilities. Where such disparity is found, it will be corrected as quickly and completely as is reasonable under existing operational constraints.

In accordance with the requirements of state and federal law, and through the interactive process, the University will afford reasonable accommodations to any otherwise qualified employee with a disability to enable the employee to perform the essential functions of the job. Reasonable accommodations will also be afforded to applicants for employment who have disabilities to enable them to adequately pursue a candidacy for any available positions.

Process by Which to Request Accommodations

Any member of the University community who seeks reasonable accommodation for a disability may contact the EO Officer and/or the Title II/Section 504 Coordinator for more information. Similarly, any applicant for employment or admission who seeks assistance in the application process may contact the EO Officer and/or the Title II/Section 504 Coordinator.

Additionally, a student seeking reasonable accommodations, auxiliary aids and/or academic adjustments for a disability must contact the appropriate Office of Disability Services on the student’s campus to obtain such services.
Complaint Investigation and Resolution Procedures

Any member of the University community or any applicant for admission or employment who believes that he or she has been a victim of disability discrimination or harassment, or who alleges that the University has failed to provide reasonable accommodations, appropriate auxiliary aids and/or academic adjustments, may initiate a claim as outlined in the University's Complaint Investigation and Resolution Procedures.

Further advice or information may be obtained by contacting the EO Officer and/or the Title II/Section 504 Coordinator of each University.

Mandatory Child Abuse Reporting Policy

Persons under 18 may be students or may be engaged in activities sponsored by the Universities or by third parties utilizing University facilities. Where an employee has reasonable cause to believe that a child is suffering injury from sexual abuse on campus or on University owned or controlled property, the employee and/or the University may be obligated to comply with the mandatory child abuse reporting requirements established at M.G.L. c. 119, §§ 51A-E. In such cases, the employee must immediately report the matter to University Police, who, in consultation with other officials, shall contact the Department of Children and Families (“DCF”) and/or outside law enforcement. An employee may also directly contact law enforcement or DCF in cases of suspected abuse or neglect. Massachusetts law also has mandatory reporting requirements for certain occupations where elderly and disabled abuse or neglect is suspected. For more information, please contact the University Police.

Contracting and Purchasing

Equal Opportunity Vendors

When selecting contractors, suppliers, and vendors of goods and services, including goods and services secured in connection with construction projects, the University will offer equal opportunity to all qualified persons and entities and will not discriminate on the basis of race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status.

The University shall seek to locate and shall encourage the use of minority and female contractors, subcontractors, vendors, and suppliers. The University will identify businesses primarily operated by members of such protected classes with the help of agencies such as the State Office of Minority Business Assistance in order to encourage bids and proposals from potential contractors, vendors and suppliers.

Equal Employment Opportunity

The University require that all persons and entities with which they contract for the provision of goods and services shall provide equal opportunity for all persons without regard to race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status.

Contractor Compliance

Prior to the awarding of any contract, the University shall require that the contractor provide written assurance of its compliance with applicable state and federal laws and regulations, including the provisions of this Policy, prohibiting discrimination in employment.
Complaint Investigation and Resolution Procedures

Any member or the University community or any applicant for employment or admission who believes that he or she has been a victim of discrimination, discriminatory harassment, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation by a vendor or contractor may initiate a complaint pursuant to the University’s Complaint Investigation and Resolution Procedures. Further advice or information may be obtained by contacting the EO Officer and/or Title IX Coordinator.

Monitoring and Goals

By and through this Plan, the University commit themselves to a policy of equal opportunity, diversity, affirmative action and non-discrimination in all aspects of campus life.

The University shall endeavor to increase the representation of qualified women, veterans, persons with disabilities and minorities in their workforces. To this end, the Universities shall continually examine and monitor their affirmative action and equal opportunity policies, procedures and practices for the purpose of determining the degree to which their workforces are reflective of the demographics of the Commonwealth’s labor market. To the extent that this review reveals areas of deficiency or shortcomings, the University will make reasonable and good faith efforts, consistent with requirements of the law, to address and improve such deficiencies or shortcomings.

