



*Jeanne Clery Disclosure of Campus Security*

*Policy and Campus Crime Statistics Act*

# 2023

## Annual Security and Fire Safety Report

Published September 2023



# Table of Contents

## 1. Introduction and Preparation of the Annual Security Report and Disclosure of Statistics

## 2. Worcester State University's Police Department

- Worcester State University Law Enforcement Arrest Authority
- Worcester State University Police Jurisdiction
- Working Relationship with other Law Enforcement Agencies
- Written Memoranda of Understanding

## 3. How to Report a Crime

- Reporting Crimes, Emergencies, and Health and Safety Concerns
- Response to Reports

## 4. Responsibilities of the WSU Community for Personal Safety & Security and the Safety & Security of Others

- Voluntary Confidential Reporting
- Confidential Reporting
- Anonymous Reporting
- Campus Security Authorities
- Confidentiality and Privacy Considerations
- Statistical Disclosure of Incidents

## 5. Campus Facilities

- Security and Access to Campus and Facilities
- Break Housing
- Parking
- Campus Alarms
- Maintenance of Campus Facilities

## 6. Emergency Communications

- Emergency Notifications
- Timely Warnings
- Methods of Communication
- Emergency Response
- Evacuation Procedures
- Shelter in Place/Lockdown

## 7. Crime Prevention, Awareness, and Wellness Programs

- Crime (including Sexual Assault) Prevention and Awareness Programs
- Alcohol Policy, Guidelines, and Sanctions
- Drug Policy, Guidelines, and Sanctions
- COVID Vaccination Requirements

## 8. Dating Violence, Domestic Violence, Sexual Assault, Stalking, and Harassment: Policies, Procedures, and Programs (MA State University Policy)

- How to be an Active Bystander
- Statement of Policy Against Discrimination, Harassment and Abuse
- Definitions and Examples of Policy Violations
- Statements and Procedure for Reporting and Response

- Privacy and Confidentiality: Additional Considerations
- Education and Prevention Programs
- Investigation and Resolution Procedures
- Worcester State University On- and Off-Campus Resources
- Statement of Policy Addressing Sex Offender Registration

## **9. Missing Student Policy**

## **10. Crime Statistics**

- Clery Definitions
- Crime Report Statistics for 2020, 2021, and 2022 (Tables)
- Hate Crime Report Statistics for 2020, 2021, and 2022

## **11. Annual Fire Safety Report**

- Fire Safety Training and Evacuation Plans for Residence Hall Staff and Residents
- Fire Drills
- Specific Fire Related Policies
- Fire Safety Systems (Table)
- Fire Statistics for On-Campus Residential Facilities (Table)

## **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 161,600 hours of service through 508 engagement opportunities. Our unique programming—from theater stage productions to guest lectures to resource fairs—attracts thousands to our centrally located campus annually.

Worcester State University offers 80+ undergraduate majors and minors, 39 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 as defined in the *Clery Act*. These primary locations include, but are not limited to, the Worcester Center for Crafts located at 25 Sagamore Road, the Worcester Ice Center, located at 112 Harding Street, and Windstar Farm in Sterling, 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, Office of Community Standards, 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. 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 Employee Services 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 composed of 15-20 full-time sworn police officers, as well as civilian personnel including institutional security officers, and full-time Dispatchers. Emergency Management and Parking & Transportation Management also fall under the purview of the University Police. 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 police academy training and have full police authority to make arrests. The Worcester State University Police enforce state laws, including motor vehicle laws, as well as university rules and regulations. As a result of MA Police Reform, all University Police Officers must be certified through the Massachusetts Peace Officer Standards and Training Commission (POST-C).

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 and all smoke, fire, and carbon dioxide alarm systems. Cameras throughout campus serve as a deterrent and are utilized to investigate crimes and suspicious activities that may occur.

### ***Worcester State University Law Enforcement Arrest Authority***

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 may establish the Worcester State University Police Department; with the Board's authorization, the department members are granted all the same powers, authority, 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 roadways, 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 WSUPD Officers may stop vehicles based on a reasonable suspicion of any crime.

