Jeanne Clery Disclosure of Campus Security

Policy and Campus Crime Statistics Act

2018

Annual Security and Fire Safety Report
Published October 2019
CHIEF'S MESSAGE

Dear Worcester State University Community,

The Worcester State University Police Department’s main priority is to provide the safest and most secure environment possible for the students, faculty, staff and visitors of which the institution’s community is comprised. We believe that safety is everyone’s responsibility and encourage our students, faculty and staff to engage in community policing efforts by reporting any suspicious activity to University Police. We are located on the first floor of Wasylean Hall.

Policing is provided 24-hours a day throughout the calendar year by a full-time staff of 25 full-time employees. Our police officers enforce the rules and regulations of Worcester State, by-laws of the City of Worcester, and applicable state and federal laws. Through our involvement on campus and with the community, it is my hope to provide the community with officers who balance the effectiveness of enforcement and use of the authority bestowed upon them, in addition to being approachable and service-oriented.

Our philosophy and mission is to enhance the “community policing” model to all members of the campus, including students, staff and faculty. With your help we all can minimize the dangers of crimes occurring within our community. The department offers many crime prevention programs and members can be seen throughout campus as illustrated in this publication. If you have any questions regarding the compiled statistics from calendar year 2018, please feel free to contact my office, on the first floor of Wasylean Hall or at 508-929-8044.

Sincerely,

Jason Kapurch

Jason Kapurch
Chief
University Police
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INTRODUCTION
Worcester State University is a liberal arts and sciences university with a long tradition of academic excellence. Our students receive a variety of multi-disciplinary opportunities enabling them to explore their academic interests and prepare for their careers. Worcester State University is centrally located in Massachusetts about an hour’s drive from Boston, Springfield, and Providence, Rhode Island. Our 58-acre campus is nestled in the residential northwest side of Worcester—the second largest city in New England and home to 37,000 college students at more than a dozen colleges and universities.

The campus features ten buildings, reflecting our transition from a teacher-training college to a liberal arts and sciences university. Worcester State University is deeply rooted in the greater Worcester community, with students in a variety of liberal arts and sciences programs contributing more than 161,000 hours of service through 508 engagement opportunities. Our unique programming—from theatre stage productions to guest lectures to resource fairs—attracts thousands to our centrally located campus annually.

Worcester State University offers 60 undergraduate majors and minors, 29 master’s degrees, post-baccalaureate certificates, and graduate programs, and real-time access to online, noncredit professional training. Our accreditation by the New England Commission on Higher Education, Inc. (NECHE), formerly the New England Association of Schools and Colleges (NEASC), demonstrates that our liberal arts and sciences curriculum meets or exceeds its criteria for assessment of quality.

Worcester State University is located at 486 Chandler Street, Worcester, MA 01602, where all campus housing is located. Additionally, Worcester State University has utilized various locations that serve as Non-Campus locations according to CLERY. These locations include, but are not limited to, the Worcester Center for Crafts located at 25 Sagamore Road, Worcester, MA; the Worcester Ice Center, located at 112 Harding Street, Worcester, MA; Maplewood Farm located at 28 Ball Hill Road, in Berlin, MA; and the Goddard Lot, 140 Goddard Memorial Drive, Worcester, MA.

PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF STATISTICS
Worcester State University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, part of the Higher Education Act of 1965, and the Violence Against Women Act (VAWA); requiring colleges and universities to disclose certain timely and annual information about campus crime and security policies. Institutions must publish a report every year by October 1st that contains three years of campus crime statistics and certain security policy statements including sexual assault policies which assure basic victims’ right, the law enforcement authority of campus police and where students should go to report crimes. Each school must disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and non-campus facilities. Campus crime, arrest and referral statistics include those reported to the Worcester State University Police Department, designated campus officials, and local law enforcement agencies.

This report is prepared in cooperation with local law enforcement agencies and with the assistance of many on-campus entities, including, but not limited to, the President’s Office, the Dean of Students, Residence Life and Housing, Student Conduct, and other University departments. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act to the University Police Department.
who then compiles all the information into the Annual Security and Safety Report, otherwise known as the Clery Report.

Each year, an email notification is made to all enrolled students, faculty, and staff providing the web link to access this report. Additionally, the same members are mailed a postcard with the web address where the report may be located. Copies may also be obtained at the Worcester State University Police Department in Wasylean Hall, 486 Chandler Street, Worcester, MA 01602. Prospective students and employees may also obtain a copy through Worcester State University Police Department or follow the link on the postcards provided in the Human Resources and Admissions Offices.

**WORCESTER STATE UNIVERSITY’S POLICE DEPARTMENT**

The Worcester State University Police Department (“Department”) is committed to the safety and well-being of the University’s student body, staff, faculty, and visitors. In furtherance of its mission, the Department provides direct law enforcement protection and emergency services to Worcester State University’s community. The Department also provides remote assistance and consultation on safety and security matters to students and employees who work and study at each of the University’s non-campus locations.

The Department is comprised of 18 full-time sworn personnel, as well as civilian personnel consisting of 5 full-time Dispatchers, an Emergency Manager, a Parking and Transportation Manager, and private security at the Goddard Lot. Worcester State University police officers conduct walking and cruiser patrols throughout the campus and provide emergency response services to any member or visitor of the Worcester State community who calls upon the Department for assistance.

The department is prepared to deal with the same types of incidents handled by municipal police agencies in cities or towns. All WSU police officers attend academy training and have full police authority on campus. The Worcester State University Police enforce state laws, including motor vehicle laws, as well as university rules and regulations.

Communication and access to timely information are fundamental components of any successful security effort. Accordingly, the Department operates a communications center, which includes emergency dispatch and monitoring of Rave Guardian, all alarms, and all cameras on campus.

**Law Enforcement Authority and Jurisdiction**

The Commonwealth of Massachusetts recognizes the Department as a criminal justice agency, and its patrol officers as police officers. Pursuant to the General Laws of Massachusetts, Chapter 15A, § 22, and Chapter 73, § 18, the Board of Trustees at Worcester State University has established the Worcester State University
Police Department; and the Board has invested the department all the same powers, authority, immunities, and privileges of state and municipal police officers, including but not limited to the power to make arrests, to handle prisoners, and to enforce all traffic laws on streets and highways, throughout the property owned, leased, used, or controlled by the university.

Additionally, Officers employed by the Worcester State University Police Department are also Special State Police Officers (SSPOs), pursuant to the General Laws of Massachusetts, Chapter 22C, § 63 which 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.

In addition to providing direct law enforcement and emergency response services to the campus, Department members are available 24/7 to assist students and staff who study, work, and park at the University’s satellite locations or abroad and who may have questions or concerns relating to safety, law enforcement, and crime reporting. Although the Department encourages individuals to immediately report crimes and emergencies to the local police department that has jurisdiction over the location in which they are present, the Worcester State University Police Department also welcomes all calls for assistance or inquiries from any member of the Worcester State community, regardless of their location.

Worcester State University police officers must satisfy educational and training standards established by the Massachusetts State Police, such as annual in-service training, and when appropriate, receive additional and/or specialty training under the auspices of the Municipal Police Training Committee.

**Working Relationship with other Law Enforcement Agencies**

The Department has close ties to several professional associations, including the Massachusetts Chiefs of Police Associations, the International Association of Chiefs of Police, the Massachusetts Association of College Law Enforcement Administrators, and the training unit within the Massachusetts State Police. In coordination with the Worcester Police Department, the Worcester State University Police Department also typically dispatches a representative to attend regular meetings of community resident associations in the neighborhood directly adjacent to the University. A representative from the Department also attends monthly meetings of the University, College, and Hospital Law Enforcement Association; a group designed to provide cross-communication between other area campuses which also corresponds directly with the Worcester Police Department. All of this is undertaken to increase the Department’s access to information and to enhance the quality of services afforded to the Worcester State University community.

**HOW TO REPORT A CRIME, EMERGENCY, HEALTH OR SAFETY CONCERN**

**Reporting Crimes, Emergencies, and Health and Safety Concerns**

Community members, students, faculty, staff, and guests are required by university policy to report all crimes or other emergencies to the Worcester State University Police Department in a timely manner. Crimes should
be accurately and promptly reported to the WSUPD or the appropriate police agency, when the victim of a crime elects to, or is unable to make such a report. When calling for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State where you are calling from;
- State briefly the nature of your call.

If possible, stay on the line unless otherwise advised by the dispatcher. If assistance is required from off campus, the dispatcher will summon the appropriate police, fire, and/or medical service. Members of the community are helpful when they immediately report crimes or emergencies to the WSUPD for the purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notice, when deemed necessary.

Anyone who becomes aware of a criminal incident, fire, or other threat to the health and safety of any member of the Worcester State community, should report that information to the Worcester State University Police Department for response and documentation. To report an emergency incident to the Department, simply call 8911 from any campus phone, or 508-929-8911 from an outside line to reach the Department’s recorded emergency line. Individuals wishing to reach the Department’s non-emergency business line can call 8044 from a campus phone, or 508-929-8044 from any non-campus phone. Individuals can also report any concerns in person to the Worcester State University Police Department, 486 Chandler Street, Worcester, Massachusetts, which is always open. The Department offices can be found in Wasylean Hall, 102. Members of the community are welcome to email questions or concerns to Worcester State’s Chief of Police at jkapurch@worcester.edu. To encourage the timely reporting of crimes or other emergencies occurring on campus, and in order to assist the Department in promptly responding to and investigating incidents, the University publishes the Worcester State University Police Department’s emergency and business telephone numbers to the community in a number of ways.

Members of the campus community receive information about how to report crimes as well as safety and crime prevention guidance through this report, Worcester State University Police Department student and employee orientations, postings around campus, the Undergraduate and Graduate Student Handbooks, the Housing and Residence Life Handbook, the campus telephone directory, and the University’s website. In addition, the University’s Residence Directors and Resident Assistants are trained to offer advice and assistance in matters involving the reporting of crimes and emergencies.

Crimes should be promptly reported to the Worcester State University Police Department; the sooner that we receive information, the greater the chances for a successful investigation. Prompt reporting also assists us in assessing the incident whether a Timely Warning Notice is appropriate.

The Worcester State University Police Department maintains a record of every criminal incident that is reported to the Department, which is normally updated every two days. The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported to University Police.
**Campus Security Authorities**

Federal law requires the University to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act that occur within the University’s Clery geography and that are reported to campus security authorities (“CSAs”) or local law enforcement (where local law enforcement provides that information to the University). Under the law, CSAs include any member of the Worcester State University Police Department; any individual who has responsibility for campus security, but who is not a member of the Police Department; any individual identified by the University as someone to whom a crime should be reported; and any University official who has significant responsibility for student and campus activities. Individuals serving the University as CSAs vary from unit to unit based on their job functions, but include by way of example (but not limitation):

- Associate Vice President of Human Resources, Affirmative Action and Title IX Coordinator;
- Director of Student Conduct;
- Dean of Students;
- Associate Dean of Students;
- Athletics Department Administrators, Coaches and Trainers;
- Director of International Studies and External Programs;
- Residence Hall Desk Attendants and Contract Security Officers;
- Resident Directors and Resident Assistants;
- Vice President of Academic Affairs;
- Academic Advising Center’s Director, Associate Directors and Assistant Directors;
- Executive Director, Academic Administration;
- Director of Health Services
- Director of Counseling Services, and
- Student Group Advisors

All CSAs should encourage any person who reports a crime or other incident involving campus security to notify the Worcester State University Police Department as soon as possible if they wish for law enforcement to investigate the matter, since law enforcement’s ability to investigate a crime effectively is enhanced by timely reporting of a crime. While CSAs should respect the choice of survivors concerning whether the survivor wishes for law enforcement to investigate the incident, any CSA who receives a report of an incident involving a crime or campus security matter must immediately inform the Worcester State University Police Department of the incident consistent with the confidentiality considerations discussed below.¹

Those deemed to be Campus Security Authorities by the Human Resource Department, under the Clery Act reporting requirements, receive training upon hire through [http://www.workplaceanswers.com](http://www.workplaceanswers.com) or [https://everfi.com/](https://everfi.com/).