On an annual basis, the University will review the progress being made toward the achievement of its compliance with this Plan and its equal opportunity, diversity, affirmative action and non-discrimination goals.

Affirmative Action Hiring Procedures

The procedures set forth in this Plan take into consideration both organizational limitations and opportunities with respect to current and future employees. The Plan calls upon all staff to engage in a major effort in order to fulfill the objectives of equal opportunity for all persons at all levels of employment, in compliance with all applicable collective bargaining agreements. Each EO Officer will monitor the employment policies of the University with respect to the areas of recruitment and appointment to vacant positions to assure compliance with the objectives of this Plan. The areas to be monitored should include, but not be limited to, pre-recruitment procedures, recruitment, selection, appointments (permanent, acting, emergency and temporary), salary and benefits, and shall include employees of continuing education, grant funded programs and other appropriate areas.

Complaint Investigation and Resolution Procedures

The University have established specific internal Complaint Investigation and Resolution Procedures to help resolve claims and complaints of discrimination, discriminatory harassment and retaliation on their campuses. The University’s Complaint Investigation and Resolution Procedures also serve as a system of review and resolution for claims of discrimination in hiring. These Procedures specifically address claims and complaints of failure to accommodate persons with disabilities as prescribed by the ADA, the Rehabilitation Act, and Massachusetts General Laws Chapter 151B. Any applicant for employment who believes that he or she has been a victim of discrimination in hiring may initiate a claim as outlined in the Universities’ Complaint Investigation and Resolution Procedures. Further advice or information regarding these complaint procedures may be obtained by contacting the EO Officer.
Appendix “D” Fitchburg State University’s Procedure for Implementation of the Equal Opportunity Diversity and Affirmative Action Plan


The final authority and ultimate responsibility for the implementation of this Plan rests with the Presidents of the State Universities. The EO Officer on each campus, however, has the responsibility for the overall development, administration and monitoring of all policies, procedures and programs pertinent to the implementation of this Plan. The EO Officer commonly reports to the President and bears the responsibility for the preparation and execution of all affirmative action policies and programs.

All Vice Presidents, Deans, Directors, Program Coordinators, Department Chairs, and other supervisory personnel will be accountable for ensuring that equal opportunity, non-discrimination, diversity and affirmative action are integrally tied to all actions and decisions for which they are responsible and which fall within the scope of the Plan. A statement concerning such accountability will be added to all appropriate position descriptions. It shall be considered a regular function of faculty, librarians, administrators and supervisory staff that they are aware of goals and consult with the EO Officer prior to and in the course of those actions which may impact on the implementation of this Plan. In the event that a supervisor and/or the EO Officer identify problem areas that are impeding a University’s efforts to meet its goals, they shall develop an action plan designed to move the University toward successful attainment of its objectives.

Policy Awareness Procedures

Dissemination

At the commencement of each academic year, all policy statements regarding equal opportunity, non-discrimination, diversity and affirmative action at the University will be distributed, either electronically or in hard copy or in both formats, as follows:

- To every office at each University, including the Human Resources Office and the Office of the Equal Opportunity Officer;
- To each University’s Library;
- To all students, either in the relevant Student Handbook, Course Catalog or by e-mail distribution;
- To all employees, either in a relevant publication or by e-mail distribution;
- Posted to all relevant sections of the Universities’ websites;
- Copies will be made available to the campus community and to the public upon request; and
- Copies will also be made available in accessible formats upon request.
Periodic meetings and workshops will be held with various segments of the campus community to assist their understanding of the University’s commitment to equal opportunity, non-discrimination, diversity and affirmative action.

Copies of all policy statements regarding equal opportunity, non-discrimination, diversity and affirmative action will also be provided to students who enroll mid-year and to all new employees upon their hire.

Posting

The University’s Policy Statement on Non-Discrimination, Diversity and Affirmative Action will be posted in areas customarily used for public announcements and on the Universities’ websites. Prospective employees and applicants for admission will be informed of this Policy Statement in all advertisements posted both on and off campus.