Massachusetts Peace Officer Standards and Training Commission and the Massachusetts Municipal Police Training Committee oversee training requirements for all police officers in Massachusetts, including Worcester State University police officers. Each year, officers must complete annual continuing education and training standard requirements to maintain their POST-C Certification; these include annual in-service training, CPR and First Responder requirements, and firearm qualifications.

### ***Worcester State University Police Jurisdiction***

WSUPD jurisdiction encompasses its Clery geography which includes its core or main campus, campus residence halls, buildings, and/or facilities; designated non-campus long term properties and facilities; public property adjacent to and accessible from on-campus property; and leased, rented, or otherwise recognized and/or controlled buildings, spaces, and/or facilities.

### ***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, and the Massachusetts Association of College Law Enforcement Administrators. Close working relationships are maintained with the Worcester Police Department, the Massachusetts State Police, the Worcester County District Attorney's Office, and the Massachusetts Alcoholic Beverages Control Commission (ABCC). Working relationships have also been established with the US Secret Service, Federal Bureau of Investigation, Department of Homeland Security, US Coast Guard Investigative Services and other local law enforcement agencies throughout New England. 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.



### ***Written Memoranda of Understanding***

Worcester State University Police currently has an active written agreement or Memorandum of Understanding (MOU) with the Worcester Police Department for the investigation of alleged sexual misconduct incidents regarding jurisdiction and contact protocols between the agencies. Worcester State University Police Department also has a MOU with the Worcester Police Department in regards to utilizing Worcester Police Department as a holding facility for arrestees. Additionally, Worcester State University has a MOU through the Higher Education Consortium of Central Massachusetts (HECCMA) with other participating institutions, local, state, and federal agencies to provide a coordinated response to emergency circumstances.

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

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

Campus community members - students, faculty, staff, visitors and guests - are encouraged to report all criminal actions, emergencies, suspicious behavior or other public safety related incidents occurring within the University's Clery geography to the Worcester State University Police Department (WSUPD) in an accurate, prompt, and timely manner. The University's Clery geography (as defined in the "Geography Definitions" elsewhere in this Annual Report, and hereafter referred to as the "University's Clery geography.") includes:

- On-campus property including campus residence halls, buildings, and/or facilities;
- Designated non-campus properties and facilities;
- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus or on-campus property/facilities.

The Worcester State University Police Department has been designated by Worcester State University as the official office for campus crime and emergency reporting. WSUPD strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting ensures WSUPD is able to evaluate, consider and send timely warning notices, disclose crimes through ongoing disclosure processes such as the posting of crimes in the Daily Crime Log and accurately document reportable crimes in its annual statistical disclosure. Worcester State University further encourages accurate and prompt reporting to WSUPD and/or the local police when the victim of a crime elects to, or is unable to, make such a report.

This publication focuses on WSUPD because it has primary responsibility for patrolling the Worcester State University campus and it has been designated as the institution's primary reporting structure for crimes and emergencies. However, criminal incidents or incidents off campus can be reported to the local Worcester Police Department or the agency having jurisdiction over the location. Additionally, as outlined below, the University has also identified a list of primary campus security authorities (CSA) or preferred receivers of reports to whom crimes can be reported.

Primary Campus Security Authorities (CSA) or preferred receivers of reports:

- Call the Worcester State University Police by dialing (508) 929-8911 or on-campus extension 8911
- Report in person to the Worcester State University Police office located at 102 Wasylean Hall

- Crimes or emergency situations can be reported to the Worcester Police Department or local emergency services by dialing 911
- Sex Offenses and other incidents of sexual or relationship violence can also be reported to the University's Title IX Coordinator, by dialing (508) 929-8243 or on-campus extension 8243, or in person at the Student Center room C-344 or by email at: [wsu\\_titleix@worchester.edu](mailto:wsu_titleix@worchester.edu)
- Contact the Office of Employee Services by dialing (508) 929-8117 or on-campus extension 8117, or in person at the HR office located in the Shaughnessy Administration Building room A-313
- Contact the Vice President for Student Affairs/Dean of Students by dialing (508) 929-8077 or on-campus extension 8077, or in person in the Student Center room C-344
- Emergency Red Phones, located at select locations on campus can also be used to contact University Police to report a crime or emergency