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¹ Note that under Clery, professional and pastoral counselors acting in a counseling capacity are exempt from the definition of “campus security authority.”
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. Data is then reported to the Worcester 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 Worcester Police Department. C.S.A.s may also file a report anytime directly to the University Police.

Confidentiality and Privacy Considerations

Worcester State University is committed to protecting the privacy of individuals who report criminal incidents or abuse to the University, to the extent that doing so is permitted by law and consistent with the University’s need to protect the safety of the community. Different Worcester State officials and personnel are able to offer varying levels of privacy protections to those who report criminal incidents or violations of University policy.

Any report received by any University employee concerning abuse of a minor or juvenile must be reported to state officials in compliance with state law requiring mandatory reporting of child abuse. All members of the Worcester State community are required by University policy to report any instances of known child abuse or neglect to the Worcester State Police Department, and the Department will, in turn, report such information to the appropriate state authorities.

Unless a reported incident involves allegations of child abuse or neglect, a CSA is not permitted to disclose to the Worcester State University Police Department any information concerning an incident that would identify a survivor of a crime without the survivor’s consent. If a survivor does not consent to the disclosure of his or her identity to the Worcester State University Police Department, CSAs are required to inform the Department of the survivor’s wish for confidentiality, and report the incident to the Worcester State University Police Department without identifying information about the parties involved so that such incidents can be recorded as statistics by the Department and, where appropriate, included in the University’s annual security report.

Reports and information received by Worcester State’s medical professionals, licensed mental health counselors, religious leaders/clergy who are acting in that capacity are considered legally protected or ‘privileged’ under Massachusetts law. Thus, those individuals will not share information they learn from survivors with others within the institution (including the University’s Title IX Coordinator), or with any third party, except in cases of imminent danger to the victim or a third party, or to satisfy the legal obligation to report child abuse. Absent such circumstances, the only information that these employees will report to the University concerning incidents is statistical information, which does not identify the survivor, so the incident can be included in the University’s crime reporting statistics reported in Worcester State’s annual Clery reports. Such crime reporting statistics are also included in a Title IX trend report maintained by the University.

Worcester State requires all University personnel identified as responsible employees to share with the University’s Title IX Coordinator all information they learn concerning a report of sexual assault, harassment or abuse, domestic or dating violence, or stalking, so that the Title IX Coordinator can investigate the incident(s), track trends (including possible multiple reports involving the same assailant) and determine whether steps
are needed to ensure the safety of the community. All University employees that are not defined as responsible employees, per policy, are strongly encouraged to report all incidents to the Title IX Coordinator. It is the survivor’s choice whether he or she wishes to participate in any investigation by the University; however, the University may proceed with a Title IX investigation without the survivor’s participation if there is a concern for the safety of other members of the community. The University’s ability to investigate a report may be limited if the reporting party requests complete confidentiality in the making of the report or declines to participate in an investigation.

The University encourages all community members to report any criminal incident about which they are aware which occurs on University property or involves a member of the Worcester State community to the Worcester State University Police Department, so the Department can investigate the incident and be of assistance to those involved in the matter. However, if an individual does not wish to report a crime to the Department, the University urges the person to at least disclose the occurrence of the incident to a campus security authority so it may be counted, as appropriate, in the University's annual Clery report.

Information about criminal incidents and safety concerns that are reported to any University officials, including but not limited to members of the Worcester State Police Department will be treated with the greatest degree of respect and privacy possible while still fulfilling Worcester State’s obligation to investigate and effectively respond to the report. Every effort will be made to limit the scope of information shared to keep it to a minimum of detail, and only share information when absolutely necessary.

While federal law requires the Department to report certain type of criminal incidents in its annual campus crime statistics, incidents reported by the Department are reported in a statistical manner that does not permit identification of survivors or other individuals who may have been involved in the incident. Likewise, any timely warning notifications or crime bulletins the Department issues to the community will not include the names or identifying information of those involved in the incident.

**CAMPUS FACILITIES (SECURITY ACCESS)**

*Security and Access to Campus and Facilities*

Worcester State University maintains an open-campus environment. On occasion access is limited to students and employees who have been issued university One Cards. The Worcester State University Police Department’s communication center monitors entry into most resident halls via the university’s alarm monitoring and digital access control system, and in some locations, security cameras video. Through the communication center, dispatchers have the ability to monitor which OneCard has been given access, which was denied access, and whether an entryway had been held open. They can then dispatch an officer or contact housing directly to address any concerns. In each of the first year residence halls, a student employed desk worker is assigned to monitor entry further and to sign in guests.

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2 The University reserves the right to make changes to these policies and procedures without notice, especially in the event of emergencies or other unusual situations.
The residence halls are locked 24 hours a day. Guests of resident students must register with the Desk Assistants at Dowden, Wasylean and Sheehan Halls. Guests are allowed on campus only if they are accompanied by the sponsoring resident student. Access to academic and administrative facilities on campus is generally limited to students, employees, and visitors for the purpose of study, work, teaching, and to conduct other University business. Each academic building has established its hours based on the needs of specific academic departments. Only a limited number of academic buildings have security cameras. University police provide random patrols of all non-residential facilities 24 hours a day. Individuals found on campus without a legitimate purpose may be issued trespass warnings and directed to leave campus; failure to comply may result in arrest.

Resident students are absolutely responsible for the actions of their guests. The WSU Student Handbook supports this policy. A resident may be charged with a violation of Campus Policy for the actions of a guest, and may be required to pay a monetary fine for damage done by the guest. For additional policies regarding overnight guests in the residence hall, please refer to the WSU Student Handbook. http://www.worcester.edu/Student-Handbook/

The University Police Department is responsible for maintaining all locks and issuing keys for the academic buildings. Access to keys is restricted to designated individuals. All requests for residence halls’ keys are made through the Office of Residence Life and Housing. All other requests may be made through the University Police Department located in Wasylean Hall. In the event that a key is lost or stolen please notify University Police at 508-929-8044/8911 or Residence Life and Housing at 508-929-8074 immediately. Tampering with locks and/or theft, duplication, or unauthorized use of any keys belonging to Worcester State University is a serious violation and may be subject to criminal prosecution. Residents will be charged for a lock change in the event of a lost key.

**Parking**
There is limited reserved parking for resident students on campus and at the satellite lot on Goddard Memorial Drive. Resident students must qualify and pay a fee for parking spaces. Commuting students are provided with a decal, the cost is incorporated into their fees. Every effort is made to maximize parking on campus, as well as to monitor the flow of traffic throughout the campus to better insure the safety of the University’s large number of pedestrians.

**Campus Alarms**
All Campus facilities are alarmed to detect smoke, heat, and intrusion. Panic alarms have been installed in some campus locations in light of the nature of the activities occurring within those spaces. The Worcester State University Police Department tests campus panic alarms on a periodic basis.
Maintenance of Campus Facilities

Lighting surveys are routinely conducted and new lighting is installed as needed. Shrubbery and natural overgrowth are trimmed routinely, especially near walking trails and pathways. The security of doors and windows are reviewed periodically and locks are replaced when needed. In addition to lighting surveys, the University has installed emergency call boxes throughout the campus. These phones are easily identifiable by the blue light affixed to the top of each one. Campus community members are encouraged to report any safety hazard on campus such as malfunctioning lights, icy sidewalks, and broken windows to either University Police at 508-929-8044/8911, Facilities Department at 508-929-8025, or Residence Life at 508-929-8074.

Emergency Communications

Worcester State’s Emergency Response Team is responsible for coordinating the University’s response to an emergency affecting the Worcester State community. Among other functions, the Emergency Response Team assesses relevant information provided to the University, assesses the nature of the emergency, determines which segment(s) of the Worcester State community may be affected by the emergency, assesses the immediate needs of the affected segment(s) of the community, coordinates deployment of the University’s resources, and coordinates distribution of information to affected community members.

As discussed below, there may be instances in which the nature of an emergency does not allow time for the Emergency Response Team to assemble in advance of distributing notice of the emergency to the Worcester State community. In those instances, the Chief of Police (or his or her designee), is authorized to issue a communication without consulting the Emergency Response Team.

1. Timely Warnings (Community Notification)

The Clery Act requires the University to provide the Worcester State community with “timely warnings/community notifications” concerning any Clery Act crime that (a) is reported to campus security authorities or local law enforcement (and which is made known to the University), (b) occurs within the University’s Clery geography, and (c) poses a continuing and serious threat to the Worcester State community.

The Chief of Police (or his or her designee), determines whether to issue a timely warning/community notification on a case-by-case basis, considering all available facts, including but not limited to, the nature of the crime, whether the incident is considered to present a serious or continuing threat to the Worcester State community, and whether issuance of a warning/community notification would compromise law enforcement efforts.

The University will not issue a timely warning/community notification if: (a) the suspect is apprehended and the threat of imminent danger to the campus community has been mitigated by the apprehension; or (b) a report is not filed with the local police and if campus security authorities are not notified of the incident in a manner which allows the University to post a “timely” warning/notification to the community.

Timely warnings/community notifications are issued upon the Department’s reaching a determination a crime presents a continuing threat to the Worcester State community and as soon as pertinent information becomes available. A timely warning/community notification will include a brief description of
the incident; a brief description of the suspect(s) if available; the date, time and location of the incident; and precautions the community should take in response to the incident.

Timely warnings/community notifications will never include the name or identifying information concerning the victims/survivors in an incident.

2. **Emergency Notifications (Community Alert)**

Federal law also requires the University to provide emergency notification/community alert for any other significant emergency or dangerous situation that presents an immediate threat to health and safety on campus. Examples of incidents that may trigger emergency notifications/community alerts (rather than timely warnings/community notifications) are the commission of non-Clery crimes to the extent they pose an ongoing threat to the Worcester State community, and non-criminal incidents such as weather hazards, fires, and outbreaks of illnesses.

Emergency notifications/community alerts are issued upon confirmation of an emergency. The Chief of Police (or his or her designee), determines whether to issue an emergency notification/community alert on a case-by-case basis, using the best information available to the Department at the time of the incident. As a result, information may be limited at the time of the first notification/alert. However, at minimum, an initial notice will include information immediately available to the Department together with recommendations concerning immediately necessary health or safety measures. As information becomes available to the Department, the Department will provide updates to the community.

Timely warnings/community notifications and emergency notifications/community alerts are important, and they will be issued to assist community members in making informed decisions about their personal safety and in preventing similar incidents from occurring. The University urges all of its community members to take any such warning seriously and to pay close attention to the information provided by the University in response to an incident.

**Emergency Updates and Final Notifications**

The University will communicate updates and revised health and safety guidance, as necessary, throughout the duration of an emergency warranting a timely warning/community notification or emergency notification/community alert. Once emergency conditions abate, the University will distribute a final notification confirming that emergency conditions have abated. If necessary, additional health or safety instructions will accompany any final notification.

**Process for Issuing Emergency Notifications**

When the Emergency Response Team confirms there is an emergency or dangerous situation posing a serious and continuing threat to the health or safety of the Worcester State University community, the Team in coordination with the Office of Communication and Marketing will, without delay and taking into account the safety of the community, collaborate to determine the content of an emergency message to be broadcast to the relevant segment of the Worcester State community. The Worcester State University
Police Department may issue a timely warning/community notification or emergency notification/community alert without consulting the Emergency Response Team in the event of an immediate threat to the safety or health of the Worcester State Community. The message will be communicated using some or all of the systems described below and may be sent either to the entire Worcester State community or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population, unless in the judgment of the first responders it will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

3. Methods of Communicating Timely Warnings and Emergency Notifications

The safety of the students, faculty and staff is a constant priority at the Worcester State University Police Department. The ability to quickly provide notice, accurate information and instructions with minimum delay during an emergency is crucial. To accomplish this task, WSU utilizes Rave Mobile Safety/WSU Alert, a multi-contact communication service which allows Worcester State University leaders and police personnel to deliver time sensitive notifications to students, faculty and staff during unforeseen events or emergencies. This system complements the existing University emergency response plans which are annually updated to be responsive to both handmade and natural disasters.