Recruiting

All employment recruiting sources used by the University will be informed of their commitment to equal opportunity, non-discrimination, diversity and affirmative action. Listings of current openings will be sent on a regular basis to appropriate sources for the recruitment and referral of applicants who are persons of color, women, veterans, persons with disabilities, and persons of diverse religions and national origins. In addition, notices of position openings will be posted on campus and on the Human Resources sections of the University’s websites, so that all current employees are aware of opportunities for promotion or transfer.

CONTRACTORS AND VENDORS

The Universities will notify all contractors, sub-contractors and vendors of the University’s responsibilities and commitments to equal opportunity, non-discrimination, diversity and affirmative action.

Community Relations

The University will cooperate and work with local, state and federal government agencies and community groups, as well as national minority, multicultural, multiracial, disability, women’s and veteran’s organizations and other national groups that have equal employment opportunity objectives, for the purpose of developing significant access to equal opportunity for persons of color, women, veterans, persons with disabilities, and persons of diverse religions and national origins.

Conclusion

In developing and presenting this Plan for approval to the BHE, the University is committed to institutional change in order to provide maximum access to a university education and university experience which equips all of our students to live and work in our diverse world. The University believes that access to affordable higher education is an integral part of our mission. With this Plan, the University is committed, not only to providing each student and employee a safe, yet exciting academic and living environment, where each member of the community is valued as an individual, whose racial, cultural, religious, gender, orientation, age, disability or socioeconomic status make her or him a valued member of a diverse community of pluralism, but in doing so, to fully prepare our students for the great diversity of the larger world. As this Plan is fully implemented, we will have moved beyond merely prohibiting the violation of human dignity and civility to the fulfillment of our mission of providing accessible higher education to the increasingly diverse population of the Commonwealth.
Appendix “E” Investigation and Resolution Procedures

FOR COMPLAINTS OF DISCRIMINATION, DISCRIMINATORY HARASSMENT, SEXUAL VIOLENCE, SEXUAL HARASSMENT, GENDER-BASED HARASSMENT, DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING AND RETALIATION

I. Introduction and Application

It is the policy of the University to provide each student, employee, and other person having dealings with the institutions an environment free from all forms of discrimination, discriminatory harassment, sexual violence, sexual and gender-based harassment, domestic and dating violence, stalking and retaliation as defined in the Universities’ Equal Opportunity, Diversity and Affirmative Action Plan (“EO Plan”) and/or University’s Student Code of Conduct.

These Procedures are intended to provide a mechanism to investigate and resolve complaints of discrimination, discriminatory harassment, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These Procedures are available to all students, faculty, librarians, staff, visitors, contractors, applicants for employment or admission, and others having dealings with the Universities.

No community member may retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for filing a complaint under these Procedures or for otherwise exercising his or her rights or responsibilities under the EO Plan or the Student Code of Conduct.

Complaints of the following prohibited behaviors may be made under these Procedures:

<table>
<thead>
<tr>
<th>Discrimination or discriminatory harassment on the basis of:</th>
<th>Any form of the following prohibited conduct:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Race</td>
<td>• Sexual violence</td>
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<tr>
<td>• Color</td>
<td>• Rape</td>
</tr>
<tr>
<td>• Religion</td>
<td>• Sexual assault</td>
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<tr>
<td>• National origin</td>
<td>• Sexual exploitation</td>
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<td>• Age</td>
<td>• Incest</td>
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<tr>
<td>• Disability/failure to accommodate</td>
<td>• Statutory rape</td>
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<tr>
<td>• Sex/gender</td>
<td>• Aiding in the commission of sexual violence</td>
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<td>• Sexual orientation</td>
<td>• Sexual harassment</td>
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<tr>
<td>• Gender identity</td>
<td>• Gender-based harassment</td>
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<tr>
<td>• Gender expression</td>
<td>• Domestic violence</td>
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<tr>
<td>• Genetic information</td>
<td>• Dating violence</td>
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<tr>
<td>• Marital/parental status</td>
<td>• Stalking</td>
</tr>
<tr>
<td>• Veteran status</td>
<td>• Retaliation</td>
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</table>
II. Investigation and Resolution Procedures

Investigations of complaints are necessary to determine:

- Whether a complaint alleges a violation of the EO Plan or the Student Code of Conduct;
- Whether prohibited conduct has occurred;
- Whether there is an ongoing risk of harm for further prohibited conduct and, if so, what steps must be taken to prevent its recurrence;
- Whether interim protective measures should be in place for the safety of the complainant or the community, or to redress the effects of prohibited conduct;
- Whether the conduct warrants disciplinary action; and
- Whether local or system-wide changes to policies, practices or training should be considered and implemented by the Universities.