### ***Response to Reports***

Dispatchers are available 24 hours a day to answer campus community calls by dialing the business line (508) 929-8044, or on-campus extension 8044 or the emergency line (508)929-8911 or on-campus extension 8911. In response to a call, WSUPD will take the required action by either dispatching an officer or asking the reporting party to go to the WSUPD Office to file an incident report in person. All reported crimes will be investigated by the University and may become a matter of public record. Crime victims are given on and off campus resource information as necessary and appropriate. WSUPD procedures require an immediate response to emergency calls. WSUPD works closely with a full range of city and regional resources to assure a complete and timely response to all emergency calls. Priority response is given to crimes against persons and personal injuries. WSUPD responds to and investigates all reports of crimes and/or emergencies that occur within the University's Clery geography.

To obtain information or request any safety escort services, community members should call WSUPD. Located throughout campus academic buildings are red emergency phones. These phones dial directly to WSUPD for emergency assistance. Exterior phones marked as blue-light phones can also be utilized in an emergency. These phones utilize the WSUPD two-way radio system. Before a dispatcher can answer the phone, a message is automatically relayed telling dispatchers and officers where the activated phone's location.

When placing an emergency call, remember to stay on the line and wait for the dispatcher to end the call. These exterior phones should be used when reporting activities – to include medical or criminal incidents. If a member of the community finds any of these phones inoperative or vandalized, they should call the WSUPD so that the phone can be repaired or replaced as quickly as possible. If assistance is required from the local Worcester Police or Worcester Fire Department, WSUPD will make the necessary contact.

If a sexual assault or rape should occur on campus, staff on scene, including WSUPD, will offer the victim a wide variety of resources and services. This publication contains information about on- and off-campus resources and services and is made available to the Worcester State University community. The information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for Worcester State University.



As mentioned, crimes should be reported to WSUPD to ensure inclusion in the annual crime statistics and to aid in providing timely warning Campus Safety Alert notices to the community, when appropriate. For example, a crime that was reported only to the Worcester State University Counseling Center would not be known to WSUPD, a campus security authority (CSA), or other University official.

## **RESPONSIBILITIES OF THE WSU COMMUNITY FOR PERSONAL SAFETY & SECURITY AND THE SAFETY & SECURITY OF OTHERS**

Members of the Worcester State University community must assume responsibility for their own personal safety and the security of their personal property and are encouraged to assist others. The following precautions provide guidance.

- Report all suspicious activity to WSUPD immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Use the RAVE Guardian App or WSUPD escort service.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Remember to call WSUPD or WPD for help at the first sign of trouble.
- Elect to use the “buddy system” when going out, leaving together and returning together.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Carry your WSU ID and keys at all times and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Always lock the door to your residence hall room, whether or not you are there. Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home. DO NOT PROP INTERIOR OR EXTERIOR DOORS.
- Do not leave valuables in your car, especially if they can be easily noticed.
- Engrave serial numbers or owner’s recognized numbers, such as a driver’s license number, on items of value.
- Inventory your personal property and insure it appropriately with personal insurance coverage.

### ***Voluntary Confidential Reporting***

Worcester State University encourages anyone who is the victim or witness of any crime to promptly report the incident to WSUPD or the local Police Department.

### ***Confidential Reporting***

Students may make confidential reports to Pastoral Counselors and/or Professional Counselors assigned to the Counseling Center. Pastoral Counselors and Professional Counselors when acting in their capacity and function as Worcester State University counselors do not make identifiable reports of incidents to the Official On-Campus Resources unless the student specifically requests them to do so; however, the University encourages counselors, if and when they deem it appropriate, to inform students they can report incidents of crime to WSUPD, which can be done directly or anonymously through the anonymous reporting processes as outlined below.

**Pastoral Services:** A recognized volunteer of the institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Counseling Services:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community, and who is functioning within the scope of his or her license or certification.

Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can be made to the Director of Health Services. The Director of Health Services, in their capacity as a CSA, can make confidential crime reports to WSUPD to ensure inclusion in the annual disclosure of crime statistics without disclosing personal identifying information. The Director of Health Services will work closely with WSUPD in order to allow WSUPD to properly assess reports for timely warning consideration and to avoid double counting of crimes.