The WSU Alert system will be used when it is determined that there is a significant emergency or dangerous situations involving immediate threat to the health or safety of students or staff occurring on or immediately adjacent to the University.

The delivery methods of the two alert types differ, and are dependent upon the level of threat and the exigency of the situations.

WSU Alert emails are sent to all university email account holders. Broadcast emails reach an estimated 13,000 account holders within approximately 20 minutes.

Text Messages are text messages sent via the Rave Mobile Safety/WSU Alert interface used by the university. Rave Mobile Safety/WSU Alert generates a text message to community members that have voluntarily presubscribed through WSU Alert to receive such messages. These text messages are received on subscriber’s mobile phone.

WSU Alert text messages reach an estimated 8,000 account holders within approximately 15 seconds. WSU Alert broadcast emails are moderated by the WSU Police Department and/or the Public Information Officer and are available for IMMEDIATE delivery. These messages are a vital step in alerting the University community to an imminent or ongoing threat to safety, security or health.

Other Systems may be utilized to convey vital information during an imminent or ongoing threat to safety, security or health. Such systems include:

- Social Media (i.e. Facebook, Twitter)
- Desktop PC notification (Alertus)
- Digital signage
- WSU website
- Local radio and television media
- Fire alarms within buildings
- Campus-wide telephone broadcasts
- Outdoor loudspeaker at Coughlin Field
- WSUPD Police sirens
- Handheld megaphones
- WSU switchboard (508-929-8000)
A copy of any timely warning/community notification or emergency notification/community alert will be maintained by the Worcester State University Police Department for a period of seven years from the date of the warning.

Emergency Communications Network Tests

It is the policy of the Worcester State University Police Department to test the RAVE/WSU Alert system on an annual basis. The following modalities will be tested:

- Broadcast WSU email
- Text messaging
- Social Media
- Digital signage
- Desktop PC notification (Alertus)

A copy of test results will be kept on file controlled by WSUPD or a designee.

4. Emergency Response and Evacuation Procedures

Many factors are considered when assessing a situation to determine whether to activate one or more of the emergency communications systems and if so, the content of the message and whether to send the emergency message to all or some of the campus community. Among the factors to be considered is the nature and anticipated duration of the emergency situation and whether the emergency applies to a particular building or segment of the population or to the entire campus. The Incident Management Team or Chief of Police/Designee will make a decision without delay, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Upon confirmation of an immediate emergency or dangerous situation involving a threat to the health or safety of the University community the following communication resources and procedures will be activated. Some or all of these methods of communication may be activated.

Methods of communications may include activating WSU ALERT, the WSU Emergency Notification System utilizing email, text messaging FB, Twitter and/or; messages displayed on electronic message boards on campus; or messages on the home page of WSU website. RAVE Alert is operated by the University Police and University Technology Services, in conjunction with the Assistant to the President for Campus Communications and the Executive Director of
Marketing. This system may be used to send messages to the University community utilizing the following electronic WSU communication resources:

- Email
- Text Messaging
- Facebook
- Twitter

Once enrolled or employed at WSU, your University email will automatically be set to receive these messages. To receive text messages on a personal mobile phone, you must register your information at https://www.worcester.edu/myWSU/

- Click on the orange and white, WSU Alert Button located on the left-side of the page.
- Login using your WSU username and password
- to add cell phone, click image under ‘Cell / Text Message’
- Enter phone number
- Check off ‘Receive Text Message’

5. Sheltering in Place/Lockdown during an Emergency

If an incident occurs and the buildings or areas in or near your location become unstable, or if the outdoor air becomes dangerous due to airborne toxins or irritating substances, it is usually safer to remain indoors because leaving your immediate location may expose you to the danger outside. Thus, to "shelter in place" means to make a shelter of the building you are in, and, with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

A. Basic "Shelter in Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside and seek an interior room until you are informed by emergency responders that it is safe to exit. If the building in which you are located is damaged, follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated the building, immediately seek shelter in the nearest safe Worcester State University building. If the Worcester State University Police Department, the Worcester Police, or Fire Department personnel are on scene, follow their directions.

B. How You Will Know to "Shelter in Place?”

A shelter in place notification can come from several sources, including the Worcester State University Police Department, the Emergency Response Team, the Worcester Fire Department, or the Worcester Police Department. In addition, notification of a need to shelter in place may come over the radio or television or by any of the communication methods mentioned above.
C. How to "Shelter in Place"

No matter where you are, the basic steps to shelter in place will generally remain the same. Should the need to shelter in place ever arise, follow these steps unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter in place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be an interior room above ground level without windows (or with the least number of windows).
- Shut, lock, and tightly seal windows and exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able.
- Turn on a radio or TV, listen for further instructions, and to the extent possible, monitor the internet from a computer or phone.

CRIME PREVENTION, AWARENESS, AND WELLNESS PROGRAMS

Worcester State University believes that through crime prevention and safety awareness education, community members are better prepared to prevent and to respond if crime does occur. During Orientation, all students and their parents are informed of resources offered by the Worcester State University Police Department and other University Departments such as the Office of Health Promotion, Counseling Services, Title IX, and Health Services.

Prevention Programs related to Sexual Assault, Domestic Violence, Dating Violence, and Stalking, and other crimes are offered on a continual basis. A common theme of all awareness and crime prevention programs is to encourage students to be aware of their responsibility for their own security, the security of others, and to be an active bystander. Information is disseminated to students and employees through crime prevention posters, security alerts, displays, videos, and social media. In addition, representatives from University Police, Counseling, Health Services, and the Office of Student Affairs make presentations throughout the year or facilitate educational tables throughout campus.

Safety Workshops

The Worcester State University Police Department conducts trainings and workshops on a wide variety of safety and security related subjects including, but not limited to theft prevention and data security measures, alcohol and drug awareness, and by-stander intervention measures that can effectively reduce the likelihood that others in the community will be assaulted. The University has police officers who routinely patrol residential areas on campus in an effort to better familiarize students with the Police Department’s officers and services, and to enhance communications between students and the Department.
**Safety Escorts**
The Worcester State University Police Department provides safety escorts to members of the community twenty-four hours a day, seven days a week, upon request. This service provides students, faculty, and staff with walking or motor vehicle escort between locations on campus.

**Active Threat Seminars**
The Worcester State University Police Department provides sessions to increase employee and student situational awareness and alertness in the event they find themselves in harm’s way. This seminar focuses on the principles of “Run, Hide, Fight”. It does not teach self-defense, rather it educates and provides attendees an opportunity to ask questions. This is typically offered four times each semester, separately for staff and students.

**Community Liaison**
The Worcester State University Police Department works to provide groups and clubs on campus the opportunity to have an officer take part in a meeting, or multiple if desired. This allows officers to address areas of concern for a specific group, provides a familiarity with an officer, and provide the opportunity to collaborate towards an educational goal.

**Crime Bulletins and Alerts**
The Worcester State University Police Department periodically distributes crime bulletins or alerts to inform members of the Worcester State community about incidents of crime in the areas surrounding the University that may pose an imminent threat of harm to members of the community. Bulletins and alerts are also circulated at times, not in response to a specific incident, but as general reminders to community members about measures members of the community can take to enhance personal and property security.

**Rape Aggression Defense (R.A.D.) Program**
Worcester State’s Police Department has offered R.A.D. course (Rape Aggression Defense) trainings designed to teach basic self-defense techniques. Everyone has the right to be safe on and off campus. No one deserves to be harmed and only the person who commits the harmful act is responsible for that behavior. R.A.D. training is an opportunity to learn more about how to reduce your risks of harm for yourself and the community. Participants are trained to be alert for aggressive behavior, to recognize how this behavior negatively impacts lives, to take steps to avoid aggressive behavior, and to look at how everyone can be part of reducing aggression and violence. This is offered each semester.
CRIME (INCLUDING SEXUAL ASSAULT) PREVENTION AND AWARENESS PROGRAMS

The Office of Title IX and Drug & Alcohol Prevention Education, in collaboration with Athletics, Counseling Services, and Residence Life offers students programming on alcohol and other drug use and abuse as well as tobacco. Programs focus on responsible decision-making, risk factors, harm reduction and bystander intervention. Many programs vary yearly and are offered at different times. Below is a list of programs that are offered every year consistently.

**Ever-fi On-line Program** - Currently three programs are required for all incoming freshmen students: Alcohol Edu, Prescription Drug Abuse and Sexual Violence Prevention. These programs offer educational information and personalized feedback for students. The first part of the program is typically completed in the summer before freshman arrive on campus, with the second part being completed during the fall. Students must complete the knowledge-based quizzes in order to complete the course.

**Alcohol Task Force** provides guidance and oversight on alcohol- and drug-related issues on campus. Faculty and staff make up the task force, which meets monthly to discuss alcohol- and drug-related issues, evaluate current program efforts, review policies, and make recommendations about policy and outreach strategies.

**BASICS (Brief Alcohol Screening and Intervention for College Students)** is an evidence-based intervention program that helps students examine their own alcohol use. Students may self-refer or be referred through the student-conduct process.

**Impaired Skills** allows students to wear impairment goggles and test their ability to walk a straight line or drive a golf cart. This program is typically offered once a semester.

**eCHECKUP To Go** is a web-based marijuana program that uses evidence-based behavior interventions designed to motivate students to reduce their consumption using personalized feedback. Currently eCheckup is used for students who have violated the schools marijuana policy. eCheckup to Go is also offered to all students via The Office of Drug & Alcohol Prevention Education website.

**NCAA Life Skills and Apple Team** is a program coordinated by Athletics with collaboration from The Office of Title IX and Drug & Alcohol Prevention Education, Counseling Services and Residence Life. The Life Skills program offers a variety of programs for student athletes. Topics vary from alcohol, drugs, team building, mental health awareness, leadership building, etc.

**Peer Health Educators** is a special interest group on campus who offer health awareness programs to the campus community.

**It IS My Place** required program for all freshmen. It IS My Place is an interactive theatrical program which educates on important topics such as alcohol consumption, hate and biased incidents, sexual violence, suicide and bystander.

**We Speak Up** is WSU’s pro-social behavior and bystander empowerment/intervention program that educates students to be proactive in helping others.
*Workplace Answers* Worcester State University provides all employees with annual Title IX training and relevant CSA training as designated under the Clery Act, if it pertains to the employee’s role on campus. CSA training teaches responsibility and how to report certain crimes to Worcester State’s Police Department and the Title IX Coordinator. In addition, additional trainings are offered to all employees on Title IX and How to support students.

**Alcohol Policy**

All policies and regulations regarding the consumption and/or sale of alcoholic beverages on the Worcester State University premises or off-campus where Worcester State University jurisdiction applies shall be in strict conformity to the appropriate Massachusetts General Laws, the regulations of the License Commission of the city of Worcester and in compliance with the Drug-Free Schools and Communities Act (DFSCA), and the Drug-Free Schools and Campuses Regulations.

In addition to the preceding laws and others which may be established by legislative bodies, the following rules and regulations apply to Worcester State University premises or off-campus where Worcester State University jurisdiction applies:

- Worcester State University prohibits the possession, consumption, storage or service of alcohol by students with the exception of prior approval from the Dean of Students or designee.
- Students are not allowed in the presence or in possession of empty or full containers of alcohol, including decorative containers.
- Public intoxication is prohibited.
- Operating a vehicle under the influence of alcohol is prohibited.
- The manufacturing of any alcoholic beverage is prohibited.
- Students are responsible for informing their guests of Worcester State University’s Alcohol Policy prior to any campus visit. The student will be held strictly accountable for an alcohol violation when their guest violates the alcohol policy. Guests are defined as any person visiting the student whether or not the guest has signed-in to the residence halls through official procedures. Guests, regardless of their age are not permitted to bring alcohol onto the Worcester State University campus.
- Providing alcoholic beverages to a person under age twenty-one (21), whether gratuitously or for sale, is prohibited.
- The possession or use of alcoholic container(s) which indicates the probability of common source drinking (e.g. kegs, punch bowls, beer balls, or the functional equivalent) is prohibited and shall result in a more severe sanction.
- Drinking funnels, taps, ice luges or similar devices are prohibited.
- Creating, offering, and playing drinking games such as beer pong are considered endangering behaviors and are prohibited.
- Open alcoholic beverage containers (including cups containing alcohol) are prohibited.