These Procedures have been designed to provide prompt, thorough, fair and impartial processes from investigation to final result. The proceedings pursuant to these Procedures will be conducted transparently and consistently with the Universities' policies. The formal rules of process or evidence, such as those applied in criminal or civil courts, are not used under these Procedures.

The complaint investigation and resolution process is comprised of two processes, the Informal Resolution Procedure and the Formal Investigation Procedure, which are detailed below.

Deviations from the Informal Resolution Procedure or Formal Investigation Procedure shall not necessarily invalidate a decision, unless significant prejudice may result to a party or the University.

Note: While these Procedures identify certain University officers and employees who have particular roles and duties, the Universities may designate other officers or employees to perform specific roles and/or duties set forth in these Procedures.

A. Informal Resolution Procedure

The Informal Resolution Procedure may not be used in an effort to resolve allegations of sexual violence, domestic violence, dating violence or stalking. If you seek to make such a complaint, the Formal Investigation Procedure in Section B will apply.

Where appropriate, the parties to a dispute may attempt to reach an informal resolution of the potential violation. The University encourage involved parties to request the intervention of the University to assist in an informal resolution by contacting the EO Officer.

In conference with the Title IX Coordinator and/or others as necessary, the EO Officer or the EO Officer’s designee will assess the request for informal resolution against the severity of allegations and the potential risk of a hostile environment or safety concern for other campus community members. If an informal resolution is appropriate, the EO Officer will notify the parties. The University will not ask a complainant to resolve a problem with a respondent without the involvement of the EO Officer or designee.

The EO Officer or designee will facilitate a dialog with the parties in an attempt to reach a resolution. At no time prior to the resolution of the matter shall either party question or confront the other, or engage a third party to do so, outside the presence of the EO Officer or designee.
The matter will be deemed resolved when all parties expressly agree to an outcome that is acceptable to them and to the University. Every attempt will be made to conclude the Informal Resolution Process within sixty (60) days of the date of the complainant’s request.

A complainant is not required to use the Informal Resolution Procedure before initiating the Formal Investigation Procedure. A party may withdraw from the Informal Resolution Procedure and initiate the Formal Investigation Procedure at any time.

B. Formal Investigation Procedure

Submission of Complaint and Initial Review

When a person believes that s/he has been harassed, discriminated or retaliated against, stalked or subjected to violence in violation of the EO Plan and/or the Student Code of Conduct, s/he may file a written complaint, preferably using the Complaint Form attached to these Procedures. Individuals are encouraged to file complaints directly with the EO Officer, but complaints may also be filed with other offices, such as the Title IX Coordinator, Student Conduct, Human Resources, Housing and Residential Services or University Police. Any complaint that is initially filed with other offices will be reported to the EO Officer.

In certain circumstances, the University may initiate the Complaint Investigation and Resolution Procedures without the filing of a written complaint or the active participation of a complainant. Complaints may be generated upon receipt of a report by a complainant or by a third-party reporter, such as, but not limited to, a friend, spouse, family member, advisor, parent or coworker.

A complaint must be filed by the complainant or a University official, and the complaint must be in the words of the complainant or the University official. Complaints should contain all known facts pertaining to the alleged violation, the names of any known witnesses and others with knowledge of the allegations, and an identification of any documents or other evidence.