### ***Anonymous Reporting***

The Worcester State University Police Department, unless otherwise prescribed by law or as set forth within this Annual Security and Fire Safety Report, does not take anonymous incident reports. The only exception to this policy is addressed below.

**Facilitated Anonymous Reporting:** Students may request a Pastoral Counselor or a Professional Counselor in the Counseling Center to facilitate anonymous reporting using internal procedures designed to capture general details about the incident (date, time, location, and brief description of the incident type) to ensure a statistical disclosure in the University's Annual Security and Fire Safety report.

**Online Anonymous Reporting:** The University allows faculty, staff, and students opportunities to report incidents anonymously, which allows a reporting person to complete a report without providing any personal identifying information. Anonymous reporting can be accomplished using the RAVE Guardian App or Text-a-Tip system. Both options are third-party vendors available 24/7/365 and responses are sent directly to WSUPD Dispatch.

- WSUPD Anonymous Tip can be found at the link below. Instructions for sending the tip are provided on the webpage: <https://www.worcester.edu/university-police/anonymous-crime-tip/>

### ***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):

- Executive Director of Employee Services, Affirmative Action;
- Title IX Coordinator;
- Director of Student Conduct/Office of Community Standards;
- Vice President for Student Affairs/Dean of Students;
- Associate Dean of Students;
- Assistant 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/Provost;
- Academic Advising Center’s Director, Associate Directors and Assistant Directors;
- 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. 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.<sup>1</sup>

Those deemed to be Campus Security Authorities based on their position or role within the University, under the Clery Act reporting requirements, are notified by email and provided training sessions in their responsibilities as CSAs.

Data is 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***

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.

---

<sup>1</sup> Note that under Clery, professional and pastoral counselors acting in a counseling capacity are exempt from the definition of “campus security authority.”

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.

### ***Statistical Disclosure of Incidents***

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, with the exception of licensed mental health counselors, licensed medical professionals and clergy members who are acting in their capacity as a spiritual advisor when they learn of a sexual assault, 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 they wish 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 that occurs on University property or involves a member of the Worcester State community to the Worcester State University Police Department. 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 disclose the occurrence 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 fulfilling Worcester State's obligation to investigate and respond to the report. Every effort will be made to limit the scope of information shared to a minimum amount of detail, and only share information when absolutely necessary.

While federal law requires the Department to report certain types 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)<sup>2</sup>**

### ***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 OneCards. The Worcester State University Police Department's communication center monitors entry into residence halls via the University's alarm monitoring and digital access control system, and in some locations, security cameras. 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 Residence Life directly to address any concerns. The residence halls are locked 24 hours a day. Students are instructed to register guests with the Desk Assistants at Dowden, Sheehan, or Wasylean Halls. Guests are allowed on campus only if they are accompanied by the sponsoring resident student.

Resident students are 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

---

<sup>2</sup> 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.

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 Residence Hall Handbook.

<https://webcdn.worcester.edu/campus-life/wp-content/uploads/sites/56/2023/09/Res-Hall-handbook-2023-24.docx.pdf>

The majority of academic and administrative buildings on campus are open to the public during normal business hours (typically, Monday through Friday, 8:00 AM-5:00 PM, excluding holidays). Some buildings have established additional hours based on the needs of specific departments located within, to conduct evening classes, or facilitate events. With the exception of the Learning Resource Center, all academic buildings are typically secured from 9:00 PM to 6:00 AM. Access for faculty and staff is gained through the access control system. University police provide 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.

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 in the residence halls' keys are made through the Office of Residence Life and Housing. All other requests must 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.

### ***Housing During Breaks***

The residence halls close for Winter Break. Notices of specific times and dates are publicized through the Office of Residence Life and Housing before each break. Housing during breaks for students who cannot return home or leave campus may be provided. Should a student need accommodation during *any* portion of the break, they must submit a request through the Office of Residence Life and Housing.