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3 References: Mass. General Law, Chap. 138, Sec. 34: Alcoholic Beverages (Procuring for persons under 21); Mass. General Law, Chap. 138, Sec 34A: Alcoholic Beverages (Procuring by false pretenses); Mass. General Law, Chap. 138, Sec. 3413: Alcoholic Beverages (Liquor Purchase Identification Cards); Mass. General Law, Chap. 138, Sec. 34C: Alcoholic Beverages (Transportation by those under 21 years of age); Worcester City Ordinances Chap. 9 re: Open Alcoholic Beverage Containers.
Additional Guidelines

- Intoxicated persons shall be subject to police intervention including medical transport, arrest, and/or other appropriate action.
- In the event that a student is suspended from Worcester State University housing or from Worcester State University for any disciplinary infraction(s), including but not limited to alcohol, no refund of any Worcester State University fees or tuition will be given to the student.
- Any backpack, bag or similar container that anyone carries onto campus shall be subject to inspection and search by a member of the Worcester State University staff whenever there exists reasonable suspicion to believe that the container is being used to bring onto campus any alcoholic beverage or other material in violation of Worcester State University Policy.
- Students are encouraged and expected to seek help from Worcester State University Police or other Worcester State University staff when they witness others who are incapacitated due to alcohol or other drug use.
- Residency in a bedroom, apartment, or suite in which any alcohol containers, (empty or full to include decorative containers) are present is a violation of the Policy. This includes the bedroom to which the person is assigned or in an adjacent common area.
- Visitation in a bedroom, apartment, or suite in which any alcohol containers, (empty or full to include decorative containers) are present, with reasonable opportunity to be aware of the presence of said item is a violation.
**Sanctions - Alcohol**

The following is a chart of MINIMUM sanctions for violations of the Alcohol Policy. More severe sanctions may be imposed based on the severity of the violation (including first offense). Sanctions are determined on a case by case basis.

**Level**  |  **Levels may be increased with number of violations.**
---|---

### 1 RESIDENT STUDENT
- General Probation for one semester (15 weeks)
- Complete an alcohol education course ($30 registration fee to be paid at time of course)
- Parental/Guardian Notification for student under the age of 21

### 1 COMMUTER STUDENT
- General Probation for one semester (15 weeks)
- Complete an alcohol education course ($30 registration fee to be paid at time of course)
- Parental/Guardian Notification for student under the age of 21

### 2 RESIDENT STUDENT
- General Probation for an additional one semester (15 weeks)
- Complete an online alcohol education course
- $100 fine
- Complete ten (5) hours of service
- Residence Hall Probation for up to one academic year
- Parental/Guardian Notification for student under the age of 21

### 2 COMMUTER STUDENT
- General Probation for an additional one semester (15 weeks)
- Complete an online alcohol education course
- $100 fine
- Complete ten (5) hours of service
- Residence Hall Probation for up to one academic year
- Parental/Guardian Notification for student under the age of 21

### 3 RESIDENT STUDENT
- Disciplinary Probation for one semester (15 weeks)
- BASICS one on one educational course
- $150 Fine
- Residence Hall suspension for up to one academic year or residence hall expulsion
- Parental/Guardian notification for student under the age of 21

### 3 COMMUTER STUDENT
- Disciplinary Probation for one semester (15 weeks)
- BASICS one on one educational course
- $150 Fine
- Permanent No Trespass Notice for the residence halls
- Parental/Guardian notification for student under the age of 21

### 4 RESIDENT STUDENT
- Suspension from Worcester State University for no less than (1) semester
- Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks upon return from suspension
- Parental/Guardian notification for student under the age of 21

### 4 COMMUTER STUDENT
- Suspension from Worcester State University for no less than (1) semester
- Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks upon return from suspension
- Parental/Guardian notification for student under the age of 21

*If students are found in the presence of or in possession of EMPTY containers of alcohol, they may be given a written warning. Please note that subsequent violations for being in the presence of or possession of empty containers of alcohol (including decorative containers) will result in increased sanctions and levels.*
Drug Policy
All policies and regulations regarding illegal consumption/use, possession, sale/traffic and/or manufacture of narcotics, controlled substances, prescription drugs, counterfeit substances, drug paraphernalia and substances releasing toxic vapor on the Worcester State University campus and its properties shall be in strict conformity to the appropriate Massachusetts General Laws and in compliance with the Drug-Free Schools and Community Act (DFSCA) and the Drug-Free Schools and Campuses Regulations. Detailed descriptions of infractions and penalties can be found in the Massachusetts General Laws, sections 94C and 270. Federal Drug Statute Title 21, USC 841 may also apply. Listed is a summation of these laws. These laws are subject to change.

1. Controlled Substances are classified according to their chemical characteristics and their effect on the human body.

   Class A
   Heroin, Morphine, Flunitrazepan, Gamma Hydroxy Butyric Acid (aka GHB), Ketamine Hydrochloride (aka “Special K”)

   Class B
   Cocaine, Codeine, Methadone, Oxycontin and Oxydodone, Amphetamines, Fentanyl, Methamphetamine and its isomers and salts, Phenacyclidine (PCP, Angel Dust), Lysergic Acid Diethylamide (LSD), Opium in certain amounts, P2P, PCH, PCC, MDMA (ecstasy), Phenmetrazine, Percodan, Dilaudid

   Class C
   Valium, Librium, Morphine and Codeine in certain amounts, Flurazepam, Hallucinogenic substances including Dimethoxyamphetamine, Mescaline, Peyote, Psilocybin (aka Mexican Mushrooms), Tetrahydrocannabinol (THC, active ingredient in marijuana)

   Class D
   Marijuana, Barbital, Phenobarbital

   Class E
   Compounds containing a small percentage of Codeine, morphine or opium, prescription drugs not included in any other class.

Smelling Substance Releasing Toxic Vapor
Although not illegal to possess under certain conditions, these substance offenses occur when a person intentionally smells or inhales them. They include but are not limited to: glue, paint thinners, etc.

2. Drug Paraphernalia are objects used for the purpose of ingesting, injecting, inhaling, etc. any or all of the above substances. These include, but are not limited to, pipes (ceramic, metal, glass, etc.), syringes, or any other object modified for this purpose, (e.g. plastic containers, toilet paper rolls, etc.).

3. Possession of a Controlled Substance is simply proof the individual directly or constructively possessed some amount of a controlled substance without lawful authority.

4. Possession with Intent to Distribute does not require possession of a minimum quantity of a controlled substance where other signs of distribution exist, e.g. quantity (even a minute quantity can suffice), purity, street value, possession of a large amount of cash, uniform packaging, known drug area, behavior, possession of drug paraphernalia, etc. Penalties as outlined under Massachusetts General Laws are included in subsequent pages.

5. Counterfeit Substances are imitations intended to be offered off deceptively as a genuine controlled substance. Because fake substances are often more dangerous to ingest and because the dealer is
attempting to make a profit while eliminating the risk of being caught with a controlled substance, possession and sale of a counterfeit substance are punishable crimes under the law.

6. The Drug-Free School and Park Zone Law was designed to heighten safety and deter drug distribution in areas where children congregate most: schools and public parks. This law provides for an enhanced penalty for individuals who possess any illegal drug with the intent to distribute. This applies to a suspect within 100 feet of a public park or playground or 1000 feet of a public or private elementary, secondary or vocational school. **Worcester State University is within 1000 feet of two schools.**

In addition to the preceding laws and others which may be established by legislative bodies, the following rules and regulations apply to Worcester State University premises or off-campus where Worcester State University jurisdiction applies:

- **Worcester State University prohibits the possession or use of drugs or drug paraphernalia.**
- **Operating a vehicle under the influence of drugs is prohibited.**
- **The manufacturing of any drug is prohibited.**
- **Students are responsible for informing their guests of Worcester State University’s Drug Policy prior to any campus visit. The student will be held strictly accountable for a drug violation when their guest violates the drug policy. Guests are defined as any person visiting the student whether or not the guest has signed-in to the residence halls through official procedures.**

**Additional Guidelines**

- **Any person shall be subject to police intervention including medical transport, arrest, and/or other appropriate action when reasonable suspicion that drugs are involved.**
- **In the event that a student is suspended from Worcester State University housing or Worcester State University for any disciplinary infraction(s), including but not limited to drugs, no refund of any Worcester State University fees or tuition will be given to the student.**
- **Any backpack, bag or similar container that anyone carried onto campus shall be subject to inspection and search by a member of the Worcester State University staff whenever there exists reasonable suspicion to believe that the container is being used to bring onto campus any drug or other material in violation of Worcester State University Policy.**
- **Residency in a bedroom, apartment or suite in which any drug or drug paraphernalia are present is a violation of the Policy. This includes the bedroom to which the person is assigned or in an adjacent common area.**
- **Visitation in a bedroom, apartment or suite in which any drug or drug paraphernalia are present, with reasonable opportunity to be aware of the presence of said item, is a violation.**
**Sanctions - Other Drugs (Not Marijuana)**

The following is a chart of MINIMUM sanctions for violations of the Drug Policy (Not Marijuana). More severe sanctions may be imposed based on the drug class and the severity of the violation (including first offense). Sanctions are determined on a case by case basis. Levels may be increased with number of violations.

### Level

Levels may be increased with number of violations.

<table>
<thead>
<tr>
<th>Level</th>
<th>RESIDENT STUDENT</th>
<th>COMMUTER STUDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Probation for two semesters (30 weeks)</td>
<td>General Probation for two semesters (30 weeks)</td>
</tr>
<tr>
<td></td>
<td>Complete an online drug education course</td>
<td>Complete an online drug education course</td>
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<tr>
<td></td>
<td>$100 fine</td>
<td>$100 fine</td>
</tr>
<tr>
<td></td>
<td>Complete five (5) hours of service</td>
<td>Complete five (5) hours of service</td>
</tr>
<tr>
<td></td>
<td>Residence Hall Probation for up to one academic year</td>
<td>Residence Hall No Trespass Notice for up to one academic year</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian Notification for student under the age of 21</td>
<td>Parental/Guardian Notification for student under the age of 21</td>
</tr>
<tr>
<td>2</td>
<td>Disciplinary Probation for one semester (15 weeks)</td>
<td>Disciplinary Probation for one semester (15 weeks)</td>
</tr>
<tr>
<td></td>
<td>BASICS one on one drug educational course</td>
<td>BASICS one on one drug educational course</td>
</tr>
<tr>
<td></td>
<td>$150 fine</td>
<td>$150 fine</td>
</tr>
<tr>
<td></td>
<td>Complete ten (10) hours of service</td>
<td>Complete ten (10) hours of service</td>
</tr>
<tr>
<td></td>
<td>Residence Hall suspension for one academic year</td>
<td>Permanent No Trespass Notice for the residence halls</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian Notification for student under the age of 21</td>
<td>Parental/Guardian Notification for student under the age of 21</td>
</tr>
<tr>
<td>3</td>
<td>Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)</td>
<td>Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)</td>
</tr>
<tr>
<td></td>
<td>Residence Hall Expulsion and/or suspension from Worcester State University</td>
<td>May be suspended from Worcester State University</td>
</tr>
<tr>
<td></td>
<td>$200 Fine</td>
<td>$200 Fine</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian notification for student under the age of 21</td>
<td>Parental/Guardian notification for student under the age of 21</td>
</tr>
<tr>
<td>4</td>
<td>Suspension from Worcester State University for no less than one semester</td>
<td>Suspension from Worcester State University for no less than one semester</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian notification for student under the age of 21</td>
<td>Parental/Guardian notification for student under the age of 21</td>
</tr>
<tr>
<td></td>
<td>Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)</td>
<td>Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)</td>
</tr>
</tbody>
</table>
**Sanctions - Marijuana**

The following is a chart of MINIMUM sanctions for violations of the Drug Policy (Marijuana). More severe sanctions may be imposed based on the drug class and the severity of the violation (including first offense). Sanctions are determined on a case by case basis.