The EO Officer or designee will determine if the complaint falls within the jurisdiction of these Procedures. When complaints allege sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation, the EO Officer or designee will refer them to the Title IX Coordinator for jurisdictional evaluation and review. At this point, the University will implement any necessary and/or appropriate interim protective measures, or monitor and/or revise any measures already in place. If the University determines that the complaint is not properly filed pursuant to these Procedures, it will provide written notice to the complainant (or third party reporter).

Investigation Process

If a complaint has been properly filed, or the University otherwise determines that an investigation is necessary, the University will assign the matter to an Administrative Investigator. The University may also designate other trained and knowledgeable University officials to assist with the investigation. Under circumstances where the University deems it necessary or appropriate, the University may also appoint an external investigator.

The Administrative Investigator will notify the respondent of the complaint, provide him or her with a copy of the complaint, and invite the respondent to submit a written response. If the respondent does not respond, or otherwise fails to participate in the investigation, the Administrative Investigator will complete the investigation on the basis of the other information obtained. Where a complaint is brought by a third party reporter, the Administrative Investigator shall attempt to meet with the potential
complainant to discuss his/her participation in the investigation, and to gain additional information. The investigation shall include, but is not limited to: an analysis of the allegations and defenses presented using the preponderance of the evidence (more likely than not) standard; consideration of all relevant documents, including written statements and other materials presented by the parties; interviews of the parties and other individuals and/or witnesses; and/or reviewing certain documents or materials in the possession of either party that the Administrative Investigator has deemed relevant. The Administrative Investigator may also review any available university police investigation reports or the investigation reports of local law enforcement authorities.

In regards to complaints alleging sexual violence, domestic violence, dating violence or stalking, questions, statements, or information about the sexual activity of the complainant or alleged victim with any person other than the respondent is not relevant and will not be considered. Parties to such complaints are permitted to submit questions for the Administrative Investigator to ask of the other parties and witnesses, but the questions must be specifically about the allegations of the present complaint.

At the conclusion of the investigation, the Administrative Investigator shall prepare an Investigation Report for an administrative review. The Investigation Report shall: outline the investigatory steps undertaken; summarize the factual findings; state whether a policy violation has occurred based on the preponderance of the evidence; explain the rationale for the violation determination; and, if applicable, recommend a sanction(s). The Investigation Report will not be shared with the parties except upon request following the issuance of the Notice of Outcome, and then only in accordance with applicable law.

At any point during the investigation, a respondent may agree to the allegations and the recommended sanction.

Administrative Review

The EO Officer, Title IX Coordinator or other designated University official(s) (the “reviewing body”) will conduct an administrative review of the Investigation Report. The purpose of the administrative review is to determine whether the investigation is prompt, fair, impartial and thorough. If the reviewing body determines the investigation is deficient, the reviewing body shall remand the matter back to an Administrative Investigator for further investigation.

If the reviewing body determines that the investigation is prompt, fair, impartial and thorough, the reviewing body will then consider whether the recommended discipline or sanction is consistent with University policy and practice. In determining discipline, the Administrative Investigator and the reviewing body may consider the respondent’s disciplinary history, if one exists. The Administrative Investigator and/or reviewing body may discuss sanctions with other University personnel as necessary, such as Human Resources, Student Conduct or upper-level administrators.

At any point during the administrative review, a respondent may agree to the allegations and the recommended sanction.

Notice of Outcome

At the completion of the administrative review, the University will notify the respondent of all sanctions imposed. If the sanctions imposed on the respondent include a separation from the residence halls or the University, and, in the opinion of the Administrative Investigator and/or reviewing body, the respondent poses a continued threat to the safety of the campus community, the sanctions may take effect immediately, and while an appeal is pending.
At the completion of the administrative review, the University will also contemporaneously issue a written Notice of Outcome to the complainant and the respondent. The Notice of Outcome shall include the following:

1. The factual findings of the investigation;
2. The policy violation determination and the rationale for the determination;
3. All sanctions that result from an allegation of sexual violence or other crime of violence;
4. The sanctions that directly relate to the complainant that arise from an allegation of discrimination, discriminatory harassment, non-violent sexual or gender-based harassment, and/or retaliation; and
5. The parties’ appeal rights.