### ***Parking***

There is limited reserved parking for resident students on campus. Resident students must apply for parking permits. If they qualify, a fee will be assessed based on the location of their authorized parking space. Commuting students are provided with a decal, which is mailed to the students' address on file. Every effort is made to maximize parking on campus, as well as to monitor the flow of traffic throughout the campus to better ensure 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 randomly 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 emergency call boxes at select locations on campus. These phones are 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 the Office of Residence Life and Housing 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 both the immediate and long-term needs of the affected segment(s) of the community, and coordinates deployment of the University's resources and 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. Updates to the campus community, when deemed necessary, about any particular case resulting in a Campus Safety Alert may be distributed via blast email and/or through RAVE Alert system; follow-up press releases would be arranged through the Office of Communications and Marketing (MARCOM).

### ***Emergency Notifications (Community Alert)***

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

Once University Police has received such a report, the Chief of Police or designee will confer with the appropriate public official (e.g., fire chief, health department) and any campus officials responsible for managing the on-campus emergency to confirm the following:

- A legitimate emergency or dangerous situation exists in on-campus geography; AND
- The emergency or dangerous situation poses an immediate or imminent threat to members of the campus community.





Emergency notifications/community alerts are issued upon confirmation of an emergency. The Chief of Police (or their 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 available to the Department together with health and safety recommendations and instructions. . As information becomes available to the University, the University Police or the Office of Communications and Marketing (MARCOM) will provide updates to the community.

Emergency Notifications may also serve as a Timely Warning, if the reported incident is also defined as a Clery crime.

### ***Timely Warnings (Community Notification)***

Timely warnings are correspondence provided to notify students, faculty, and staff of Clery Act crimes. Non-Clery Act crimes that may represent a serious or ongoing threat to the campus community and to heighten safety awareness may also be cause for a Timely Warning. A Timely Warning also seeks information that may lead to the arrest and conviction of the offender when violent crimes against persons or substantial crimes against property have been reported.

Timely Warnings are correspondence provided to notify student, faculty, and staff of Clery Act crimes, or Non-Clery Act crimes that may represent a serious or continuing threat to the campus community and to heighten safety awareness. Timely warnings are disseminated as soon as pertinent information is available. Information reported to a Pastoral or Professional Counselor may not trigger a Timely Warning.

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.

Timely Warning Notifications are written and distributed by staff in the University Police, or the Office of Communications and Marketing (MARCOM). Timely Warning notices are distributed via the RAVE system to the Worcester State University community via campus-wide email, phone calls and posted on the homepage of the website. Notification through RAVE Guardian or via text message are also available if a user prefers. The determination whether to disseminate a Timely Warning will be decided by the Chief of Police (or their designee) and in consultation with others, when time permits. The Timely Warning notice will not include any information that would identify the reporting party.

### ***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. The University will distribute a final notification confirming that emergency conditions have subsided. 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.

### ***Methods of Communicating Timely Warnings and Emergency Notifications***

The safety of the students, faculty and staff is the number one priority of the Worcester State University Police Department. The ability to quickly provide notice, accurate information and instructions with minimal 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 human-caused and natural disasters. 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. A copy of test results will be kept on file controlled by WSUPD or a designee.

The WSU Alert system will be used when it is determined that there is a significant emergency or dangerous situation 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 11,000 account holders within approximately 3 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 pre-subscribed through WSU Alert to receive such messages. These text messages are received on the subscriber's mobile phone.

WSU Alert text messages reach an estimated 7,500 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)
- WSU website
- Local radio and television media
- Fire alarms within buildings
- Outdoor loudspeaker at Coughlin Field
- WSUPD Police sirens
- Handheld megaphones

### ***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
- Desktop PC notification (Alertus)

### ***Emergency Response***

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.

### ***Evacuation Procedures***

Students and employees should make themselves aware of and learn the locations of the emergency exits in the residence halls as well as other campus buildings. WSUPD officers do not tell building occupants in advance about the designated locations for long-term evacuations. Decisions on where to set up long-term evacuation venues are affected by time of day, location of the affected building, the availability of designated emergency gathering locations on campus. University staff will communicate information to students regarding the developing situation or any evacuation status changes.