**Level** Levels may be increased with number of violations.

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>RESIDENT STUDENT</th>
<th>COMMUTER STUDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Probation for one semester (15 weeks)</td>
<td>General Probation for one semester (15 weeks)</td>
</tr>
<tr>
<td></td>
<td>Complete an online drug education course</td>
<td>Complete an online drug education course</td>
</tr>
<tr>
<td></td>
<td>$100 fine</td>
<td>$100 fine</td>
</tr>
<tr>
<td></td>
<td>Complete five (5) hours of service</td>
<td>Complete five (5) hours of service</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian notification for student under the age of 21</td>
<td>Parental/Guardian notification for student under the age of 21</td>
</tr>
<tr>
<td>2</td>
<td>Disciplinary Probation for one semester (15 weeks)</td>
<td>Disciplinary Probation for one semester (15 weeks)</td>
</tr>
<tr>
<td></td>
<td>One on one drug education course/meeting</td>
<td>One on one drug education course/meeting</td>
</tr>
<tr>
<td></td>
<td>$150 fine</td>
<td>$150 fine</td>
</tr>
<tr>
<td></td>
<td>Complete ten (10) hours of service</td>
<td>Complete ten (10) hours of service</td>
</tr>
<tr>
<td></td>
<td>Residence Hall Review*</td>
<td>Residence Hall No Trespass for up to one academic year</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian notification for student under the age of 21</td>
<td>Parental/Guardian notification for student under the age of 21</td>
</tr>
<tr>
<td>3</td>
<td>Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks</td>
<td>Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks</td>
</tr>
<tr>
<td></td>
<td>$200 fine</td>
<td>$200 fine</td>
</tr>
<tr>
<td></td>
<td>Residence Hall suspension for up to one academic year</td>
<td>Permanent Residence Hall No Trespass</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian notification for student under the age of 21</td>
<td>Parental/Guardian notification for student under the age of 21</td>
</tr>
<tr>
<td>4</td>
<td>Suspension from WSU for no less than one (1) semester</td>
<td>Suspension from WSU for no less than one (1) semester</td>
</tr>
<tr>
<td></td>
<td>Parental/Guardian notification for student under the age of 21</td>
<td>Parental/Guardian notification for student under the age of 21</td>
</tr>
</tbody>
</table>

*Residence Hall Review: Together the Office of Student Conduct and the Office of Residence Life and Housing will make a determination on the status of the student remaining a member of the residential community.

**Alcohol and Drug Emergency Transport/Amnesty Policy**

Worcester State University considers the safety and personal well-being of the student body a priority. Worcester State University recognizes that there may be alcohol or other drug-related medical or safety emergencies in which the potential for disciplinary action could act as a deterrent to students who want to seek assistance for themselves or others.
• Students who are evaluated for a substance abuse wellness check that may or may not result in being transported to a local hospital will be required to contact a member of the Office of Health Promotion within twenty four (24) hours of receipt of letter from the Office of Health Promotion. Failure to schedule and attend the sessions may result in conduct action.

• When a student aids an intoxicated or impaired individual by contacting Worcester State University Police or Residence Life staff, neither the intoxicated individual nor the individual or student reporting the emergency will be subject to disciplinary action.

• In the case of a second (2nd) transport; the student will attend two (2) educational meetings with the Office of Health Promotion followed by a minimum of three (3) sessions with a member of the Counseling Services staff.

• In the unlikely case of subsequent transports, the student will meet with an administrative team to discuss the students’ well-being, evaluate their residency status and/or visitation privileges within the residence halls, and potential conduct action.

Drug and Alcohol Abuse Programs
Worcester State University recognizes that the misuse and abuse of alcohol and drugs can be detrimental to the health, safety, learning, and well-being of individuals as well as the Worcester State community. Therefore, the University offers substance abuse prevention programs for its members and will identify resources and provide assistance for students, faculty and staff who have or develop problems with alcohol and other drugs.

A list of the University’s substance abuse prevention, counseling resources, and tobacco cessation is available at http://www.worcester.edu/Health-Promotion/. Employees can also seek assistance and support through the Employee Assistance Program if they or a family member are struggling with addiction issues.

SUMMARY STATEMENT REGARDING UNIVERSITY’S POLICY CONCERNING SEXUAL VIOLENCE
SEXUAL VIOLENCE POLICY

SEXUAL VIOLENCE POLICY (EFFECTIVE MARCH 15, 2015)

A. POLICY INTRODUCTION
The Massachusetts State Universities, including Bridgewater State University (the “University”), Fitchburg State University, Framingham State University, Massachusetts College of Art and Design, Massachusetts College of Liberal Arts, Massachusetts Maritime Academy, Salem State University, Westfield State University and Worcester State University (collectively, the “State Universities” and individually, “State University”), are committed to maintaining safe and healthy learning, living and working environments that are free from all

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4 This Policy is taken from Section V of the Equal Opportunity, Diversity and Affirmative Action Plan of the nine Massachusetts State Universities (Bridgewater State University, Fitchburg State University, Framingham State University, Massachusetts College of Art and Design, Massachusetts College of Liberal Arts, Massachusetts Maritime Academy, Salem State University, Westfield State University and Worcester State University). Information with respect to the Worcester State University community has been added to supplement the policy.

5 This Policy is effective as of March 15, 2015. Complaints made or claims reported prior to March 15, 2015 will generally be reviewed under the prior Sexual Misconduct and Relationship Policy or the prior EO Plan, as applicable, unless otherwise determined by the EO Director, in his/her sole discretion, with respect to continuing or ongoing violations or other pertinent circumstances.
forms of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. Consistent with this commitment, the State Universities comply with Title IX of the Higher Education Amendment of 1972 (“Title IX”), 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 State Universities do not discriminate on the basis of sex in admission to or employment in their 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 State Universities’ educational mission and are prohibited forms of harassment under Title IX. The State Universities 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. The University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

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.

1. **Policy Purposes**

The purpose of this Policy is for the State 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 State 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.
2. Prohibition Against Sexual Violence, Sexual Harassment, Gender-Based Harassment, Domestic Violence, Dating Violence, Stalking and Retaliation

The State Universities 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.6

These behaviors can occur between strangers or acquaintances, including between people involved in an intimate or sexual relationship. Victims7 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 State Universities 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 State 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 State Universities 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.

3. 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

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6 Incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation as described in this Policy may also constitute criminal acts when they meet the standards set forth in Massachusetts’ criminal laws, which are listed in Section M of this Policy. An individual can be prosecuted by the Commonwealth for violating a criminal law and simultaneously subject to discipline for Policy violations by the University.

7 Although some prefer to use the term “survivor” to describe an individual who has been subjected to sexual violence, the term “victim” is also widely used. This Policy uses the term “victim” or “complainant,” and does so with respect for those who have been subjected to sexual violence.
activities; (3) adversely affects or disrupts the campus community; and/or (4) poses a threat of harm to the campus community.

4. **Title IX Coordinator**

Pursuant to Title IX and its implementing regulations at 34 C.F.R. Part 106, each 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”). If these positions are held by different persons, the Title IX Coordinator and EO Officer may collaborate on the enforcement of any aspect of this Policy. There may also be a Deputy Title IX Coordinator(s) 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 at wsu_titleix@worcester.edu. The names and contact information for the University’s Title IX Coordinator and other members of the Title IX Team can be located on the website at https://www.worcester.edu/Title-IX/.

5. **Coordination with the Policy Against Discrimination, Discriminatory Harassment and Retaliation**

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 State Universities’ Policy Against Discrimination, Discriminatory Harassment and Retaliation. 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 University 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.
A. 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, 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 pervasiveness 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 Universities 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.

B. CONDUCT THAT IS NOT PROHIBITED
The State Universities are 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.

C. 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 State Universities do not intrude upon private choices regarding personal relationships when these relationships do not violate the State 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, gender-based harassment, domestic violence, dating violence, stalking and retaliation. Therefore, such workplace relationships are strongly discouraged.

D. RESOURCES

The safety, health and well-being of the campus communities are of paramount importance to the State Universities. 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 EO Director/Title IX Coordinator, Human Resources, the Office for Student Affairs, Office of Community Standards, Residence Life and Housing, Health Services, the Counseling Center, and/or Campus Police.

WSU prohibits and takes proactive steps to prevent retaliation or adverse action against an individual because she or he has made an honestly believed report or participated in an investigation, proceeding, or hearing regarding a report or complaint of sexual harassment, sexual violence, relationship violence, or stalking. See more at: https://www.worcester.edu/TitleIX-Reporting-and-Resources/

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

If an incident occurs, the State Universities 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 options. The State 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 Campus Police, or contact the EO Director/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 Services on a confidential basis (Sheehan Hall, (508) 929-8875, M 8:00 am – 8:00 pm T-F 8:00 am – 4:00 pm). Employees may seek the confidential services of the Employee Assistance Program (“EAP”), AllOne Health, at (877) 720-7770.

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:

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 (Counseling Center is located in the Student Center, Room 325). Employees may seek the confidential services of the EAP, Lifescope, at (800) 828-6025. All community members may access the confidential services of any religious/pastoral counselors on or near 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.

- Former White House Initiative to Combat Sexual Assault on College Campuses
  http://changingourcampus.org/about-us/not-alone/

- The National Stalking Resource Center http://victimsofcrime.org/our-programs/stalking-resource-center National Sexual Assault Hotline (800) 656-4673 (24 hour)
- MA Spanish Language Rape Crisis Center Hotline (Llamanos) (800) 223-5001(Hotline) National Suicide Prevention Lifeline (800) 273-8255 (Hotline)
- Victim Rights Law Center 115 Broad Street, 3rd Floor Boston, MA 02110 Phone: 617-399-6720 (legal services for victims of sexual assault)
- National Sexual Assault Hotline (800) 656-4673 (24 hour)
- National Domestic Violence Hotline (800) 799-7233 (24 hour)
- New Hope (domestic violence services) - MJ Leadenham Center, 22-24 Park Avenue Worcester, MA 01609 Phone 508-753-3146 (877) 222-0083 (24 hour) Español - Llamanos (800) 223-5001
  http://www.new-hope.org RESPECT (Intimate Partner Abuse Education Program) 877-222-0083
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.