If no appeal is filed by either party within five (5) days of their receipt of the Notice of Outcome, the results will become final and the University will proceed with the imposition of the recommended sanction(s).

A person making a complaint of sexual violence, domestic violence, dating violence or stalking may submit a victim impact statement. A respondent to such a complaint may submit a statement of mitigation or extenuation.

**Option for Mediation of Formal Complaints**

Mediation may not be requested or used in an effort to resolve allegations of sexual violence, domestic violence, dating violence or stalking.

During a formal investigation, at any time prior to the issuance of the Notice of Outcome, either party may request mediation of the complaint by contacting the EO Officer or Title IX Coordinator. All parties must agree to mediation for this option to be used.

The purpose of mediation is to resolve the dispute to the satisfaction of all parties. When mediation is appropriate, the EO Officer shall designate an impartial Mediator, who shall be mutually agreed upon and not unreasonably refused by the parties, and inform the parties in writing of the mediation process and schedule. Where practicable, a mediation session shall be conducted no later than thirty (30) days after agreed to by the parties. The timelines presented under these Complaint Investigation and Resolution Procedures shall be tolled pending the outcome of mediation. If successful in resolving the complaint, the Mediator shall reduce to writing the terms of the mediated resolution, which shall be signed by the parties. If mediation does not result in a resolution, all mediation discussions shall remain confidential and may not be used or introduced in this process or any other forum.

**Timeframe**

The University will make every attempt to conclude the Formal Investigation Process within sixty (60) days of the date of the submission of the complainant. If, for good cause, an investigation cannot be completed within 60 days, the University will provide the parties status updates at reasonable intervals until the investigation is completed.
C. Appeals

Either party may appeal the results of an investigation under these Procedures by submitting a written letter of appeal to the EO Officer or designee within five (5) business days of the party’s receipt of the Notice of Outcome. An appeal may be transmitted electronically to the EO Officer or designee. Appeals may be submitted on the following grounds:

1. To allege a material procedural error within the investigation and resolution process that would substantially change the outcome; or

2. To consider new evidence that was not known at the time of the investigation that would substantially change the outcome.

Appeals will not be considered on any other basis.

Upon timely receipt of the appeal letter, the EO Officer shall transmit the Investigation Report and the appeal letter to the appropriate appellate officer or body for review. If the appealing party has presented an appeal on the basis of the grounds set forth above, the appellate officer or body, who shall not have participated in the investigation or administrative review, will review the appeal and make a determination to uphold, reverse or modify the decision. When necessary, the appellate officer or body may seek additional information and/or refer the matter back to the Administrative Investigator, prior to making an appellate determination.

Where practicable, within (30) days of receiving the appeal, the appellate officer or body shall contemporaneously issue a written decision to the parties in which it may uphold, reverse or modify the decision. All appellate decisions are final, provided that any corrective action and/or discipline imposed upon a unit member is subject to applicable collective bargaining agreements.

D. Possible Sanctions and Additional Remedies

For Employee Respondents. Disciplinary action taken against an employee shall be regarded as an administrative action, up to and including termination, subject to all provisions of applicable collective bargaining agreements or personnel policies.

For Student Respondents. A student who has been found to have violated the EO Plan and/or Student Code of Conduct may be subject to sanctions including, but not limited to:

- Reprimand
- Warning
- Disciplinary probation
- Loss of privileges
- Relocation of residence
- Restriction from facilities or activities
- Temporary or permanent residence hall suspension
- Fines and/or restitution
- Disciplinary hold
- Assessment
- Educational program or project
- Revocation of admission or degree
- Withholding of degree
- Suspension
- Expulsion
In general, the sanction typically imposed for students for rape or non-consensual sexual intercourse is expulsion. The sanction typically imposed for students for non-consensual sexual contact, sexual exploitation, domestic violence, dating violence and stalking is suspension or expulsion. All student sanctions, however, are determined on a case-by-case basis in consideration of: the seriousness of the violation; sanctions typically imposed for similar violations; prior disciplinary history; and any other circumstances indicating that the sanction should be more or less severe.