In the event of natural disasters, civil disturbances, and active threats, WSUPD shall assist with the safe evacuation of those utilizing the University's facilities whenever possible.

If large-scale events occur that are beyond the resource capabilities of WSUPD and the University, officials will request assistance from outside emergency resources such as the City of Worcester Police and Fire, State Police, City of Worcester Emergency Management, and/or Massachusetts Emergency Management Agency. The need to implement evacuation procedures from a building or the entire campus is based upon information received by Worcester State University.

The information may be in the form of instructions or advice from the City of Worcester Emergency Management, the Governor's Office, or another officially recognized agency. Full or partial evacuations may be necessary as a protective action to reduce campus community members' exposure to a hazard. Protective actions reduce TIME of exposure, create DISTANCE, or provide SHIELDING from a specific hazard. Hazards that may require an evacuation include:

- Fire
- HAZMAT release
- Bomb threat or suspicious device/package
- Hostile intruder
- Massive utility failure
- Severe weather conditions
- Hazard that renders facilities uninhabitable

***Exercise of Judgment and Contingencies:*** When situations arise for which the procedures to be followed are not fully prescribed in the University's Comprehensive Emergency Management Plan (CEMP), responsible personnel will be expected to exercise good judgment, make appropriate decisions, and provide any support necessitated by the situation.

As part of the decision-making process relative to an evacuation, the evacuation must be able to be completed before the arrival of a hazard. When there is little to no warning time, a shelter-in-place order may be more appropriate. Additional factors to consider beyond warning time when deciding on whether or not to evacuate include:

- Size and geographical area affected
- Population density of the surrounding area
- Capacity and condition of the road network
- Are sufficient transportation resources available – University transportation, public transportation, and private transportation?
- Are there safe alternatives?
- Ability of campus facilities to provide shielding from the hazard
- Ability of facilities to support the population
- Local considerations and local police and emergency resources support

***Scope of an Evacuation:*** The scope of an evacuation can include a single building, a group of buildings, and/or a large geographical area. The scope could go beyond the borders of the institution, and/or the University may be impacted by an evacuation initiated by the local authorities. Size and scope considerations must be included in the overall decision-making process.

## **Building Evacuation**

- All building occupants are required to evacuate when the fire alarm sounds or upon the order of an authorized University official, such as a WSU Police Officer.
- If time permits, stabilize lab procedures, turn off stoves and ovens, and unplug or disable any device that could make a dangerous situation even worse.
- Move to the closest exit and proceed down the EXIT stairwell in a safe and orderly manner. Take personal belongings with you. Do NOT use elevators.
- Remain at least three hundred (300) feet outside of the building and await further instructions.
- Keep roadways open, and beware of approaching emergency vehicles. Notify emergency responders of anyone trapped, especially anyone with a physical disability.

## **Large-scale Campus Evacuation**

- If evacuation of part or all of the campus is necessary, monitor text message/voice alert system, email, and the University's website for additional information.
- Those in need of transportation will be directed to areas to await transport to an off-campus site.

**General Evacuation Procedures:** At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify WSUPD by dialing (508) 929-8911 or on-campus extension 8911 or by dialing 911 for outside emergency responders.

- Remain Calm.
- Do NOT use Elevators. Use the Stairs.
- Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform WSUPD or the responding fire department of the individual's location.
- Once outside, proceed to a clear area at least 300 feet from the building.
- Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

## ***Methods of Communication***

Communication methods include activating WSU ALERT, the WSU Emergency Notification System utilizing email, text messaging, social media platforms 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 Office of Communications and Marketing (MARCOM). This system may be used to send messages to the University community utilizing the following electronic WSU communication resources: Email, Text Messaging, Social Media, and RAVE Guardian (if signed up).

Once enrolled or employed at WSU, your University email will automatically be set to receive these messages. All community members are strongly encouraged to add their mobile device to their account to receive text messages on their personal mobile phone. To do so, you must register your information at <https://www.getrave.com/login/worcester>

- 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'

### ***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.

**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 City of Worcester Police, or Fire Department personnel are on scene, follow their directions.

**How You Will Know When to "Shelter in Place?":** A shelter in place notification can come from several sources, including the Worcester State University Police Department, the WSU Emergency Response Team, the City of Worcester Fire Department, or the City of 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.