Greater Boston Area
Boston Area Rape Crisis Center, Cambridge
(800) 841-8371 (24 hour hotline), (617) 492-6434 TTY
BARCC ha ayudado a miles de mujeres y hombres. Por favor llámanos si necesita ayuda. Estamos aquí para usted. Usted puede llamar nuestra oficina al numero 617.649.1297 o llamar la línea de ayuda de Llámanos y Hablemos al numero 1.800.223.5001 Francais et Kreyol: http://www.barcc.org/francais; http://www.barcc.org/francais/kreyol

Northeastern Massachusetts
North Shore Rape Crisis Center, Beverly, 800-922-8772 Hotline, 978-921-8729 TTY
The Center for Hope and Healing, 800-542-5212 Hotline, 978-452-8723 TTY
YWCA of Greater Lawrence, 877-509-9922 SA Hotline, 978-686-8840 TTY

Central Massachusetts
Pathways for Change, Inc., Worcester, 800-870-5905 Hotline, 508-852-7600 TTY, 800-223-5001 (Spanish)
Pathways for Change, Inc., Fitchburg, 800-870-5905 Hotline, 508-852-7600 TTY, 800-223-5001 (Spanish)
Wayside Victim Services, Milford, 800-511-5070 Hotline, 508-478-4205 TTY
Voices Against Violence, Framingham, 800-593-1125 Hotline, 508-626-8686 TTY

Southeastern Massachusetts
A Safe Place, Nantucket, 508-228-2111 Hotline, 508-228-0561 TTY
Independence House, Hyannis, 800-439-6507 Hotline, 508-778-6782 TTY
MV Community Services, Vineyard Haven, 508-696-7233
Greater New Bedford Women Center, New Bedford, 888-839-6636 Hotline, 508-996-1177 TTY
New Hope, Attleboro, 800-323-4673 Hotline/TTY
Woman’s Place Crisis Center, Brockton, 508-588-2041 SA Hotline, 508-894-2869 TTY

Western Massachusetts
Elizabeth Freeman Center, Pittsfield, 866-401-2425 Hotline, 413-499-2425 TTY
Everywoman Center, Amherst, 413-545-0800 Hotline, 888-337-0800 TTY
NELCWI, Greenfield, 413-772-0806 Hotline, 413-772-0815 TTY
YWCA of Western Mass, 800-796-8711, TTY 413-733-7100

As the above contact information may be subject to change, current contact information on rape crisis centers in Massachusetts can be found at: https://www.mass.gov/service-details/rape-crisis-centers For more information about programs and services offered by the Commonwealth regarding sexual and domestic violence see: http://www.mass.gov/eohhs/gov/
4. **Non-Confidential Campus Resources**

The Universities 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.

All members of the community may report an incident of sexual violence or misconduct to the University’s Title IX Coordinator, either directly, or by making a report to any CSA, who under University policy is obligated to share such reports with the University’s Title IX Coordinator. The Title IX Coordinator will investigate the report if appropriate, and take necessary measures to ensure community and complainant’s safety. Worcester State’s Title IX Coordinator will oversee all investigations concerning sexual misconduct or gender based violence. Employees who are found responsible for having committed such a violation could face termination of employment, and students who are found responsible for having committed such a violation may face disciplinary probation, deferred suspension, suspension from University housing, dismissal from University housing, suspension from the University, or dismissal from the University. In addition, Worcester State University may issue No Contact Orders and No Trespass Orders to those found responsible.

The University recognizes that a student or employee may choose to report non-emergency sexual misconduct to any trusted employee of the University. For example, a student may choose to confide in a resident assistant or residence director, a staff advisor, or a coach, all of whom are CSAs who must report the incident to the University’s Title IX Coordinator under this policy. All members of the community are encouraged to report knowledge of sexual misconduct affecting a community member to the University so that the University can take steps to support that individual’s well-being and enhance the safety and security of the community and respond in a prompt manner. However, to enable the University to respond to all reports in a prompt and equitable manner, the University encourages all individuals to directly report any incident of sexual misconduct to the Title IX Coordinator or another member of the Title IX Team, which includes the individuals on the following page.
<table>
<thead>
<tr>
<th>Worcester State University Title IX Team&lt;sup&gt;8&lt;/sup&gt;</th>
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</thead>
<tbody>
<tr>
<td>Jennifer Quinn – Coordinator</td>
<td>508-929-8243</td>
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<tr>
<td>Dawn Eades – Deputy Coordinator</td>
<td>508-929-8964</td>
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<tr>
<th>Title IX Delegates/Investigators</th>
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<tbody>
<tr>
<td>Elena Arranz</td>
<td>508-929-8152</td>
</tr>
<tr>
<td>Dean Bowen</td>
<td>508-929-8291</td>
</tr>
<tr>
<td>Marilyn Cleary</td>
<td>508-929-8299</td>
</tr>
<tr>
<td>Noah Dion</td>
<td>508-929-2010</td>
</tr>
<tr>
<td>Rebecca Giard</td>
<td>508-929-8138</td>
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<tr>
<td>Thomas Kelley</td>
<td>508-929-8396</td>
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<tr>
<td>Kristen Nelson</td>
<td>508-929-8124</td>
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<tr>
<td>Nancy Ramsdell</td>
<td>508-929-8720</td>
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<tr>
<td>Brittany Rende</td>
<td>508-929-8293</td>
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<tr>
<td>Jeremiah Riordon</td>
<td>508-929-8293</td>
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<tr>
<td>Karen Tessmer</td>
<td>508-929-8769</td>
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<th>Review Board</th>
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<tbody>
<tr>
<td>Maribeth Wrobel – Associate Registrar</td>
<td>508-929-8037</td>
</tr>
<tr>
<td>Julie Kazarian – Dean of Student Affairs</td>
<td>508-929-8077</td>
</tr>
<tr>
<td>Susan Moore – Director of Human Resources &amp; Benefits</td>
<td>508-929-8117</td>
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<tr>
<th>Appeal Board Chair</th>
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<tr>
<td>Adrian Gage – Asst. Dean Student Affairs /Dir. of Residence Life &amp; Housing</td>
<td>Sheehan Hall, 1st fl</td>
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<tr>
<th>Criminal Complaints and Police Resource</th>
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<tr>
<td>Officer Marjeta Skenderi</td>
<td>508-929-8044</td>
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<tr>
<th>Other Offices</th>
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<tr>
<td>University Police</td>
<td>508-929-8911</td>
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<tr>
<td>Student Conduct (Josh Katz)</td>
<td>508-929-8648</td>
</tr>
<tr>
<td>Diversity, Inclusion, Affirmative Action and Equal Opportunity (Maria Isabel Gariepy )</td>
<td>508-929-8784</td>
</tr>
<tr>
<td>HR/PS/AAEO (Stacey Luster)</td>
<td>508-929-8053</td>
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<tr>
<td>Residence Life and Housing</td>
<td>508-929-8074</td>
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<td>Student Accessibility Services</td>
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<th>Counseling &amp; Health Offices (*Confidential Resources)</th>
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<tr>
<td>Counseling Services *</td>
<td>508-929-8072</td>
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<tr>
<td>Health Services*</td>
<td>508-929-8875</td>
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<tr>
<td>Campus Ministry</td>
<td>508-929-8017</td>
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<sup>8</sup> The Title IX Team may include Investigator(s) employed or retained by the University, and others as deemed necessary by the Title IX Coordinator.
a. **Additional University Resources**
The University offers resources that can provide crisis intervention services, counseling, academic support, housing support and medical services to all Worcester State community members. Such services include:

- **WSUPD and Worcester State Survivor Advocate** will upon request assist members of the Worcester State community through the civil court process of seeking orders of protection. Worcester State University is committed to ensuring that orders of protection issued by courts are fully upheld on all University owned, used, and controlled property as well as properties immediately adjacent to Worcester State University. Therefore, if any member of the Worcester State community obtains an order of protection or restraining order, he or she should promptly inform WSUPD and provide WSUPD with a copy of the order, so the University can enforce it. Worcester State University is also committed to protecting survivors from any further harm, and if the Worcester State University Police Department determines an individual’s presence on campus poses a danger to one or more members of the University community, WSUPD can issue a No Trespass Order barring that individual from Worcester State property.

- **WSUPD** will provide, upon request, an escort to ensure safe movement between classes and activities.

- **Worcester State Counseling Services** provides counseling support for students and will also assist any member of community with referrals upon request. Worcester State University Counseling can be reached at 508-929-8072. Detailed information about Counseling Services can be found at [http://www.worcester.edu/Counseling-Services/](http://www.worcester.edu/Counseling-Services/).

- **Students may access the services of the Student Health Services on a confidential basis** (Sheehan Hall, (508) 531-1252, M 8:00 am – 8:00 pm T-F 8:00 am – 4:00 pm). Employees may seek the confidential services of the Employee Assistance Program ("EAP"), AllOne Health, at (877) 720-7770.

- **The University will provide Interim Measures**, including but not limited to no-contact orders, academic employment or residence modifications.

- **The WSUPD Tip Line** is also available for confidential reporting. It offers tipsters anonymity, allowing anyone to discretely provide timely, critical information without letting those in his/her vicinity in on the communication. However, Worcester State University will likely be severely limited in investigating and responding to anonymous reports of sexual harassment, sexual violence, relationship violence, and stalking.
  
  - To provide anonymous information to WSU Police, send a text message to 274637 containing the word “WSUPD,” followed by a space, and then your message. Once you submit your tip:
    - University Police are immediately notified of the tip.
    - University Police may respond with follow-up questions or information anonymously.
    - Users receive confirmation messages for all submitted tips.
    - See more at: [https://www.worcester.edu/TitleIX-Reporting-and-Resources/](https://www.worcester.edu/TitleIX-Reporting-and-Resources/)
b) Additional Community Resources

Various organizations can provide crisis intervention services, counseling, medical attention, and assistance in interfacing with the criminal justice system. All individuals are encouraged to utilize the resources that are the best suited to their needs, whether on or off campus. Some resources in the local Worcester area community include:

Central Massachusetts Community Resources

- Pathways for Change ending the silence... ending sexual violence 24-Hour Hotline: 800-870-5905 TTY: 888-887-7130 (Monday-Friday, 9 a.m.-5 p.m.) 508-852-7600 (office) 508-852-7870 (fax) https://www.pathwaysforchange.help/pfc/
- Our Deaf Survivors Center Hotline for Deaf, Hard of Hearing, and Deaf-Blind Victims 1-844-ODSC-SAFE (1-844-637-2723) odscunity.blogspot.com Facebook page: www.facebook.com/OurDeafSurvivorsCenter
- Males Advocating Change: Promoting Healthy, Non-violent Masculinity (a program of Pathways for Change) 508-852-7600 MAC@CentralMassPFC.org (email) 508-852-7870 (fax) www.CentralMassPFC.org
- Battered Women’s Resources, North Central Massachusetts: 978-537-8601

Administrative Agency Resources

- Office for Civil Rights, Boston Office, U.S. Department of Education 5 Post Office Square, 8th Floor Boston, MA 02109-3921 617-289-0111 617-289-0150 (fax) 1-800-872-5327 (TTY: 1-800-437-0833) OCR.Boston@ed.gov Timeframe: Must file within 180 calendar days of alleged incident.
- Massachusetts Commission Against Discrimination One Ashburton Place, Room 601 Boston, MA 02108 617-727-3990 (ext. 588 for TTY) Timeframe: Must file within 300 calendar days of alleged incident.
- Massachusetts Commission Against Discrimination 436 Dwight Street, 2nd Floor, Room 220 Springfield, MA 01103 (413) 739-2145 Timeframe: Must file within 300 calendar days of alleged incident.

E. REPORTING OPTIONS

The Universities 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 Universities 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 and summarized at Appendix A, 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 Universities 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 a State University. 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 or as required by law. 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), Student Affairs officials 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 State Universities.

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 EO Director/Title IX Coordinator, Campus Police, the Human Resources, the Office for Student Affairs, the Office of Residence Life and Housing, Office of Community Standards or the Disability Resources Office. 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 Campus Police, who will assist in contacting the appropriate law enforcement agency that has jurisdiction (see below for more information on Criminal Reporting Options).

The Universities 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 EO Director/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 State Universities 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;
- Campus Police;
- Institutional Security Officers;
- Director and Assist./Assoc. Director of Human Resources;
- Departmental Directors and Assist./Assoc. Directors\(^9\);
- 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 Campus 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 Campus 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 in Appendix A, 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 Campus 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 Universities 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, Campus Police will help.

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\(^9\) Those Departmental Directors, Assistant Directors and Associate 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) are not REs under this Policy.
Victims are never required, however, to report an incident to Campus Police or local law enforcement. If a victim elects not to make a criminal report, the State Universities will respect that decision to not report the incident to the police.

If a victim chooses to make a report to Campus Police, the Department will conduct an investigation and, if wished, assist the victim in filing criminal charges against the alleged offender. Campus 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, Campus Police will make every effort to offer female victims/survivors an opportunity to have a female officer present during all interviews. Campus Police also helps the University to evaluate, investigate and resolve complaints under this Policy, and Campus 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) 289-01111, 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 EO Director/Title IX Coordinator, Campus 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 State Universities, 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 State Universities’ drug/alcohol policies. While the State Universities 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 State Universities 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 State Universities’ campus communities are encouraged to promptly report incidents of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation to the EO Director/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 EO Director/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 Campus 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 EO Director/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, subject to the provisions of any relevant collective bargaining agreements. This duty includes, among other things, speaking with the EO Director/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.