**Additional Remedies Following Finding of a Violation.**

Where necessary, the Universities will provide additional measures to remedy the effects of a violation. These remedies are separate from, and in addition to, any protective interim measures that may have been provided or sanctions that have been imposed. If the complainant declined or did not take advantage of a specific service or resource previously offered as a protective interim measure, such as counseling, the University will re-offer those services to the complainant as applicable or necessary.

In addition, the University will consider broader remedial action for the campus community, such as increased monitoring, supervision, or security at locations where the incidents occurred, increased or targeted education and prevention efforts, climate assessments/victimization surveys, and/or revisiting its policies and Procedures.

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**III. Related Information and Definitions**

For the purposes of these Procedures, the following terms are defined and used as follows:

**Complainant.** An individual who makes a complaint under these Procedures. The Complainant may also be the University under certain circumstances.

**Respondent.** An individual who is accused of violating the EO Plan.

**Day.** A day shall mean a calendar day.

**Discipline or Sanctions.** The terms may be used interchangeably.

**Advisors.** Each victim, complainant or respondent to an investigation initiated under the Complaint Investigation and Resolution Procedures is entitled to have an advisor present during any meetings regarding the process (other than meetings between victims and University officials regarding accommodations or protective interim measures) and disciplinary proceedings. Except as otherwise required by law, the advisor may observe, but may not participate in any way whatsoever, including, without limitation, by asking questions or speaking during the meeting or proceeding. The advisor’s role is to provide support and/or advice to the party. During meetings and proceedings, the advisor may speak with the party or pass notes in a non-disruptive manner. The University reserve the right to remove from the meeting or proceeding any advisor who disrupts the process, or who does not abide by the restrictions on their participation. In addition, please note that the University does not need to cancel or delay a meeting or proceeding simply because an advisor cannot be present. Further, the advisor is not permitted to attend a meeting or proceeding without the advisee.
The personal advisor for a complainant, a student respondent or a non-unit employee respondent can be any person, including an attorney. For respondents who are unit members, the personal advisor shall be a union representative or other University employee pursuant to the respondent’s Weingarten rights. A respondent who is a unit member may choose as an advisor a person who is not a union representative or other University employee, but the unit member will not be allowed two advisors. If the advisor is an attorney, the University’s legal counsel may also attend the meeting or proceeding.

Referrals to Title IX Coordinator. Complaints of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation will be referred to the Title IX Coordinator for evaluation. Before starting an administrative investigation, the Title IX Coordinator or his/her designee will determine whether the reported facts, if true, would violate the Sexual Violence Policy and/or the Student Code of Conduct, and may consult with the complainant to obtain more information and discuss his/her options.

Interim Protective Measures. Upon review of a complaint, the University may determine that interim protective measures are necessary or appropriate. The Universities will implement interim measures as described in Section H of the Sexual Violence Policy. Interim measures may also be instituted and/or modified at any point during the investigation and resolution process.

Off Campus Behavior. The Universities may investigate off-campus conduct alleged to violate the EO Plan and/or Student Code of Conduct when such conduct involves behavior by or toward a community member, which (1) occurs during University-sponsored events or the events of organizations affiliated with the University, including study abroad and outside internships; (2) negatively impacts a victim’s access to education programs and activities; (3) adversely affects or disrupts the campus community; and/or (4) poses a threat of harm to the campus community.

Grade Disputes. While grade changes must generally be pursued through the academic grade change procedure, a complaint may proceed under these Procedures when a student alleges that a grade was improper because of discrimination, discriminatory harassment, sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation. The remedy for policy violations in cases pursued under these Procedures may be determined and/or implemented in conjunction with Academic Affairs.

Amnesty. Students may be hesitant to report sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation out of concern that they, or witnesses, might be charged with violations of the Universities’ drug/alcohol policies. While the Universities do not condone such behavior, they place a priority on the need to address sexual violence and other conduct prohibited by the Sexual Violence Policy. Accordingly, a University may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation.

Conflicts of Interest. If any University official involved in the investigation, resolution or appeal process believes there is a potential or actual conflict of interest regarding their role, they must disclose this conflict in advance to the EO Officer, Title IX Coordinator (where applicable) or designee. Likewise, if a complainant or respondent believes there is a conflict of interest present regarding any University official involved in the investigation, resolution or appeal process, s/he must disclose the conflict in advance to the EO Officer, Title IX Coordinator (where applicable) or designee. If a valid conflict of interest exists, the University will take steps to remedy or eliminate the conflict.
Confidentiality of Process. These Procedures will be conducted as confidentially as reasonably possible to protect the privacy of all involved. The Universities may share information about the allegations with parties, witnesses or others on a need-to-know basis, and shall share information with union representatives pursuant to Mass. Gen. Laws Chapter 150E, or as otherwise required by law. All with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss it with anyone except an advisor or union representative.

Joint Investigation. In some circumstances a respondent’s conduct may constitute a potential violation of other University conduct policies in addition to the EO Plan and/or the Student Code of Conduct. To avoid duplicative efforts, the University may undertake a joint investigation of the conduct under these Procedures. Based on the findings of the joint investigation, the respondent may be subject to disciplinary action for violations of the EO Plan and/or the Student Code of Conduct, as well as other policy violations.

Preponderance of the Evidence. The standard of review used to evaluate all complaints. Under this standard, conclusions must be “more likely than not.” Accordingly, the fact-finder must find that it is more likely than not that the respondent violated the University’s EO Plan, Student Code of Conduct or other relevant University policy.

Notice of Meetings and Access to Information. Each party to an investigation will be provided timely notice of meetings at which such party or both parties may be present. The parties will be afforded the same and timely access to any information that the University is aware will be used at any meeting or hearing. Where appropriate or required by law, the University may redact the complainant’s name and other identifying information from any information provided to the respondent, including the specific charge and the complaint or related materials.

Training of Officials Who Participate in the Investigation and Resolution Process. Proceedings pursuant to these Procedures are conducted by officials who receive annual training on the issues of discrimination, discriminatory harassment and retaliation. Officials also receive training specific to matters of sexual and gender-based harassment, domestic violence, dating violence, stalking, as well as how to conduct an investigation that protects the safety of complainants, promotes accountability, and provides all parties with the same opportunities to be accompanied to meetings or proceedings by an advisor of their choice.

Refusal of Participation. In cases where a complainant or respondent (or both) refuses or fails to participate in the investigation and resolution process, the University may continue the process without the complainant and/or respondent’s participation. The failure of the respondent to participate in the investigation and resolution process will not prevent the University from imposing discipline or other sanctions when a violation is found.

Right to File an Outside Complaint. Individuals have the right to file charges of discrimination, discriminatory harassment, sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation at any time with the appropriate government agency, with or without utilizing these Procedures. More information about filing an outside complaint can be found in the Non-Discrimination and Harassment Policy and the Sexual Violence Policy, both of which are contained in the EO Plan.
**Concurrent Criminal or Civil Proceedings.** Persons may be accountable to both the Universities and the state for conduct that constitutes potential violations of the EO Plan and/or Student Code of Conduct and state or federal law. University investigations may be conducted before, after or simultaneously with civil or criminal proceedings, and University investigations are not subject to challenge on the grounds that civil or criminal charges involving the same conduct have been dismissed or reduced. When a person has been charged with a crime or a violation of civil law, the Universities will neither request nor agree to special consideration for the individual solely because of his/her student status. Persons subject to parallel criminal charges shall be instructed that their statements and/or other information supplied by them may be subject to subpoena.

When a criminal investigation of an incident of sexual violence, sexual or gender-based harassment, domestic or dating violence, stalking or retaliation is also occurring, the University will not delay its investigation due to the criminal investigation, unless law enforcement requests to gather evidence. When law enforcement makes such a request, the University will typically resume its investigation within three to ten days.

**Withdrawal of Complaint.** The complainant may withdraw a complaint at any point during the investigation. The EO Officer, Title IX Coordinator, or designee, however, may determine, in their discretion, that the allegations raised in the complaint warrant further investigation despite the complainant’s desire to withdraw the complaint.
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