F. 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 Campus Police and other University personnel as necessary, the EO Director/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 Universities 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 State 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 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 State Universities and do not trigger an obligation to investigate any particular incident(s). Such events may, however, inform the State Universities’ education and prevention efforts.
4. Statistical Reporting and Timely Warnings Under The Clery Act

The Clery Act requires the State Universities 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. Each State University must also publish an Annual Campus Crime Report concerning reported incidents. The State Universities 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.

G. PROTECTIVE INTERIM MEASURES

The Universities 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 Universities 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 Universities also want victims to understand their reporting options and how to access available interim measures. The Universities 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 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 Universities 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, Campus 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.

H. WRITTEN NOTIFICATION OF RIGHTS, OPTIONS, AVAILABLE RESOURCES, SERVICES AND INFORMATION

The Universities 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;
- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victims services within the institution and in the community;
- a statement regarding the institution’s provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action
- 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 at Appendix 3 of the EO Plan. 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.

I. 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 Universities 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 Universities 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 Universities 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 Universities’ 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 Universities’ prohibition against retaliation.

In addition, the Universities provide annual training to its Title IX Coordinators and Deputy Coordinators, EO Officers, Administrative Investigators, review and appellate body members, responsible employees, Campus 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 Universities 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.

J. 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.

K. 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

L. 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.malegislature.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.malegislature.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://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

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://malegislature.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

**APPENDIX A**

<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>
<tbody>
<tr>
<td>University Counseling Services</td>
<td>Confidential</td>
<td>None, with the following exceptions:</td>
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<tr>
<td></td>
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<td>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.</td>
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<td>If a person presents an imminent threat of harm to one’s self or others, a medical provider may break confidentiality.</td>
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<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, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures.</td>
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<td>De-identified statistical information may be reported to Campus Police in compliance with the Clery Act.</td>
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<tr>
<td>University Health Services</td>
<td>Confidential</td>
<td>None, with the following exceptions:</td>
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<td>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.</td>
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<td></td>
<td></td>
<td>De-identified statistical information may be reported to Campus Police in compliance with the Clery Act.</td>
</tr>
</tbody>
</table>
University Chaplains, Clergy or Pastoral Counselors | Confidential | None, with the following exceptions:
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.
De-identified statistical information may be reported to Campus Police in compliance with the Clery Act.

University Employee Assistance Program | Confidential | None

Off-Campus Medical Providers | Confidential | None

Off-Campus Rape Crisis Centers, Counseling and/or Victim Support Services | Confidential | None

Off-Campus Chaplains, Clergy, Pastoral Counselors | Confidential | None

Local Police or other Law Enforcement | Not Confidential | 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.

**CONFIDENTIALITY AND REPORTING**

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<tr>
<th>Personnel/Organization</th>
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</tr>
</thead>
<tbody>
<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>Personnel/Organization</td>
<td>Confidential Status</td>
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<tr>
<td>Campus Police/Public Safety</td>
<td>Not Confidential</td>
<td>Yes. Campus 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 Campus 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>University Trustees</td>
<td>Not Confidential</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 Confidential</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 Confidential</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 Confidential</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 Confidential</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>
</tbody>
</table>

CONFIDENTIALITY AND REPORTING

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</tr>
</thead>
<tbody>
<tr>
<td>Residence Life Professional Staff</td>
<td>Not Confidential</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>
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<tr>
<td>(including RDs/RAs)</td>
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<tr>
<td>Athletic Coaches, Assistant Coaches and Ethics Administrators</td>
<td>Not Confidential</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>Studio Managers</td>
<td>Not Confidential</td>
<td>Yes. Studio Managers 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>
Deans, Associate and Assistant Deans | Not Confidential | 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.

Academic Department Chairs | Not Confidential | 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.

Academic and Non-Academic Program Directors and Program Coordinators | Not Confidential | 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.

Faculty and Staff Leading or Chaperoning Travel or Overnight Trips | Not Confidential | 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.

Faculty and Staff Advisors to Student Groups | Not Confidential | 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.

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**Sexual Discrimination**

Worcester State University prohibits discrimination on the basis of gender. Title IX of the Education Amendments of 1972 mandates that no person on the basis of sex may be denied benefits or otherwise discriminated against in any program or activity of the University, including but not limited to admissions, academic offerings, extracurricular or collegiate athletic programs, research, housing, or occupational training. Comparable prohibitions are extended to University employees by state and federal law.

**Sexual Harassment**

Sexual harassment occurs in a variety of situations which share a common element: the inappropriate introduction of sexual attention or comments into the work or learning situation. Often sexual harassment involves relationships of unequal power and contains elements of coercion, as when compliance with requests for sexual favors becomes a criterion for granting work, study or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behaviors have a harmful effect on a person’s ability to study or work in the academic setting.

Sexual harassment constitutes sex discrimination as defined under Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Chapters 151B and 151C of the Massachusetts General laws.

Sexual harassment may be described as unwelcome advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature. Sexual harassment can involve a female and male or persons of the same gender when:

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

UNIVERSITY RESPONSE TO SEXUAL VIOLENCE COMPLAINTS
Worcester State University seeks to investigate and adjudicate formal complaints of sexual misconduct in a prompt, thorough, and equitable manner. Accordingly, complainants and respondents are afforded certain rights during the course of an investigation and adjudication, including, but not necessarily limited to, the following:

• The procedures associated with review of an incident will be conducted by individuals who receive annual training on issues related to domestic violence, sexual assault, dating violence, and stalking, as well as how to conduct investigations and hearings that protect victims and promote accountability
• When a student or employee reports that she or he has been the victim of sexual misconduct, regardless of whether the incident may have occurred on or off campus, the University will provide the student or employee a written explanation of the complainant’s rights and options with respect to the report. These include written information concerning: information about the importance of preserving evidence; how and to whom to report crimes; options for notifying law enforcement and campus authorities (and the option to decline to notify such employees); where applicable, the complainant’s rights and the University’s responsibilities concerning orders or protection, no contact orders, restraining orders, or other similar lawful orders issued by a criminal, civil, or tribunal court or by the University.
• Information concerning protection of the complainant’s and other necessary parties’ confidentiality and maintenance as confidential of any accommodations or protective measures provided to the complainant (to the extent that maintenance of such confidentiality would not impair the ability of the institution to provide accommodations or protective measures).
• Options and resources for counseling, health and mental health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for complainants, both within the University and the community.
• Options for assistance in changing academic, living, transportation, and working conditions (regardless of whether the complainant chooses to report the incident to law enforcement).

Procedures for University disciplinary action
This includes a description of each type of disciplinary proceeding used by the University; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how the University determines which type of proceeding to use based on the circumstances of an allegation; a description of the standard of proof (i.e. preponderance of evidence) that will be used during any disciplinary proceeding arising from an allegation; a listing of all possible sanctions that the University may impose following a disciplinary proceeding; and the range of protective measures the University may offer following receipt of an allegation.
• Both the complainant and respondent have an opportunity to provide relevant information and names of relevant witnesses during a proceeding.
• Students are prohibited from participating in an appeals panel for sexual assault cases. In no case are students involved in deliberations related to sexual behavior of other students.
• Both the complainant and respondent may be accompanied to meetings relating to sexual misconduct complaints by an (one) advisor of his or her choice.
• Both the complainant and respondent will receive simultaneous written notice of the outcome of the University’s investigation and adjudication of any complaint of sexual misconduct, the appeals procedure, and any changes to the initial adjudication results before the results are deemed final.
• Neither the institution, nor any officer, employee, nor agent of the University, may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights to avail themselves of the institution’s grievance procedures.
• The University endeavors to investigate and adjudicate sexual misconduct complaints in approximately sixty (60) days’ time unless mitigating circumstances compel a longer duration.

**SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION**
The federal "Campus Sex Crimes Prevention Act" (P.L. 106-386, Sec. 1601) (the "CSCPA"), enacted on October 28, 2000, became effective on October 28, 2002. This law requires institutions of higher education to advise the members of their campus communities of the location where to obtain information concerning individuals employed by, enrolled in, and/or serving at the institution who are registered sex offenders. Under the provisions of the same law, individuals who are required to register with the appropriate state office as sex offenders must inform the state office in which they are registered whenever they enroll in, become employed by, or undertake a vocation at an institution of higher education. The CSCPA requires the state Sex Offender Registry offices to notify an institution of higher education whenever a sex offender on its registry provides notice he or she is enrolled in, employed by, or has undertaken a vocation at that institution and to provide information concerning that individual. The CSCPA does not require institutions of higher education to request information from state sex offender registries.

At Worcester State University, all publicly available information received from state Sex Offender Registry offices will be maintained by the Worcester State University Police Department. Any member of the public who is at least 18 years of age or older may request sex offender information. The information will be provided to any person who is seeking the information for his/her own protection, for the protection of a child under the age of 18, or for the protection of another person for whom the requesting person has responsibility, care, or custody. Information concerning an individual enrolled in, employed by, or undertaking a vocation at Worcester State University who is required to register as a sex offender may be obtained by appearing in person at the Worcester State University Police Department in Wasylean Hall and asking to review the registered sex offender log.

Additional information about persons required to register as sex offenders and how to obtain information concerning such persons may be obtained from the Massachusetts Sex Offender Registry Board, P.O. Box 4547, Salem, MA 01970; 1-800-93-MEGAN; www.mass.gov/sorb or from the Worcester Police Department.
Information from the Sex Offender Registry Board is available concerning those sex offenders who have been finally classified by the Board as Level 2 (Moderate Risk) or Level 3 (High Risk) offenders.

Persons seeking Sex Offender Registry information should be aware there are criminal penalties for use of Sex Offender Registry information to commit a crime or to engage in illegal discrimination or harassment of an offender.

**MISSING STUDENT NOTIFICATION POLICY FOR STUDENTS WHO RESIDE ON-CAMPUS**

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, the Worcester State University Police should be contacted immediately at 508-929-8911. This call will generate an incident report and initiate an investigation to attempt to locate the missing student. WSU has a detailed and specific protocol for conducting missing person investigations, utilizing a wide range of electronic resources as well as making personal contact with friends, classmates, co-workers and relatives.

If WSU determines that a student is missing and has been missing for more than 24-hours, the Worcester City Police Department, the police department of the community where the missing student maintains a home of record, and the person designated as the student’s emergency contact will be notified no later than 24-hours after the student is determined to have been missing. If the missing student is under the age of 21, a missing person notice will be posted on the national police information network. If the missing student is under the age of 18 and is not an emancipated individual, Worcester State will notify the student’s parent or legal guardian immediately after WSU has determined that the student has been missing.

In addition to registering the name of a person as an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Worcester State in the event the student is determined to be missing. If a student has identified such an individual, Worcester State will notify that individual after the student is determined to be missing. Students who wish to identify a confidential contact for this purpose can do so through the Office of Residence Life.

**CRIME STATISTICS**

The Clery Act requires that crime statistics concerning the occurrence of certain crimes reported to campus security authorities be published for the most recent calendar year and the two preceding calendar years for which data is available in the following geographical categories:

- A. On-campus;
- B. In dormitories or other residential facilities for students on campus;
- C. In or on a non-campus building or property; and
- D. On public property.

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10 All missing student contact information that has been provided to the University will be maintained confidentially. This information will only be accessible to authorized campus officials, and it may not be disclosed, except to law enforcement in furtherance of a missing person investigation.
CLERY DEFINITIONS

The Clery Act requires that statistics for the following crimes be reported:

1. **Criminal Homicide**
   a. **Murder (non-negligent manslaughter)**: the willful (non-negligent) killing of one human being by another
   b. **Manslaughter by Negligence**: the killing of another person through gross negligence

2. **Sexual Assault (Sex Offenses)**: any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
   a. **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. This offense includes the rape of both males and females.
   b. **Fondling**: the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
   c. **Incest**: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
   d. **Statutory Rape**: sexual intercourse with a person who is under the statutory age of consent.

3. **Robbery**: the taking or attempting to take anything of value from 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.

4. **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.

5. **Burglary**: the unlawful entry of a structure to commit a felony or theft.

6. **Motor Vehicle Theft**: the theft or attempted theft of a motor vehicle.

7. **Arson**: any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

8. **Weapons Violations**: the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

9. **Drug Abuse Violations**\(^{11}\): 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.

\(^{11}\) The Commonwealth of Massachusetts has changed its laws concerning marijuana use. Worcester State University does not permit use on campus. Though referrals that occur for this conduct are not counted for Clery reporting purposes, students who violate this policy will still face judicial consequences as outlined in the Student Handbook.
10. **Liquor Law Violations**: the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or alcoholic beverages, not including driving under the influence and drunkenness.

11. **Domestic Violence**: 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.

   *To categorize an incident as Domestic Violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.*

12. **Dating Violence** - violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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.

13. **Stalking**: 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.

   *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.

   *Stalking may occur in a range of formats including, but not limited to, in-person, written letters or notes, voice mail, email, texting, following someone utilizing global position system (GPS), video and audio recording, and social networking.*
14. **Hate Crime**: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For purposes of the Clery Act, hate crimes are those that manifest evidence the victim was intentionally selected because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, national origin or gender identity.

Statistics included in this report are taken from a variety of sources, including the Worcester State University Police Department, other campus security authorities, and the Worcester Police Department. The Worcester State University Police Department gathers, compiles, and prepares all statistics for this report.

**CRIMINAL OFFENSES - On Campus is divided into two areas**

**Student Housing** indicating in dormitories or other residential facilities for students on campus. This is a subset of on-campus.

The term “on campus” means:

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 institution’s educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph 1 of this definition, that is owned by the University, but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**CRIMINAL OFFENSES – In or on a non-campus building or property**

The term “non-campus building or property” means

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution. (Worcester State University does not have any recognized student organizations which have off-campus locations or housing facilities.)
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. (Worcester State University non-campus properties include: the Worcester Center for Crafts, Worcester Ice Center, Maplewood Farm, and the Goddard Parking Lot).

**CRIMINAL OFFENSES – On public property**

The term “public property” means all public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus, or immediately adjacent to and accessible from the campus.
## REPORTED CRIMINAL OFFENSES

<table>
<thead>
<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>ON-CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING</th>
<th>NON-CAMPUS PROPERTY</th>
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* On-campus property statistics is INCLUSIVE of, not in addition to on-campus student housing.
## VAWA Reported Offenses

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<tr>
<th>OFFENSE</th>
<th>YEAR</th>
<th>ON-CAMPUS PROPERTY</th>
<th>ON-CAMPUS STUDENT HOUSING</th>
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## Arrests and Disciplinary Referrals

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<th>OFFENSE</th>
<th>YEAR</th>
<th>ON-CAMPUS PROPERTY</th>
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<td>2018</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disciplinary Referrals: Liquor Law Violations</td>
<td>2016</td>
<td>172</td>
<td>152</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>2017</td>
<td>183</td>
<td>179</td>
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<td>0</td>
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<tr>
<td></td>
<td>2018</td>
<td>140</td>
<td>132</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

* On-campus property statistics is INCLUSIVE of, not in addition to on-campus student housing.

**Hate Crimes:** 2016: One on-campus vandalism incident characterized by racial bias. There were no reported Hate Crimes for the years 2017 or 2018.
2018 CAMPUS FIRE SAFETY ANNUAL REPORT

OVERVIEW
The Higher Education Opportunity Act (Public Law 110-315), enacted in August 2008, requires Worcester State University to produce an annual fire safety report outlining fire safety practices, standards and fire related statistics for on campus housing facilities. The following Fire Safety Annual Report contains all required information relating to Worcester State University.

Fire Alarm and Suppression Systems
All on-campus residence halls are equipped with fire alarm and sprinkler systems which meet state and local fire safety codes. The fire systems in all on-campus residence facilities consist of horns and strobe lights that alert residents to an alarm and which are remotely monitored at the University Police Department operation center. On-campus residence halls are also equipped with fire rated smoke/fire doors designed to impede the spread of smoke and/or fire. Regular and frequent inspections are conducted by University Police, Residence Life and Facilities who report fire hazards in the residence halls and facilitate prompt resolutions. Upon receipt of a fire alarm, University Police are immediately dispatched and the Worcester Fire Department is notified. Worcester State University’s on-campus housing consists of a variety of configurations, including traditional dormitory style buildings, chalet style houses and suite style facilities. Fire safety equipment is reviewed and tested annually to identify areas of concern or where additional equipment may be necessary.

Policies on Rules for Electrical Appliances, Smoking and Open Flames
All electrical appliances must be UL approved. Cooking appliances such as hot pots, hot plates, coil water heaters and any other appliances with open heating elements that may be fire hazards are prohibited. Residence Life has approved microwave ovens for use in student rooms. Fire codes prohibit students from bringing their own furnishings unless it has a CAL 133 rating, furnishings such as beds, desks, etc., are provided. Flammable items and decorations such as fishnets, tapestries, etc., hung from the ceilings, walls, etc. are prohibited. Open-air fires are prohibited in the residence halls and surrounding areas. This includes but is not limited to candles, incense and space heaters. For a detailed list of approved appliances, etc. and policy statements please refer to the Residence Hall Handbook. The only exception to this rule is barbecue grills (charcoal only) placed in several areas of Chandler Village. Gas grills, wood fires, etc. are prohibited. Chapter 143 of the Massachusetts General Laws prohibits smoking in schools, colleges, universities, public buildings and institutions.

WSU is a Tobacco-Free Campus Smoking and/or the use of tobacco products, including any nicotine delivery system, will not be permitted in or on University property, University-leased property, including buildings, dormitories, grounds, community garden, athletic fields, walkways, parking lots, and bus stops; all other property (enclosed or outdoors) owned, leased or operated by the University. The use of any tobacco products, including smokeless tobacco, and nicotine delivery systems is prohibited on any property owned or leased by the University.
FIRE SAFETY TRAINING AND EVACUATION PLANS FOR RESIDENCE HALL STAFF AND RESIDENTS

The Office of Residence Life in conjunction with the University’s safety officer regularly reviews evacuation plans for all on-campus residence halls. Equipment vendors/manufacturers complete annual testing of smoke detectors and other individual system components to insure their proper operation and communication with the fire alarm reporting systems. Fire evacuation drills are completed each semester to evaluate all aspects of the evacuation process and to review/implement changes as necessary. Students residing on campus are referred to the Residence Hall Handbook located on the Residence Life Department website, fire safety specific policies are identified below.

FIRE DRILLS

A fire drill is a supervised practice of a mandatory evacuation of a building. Fire drills are conducted in every residence hall each year in coordination with the Worcester State University Police Department, Facilities, and the Office of Residential Life and Housing. These drills are unannounced and are performed to test:

- Residents’ reaction to the fire alarm signal;
- Residents’ knowledge of building emergency evacuation plans;
- Response time of University emergency responders; and
- Systems functioning

All fire drills are monitored by the Worcester State University Police Department. The Worcester State Facilities Department documents the results of each drill. The Worcester State University Facilities and/or Police Department may recommend improvements or to repeat the drill based on the outcome of any given drill.

SPECIFIC FIRE RELATED POLICIES

Worcester State University’s fire-related policies aim to provide students, faculty, and visitors with the information intended to enhance fire prevention and safety. These policies are disseminated through periodic trainings on basic fire awareness and safety for students and employees and through this Report.

Worcester State University students, staff, and faculty are instructed to report all fire-related emergencies to the University Police Department at 8911/8044 from any campus phone, or 508-929-8911/508-929-8044 from an outside line to reach the Department’s recorded emergency line. WSUPD will in turn notify the Worcester Fire Department.

RESIDENCE HALL HANDBOOK POLICIES

EMERGENCY EXITS

Numerous emergency exit doors are located in Dowden Hall, Sheehan Hall, and Wasylean Hall on the first floor and in several stairways. Additionally, each apartment in Chandler Village has one or more emergency/fire exit doors. All of these doors are alarmed, are clearly marked, and are intended for emergency use only. Inappropriate and/ or unauthorized use of these emergency exits by students may result in fines of up to $100 and/or judicial action.
FIRE ALARMS
Do not pull the fire alarm unless there is a fire. Students will be charged for false fire alarms that have to be reset by the Fire Department. Any fire alarm may result in some level of panic or falling during evacuation, which may lead to students being injured. False alarms may also contribute to student complacency and, should there be a real fire, students may not respond. Any student who causes a fire, tampers with fire extinguishers, or falsely pulls a fire alarm may be removed from housing immediately and will face judicial action.

1. Do not let garbage accumulate. Take your trash out to the dumpster.
2. All electrical appliances must be UL approved.
3. Cooking appliances such as hotplates, hot pots, coil water-heaters, toaster ovens, crockpots, etc., may be fire hazards. THEY ARE PROHIBITED.
4. Fire Drills are performed during each semester. Failure to leave your apartment/room may result in judicial action and residential status review.
5. Tampering with/ destruction of smoke detectors, heat detectors and other fire safety equipment will result in a $100.00 fine, along with judicial action, possible removal from the residence halls, plus the cost of parts and labor for all repairs. This includes the covering of smoke detectors.

Any resident who may be aware of a potential fire hazard in his or her area should inform the Office of Residence Life and Housing immediately.

CHANDLER VILLAGE FIRE ESCAPES AND FIRE DECK DOORS
The use of all fire escapes and roof decks is strictly prohibited except in the event of an emergency. Students found using them during non-emergency situations may face judicial action and/or fines. Many third floor apartments have fire decks adjacent to the upper levels. These areas are prohibited and cannot be used except in the case of an emergency. The fire doors are alarmed, and any unauthorized openings may result in fines of up to $100.00 and/or additional judicial action.

FIRES
Open-air fires are prohibited in the residence halls and surrounding areas. This includes but is not limited to candles, incense, and space heaters. The only exceptions to this rule are the barbecue grills (charcoal only) placed in several areas throughout Chandler Village. These are the only areas to be used for barbecues and outdoor cooking. All privately owned gas or charcoal grills, hibachis, etc. are strictly prohibited. Wood fires are not allowed anywhere on campus. Violators are subject to all penalties associated with relevant fire codes, including but not limited to a $100.00 fine and judicial action.

STATISTICAL REPORT
The following are 2016-2018 fire statistics as reported to the Worcester State University Police Department. The statistics are current as of publication of this report.

<table>
<thead>
<tr>
<th>Residence Hall</th>
<th>Fire Alarm Monitoring</th>
<th>Sprinkler System</th>
<th>Smoke Detectors</th>
<th>Fire Extinguishers</th>
<th>Evacuation plans &amp; Placards</th>
<th>Fire Drills</th>
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</thead>
<tbody>
<tr>
<td>Chandler Village</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>2</td>
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<tr>
<td>Dowden Hall</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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<tr>
<td>Sheehan Hall</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>1</td>
</tr>
<tr>
<td>Wasylean Hall</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>3</td>
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### 2016-2018 FIRE LOG

<table>
<thead>
<tr>
<th>Location</th>
<th>Total Fires in Each Building</th>
<th>Fire Number</th>
<th>Cause of Fire</th>
<th>Injuries Requiring Treatment</th>
<th>Number of Deaths</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chandler Village 17</td>
<td>1</td>
<td>1</td>
<td>Unintentional/Open Flame</td>
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<td>Unintentional/Hazardous Products</td>
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<td>$0-99</td>
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<td>Unintentional/Cooking</td>
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<td>0</td>
<td>$0-99</td>
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<td></td>
<td></td>
<td>2</td>
<td>Undetermined</td>
<td>0</td>
<td>0</td>
<td>$0-99</td>
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