**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, incoming students and their parents/guardians are informed of resources offered by the Worcester State University Police Department and other departments such as the Office of Title IX, Counseling Services, Office of Community Standards, and Health Services.

Prevention Programs related to Sexual Assault, Domestic Violence, Dating Violence, Stalking, and other crimes are offered throughout the academic year. . 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, faculty, and employees through crime prevention posters, security alerts, videos, and social media. In addition, representatives from University Police, Counseling Services, Health Services, and other offices within Student Affairs offer presentations and facilitate passive programs such as educational tables and bulletin boards across campus.

### ***Safety Workshops***

Worcester State University provides training and workshops on a wide variety of safety and security related subjects including, but not limited to data security measures, alcohol and drug awareness, and bystander intervention. Worcester State University Police personnel routinely patrol residential areas on campus in an effort to familiarize students with the officers, deter crime, and enhance communication between students and the Department. Officers will take part as guest lecturers in classes or assist student leaders with programming needs upon request.

### ***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 a 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 for staff and students twice a semester.

### ***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(s). This allows officers to address areas of concern for specific groups, provide familiarity with officers, and 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. 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; however, it can also be requested by a group or team. Additional classes, within the R.A.D. program, are also offered as requested, including: RAD Keychain Defense, Advanced Self Defense, and Weapons Defense. Contact Captain Donald Brickman at [dbrickman@worcester.edu](mailto:dbrickman@worcester.edu).

### **CRIME (INCLUDING SEXUAL ASSAULT) PREVENTION AND AWARENESS PROGRAMS**

The Division of Student Affairs works collectively across campus to offer 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.

### ***Online Sexual Assault prevention modules (Ever-fi and Vector Solutions)***

Currently four programs are required for all incoming freshmen students: Alcohol Edu, Sexual Violence Prevention, Diversity, Equity and Inclusions, and Mental Wellbeing. These programs offer educational information and personalized feedback for students. The first part of the program is typically completed in the summer before first year students 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. These courses are also required for transfer students, graduate students, and athletes.

### ***BASICS (Brief Alcohol Screening and Intervention for College Students)***

*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 as needed, throughout the year.*

### ***Behind Closed Doors***

RA training in which RAs practice supporting a survivor held annually during summer training.

### ***Clothesline Project***

Sexual Violence Awareness Campaign displayed annually in Sheehan Hall in the spring semester.

***Can I Kiss You?:*** Consent presentation by the Center for Respect hosted in April.

**Consent and F.R.I.E.S:** (Freely Given, Reversible, Informed, Enthusiastic, and Specific) tabling at Wellness Expo and a social media/awareness campaign held in the spring.

**Domestic Violence Education:** Domestic violence roundtable with athletes held annually in the spring.

**Dragon-line Project:** Panel display of stories of violence against ALANA/BIPOC and LGBTQIA+ women.

**Empty Place at the Table:** memorial display by YWCA Central MA honoring those who have lost their lives to domestic violence in MA over the past year.

**Fresh Check Day/Rise Up One Love booth:** is a yearly event to boost awareness about healthy relationships at the annual mental health event.

**NCAA Life Skills:** is coordinated by Athletics with collaboration from the Office of Title IX, Counseling Services and Residence Life. The Life Skills program offers a variety of programs for student athletes. Topics vary from team building, mental health awareness, leadership building, etc. Varsity athletes are required to attend, typically held in the fall.

**One Love, Behind the Post:** One Love class workshop on healthy vs unhealthy relationships and the impact of social media. Offered multiple times in the fall semester, for classroom workshops and RA Training

**Pathways for Change:** is a local (Central MA) support service for any person impacted by sexual violence and provides education to help end sexual violence; biweekly tabling throughout the year.

**Red Flag Campaign:** Flags to represent signs of unhealthy relationships are displayed on campus in October each year.

**Sexual Violence Education and Prevention:** Class presentation/workshop on sexual violence and prevention provided six times throughout the year with a primary audience of first year students.

**Title IX and Trauma Informed Approach:** training to faculty, staff, student leaders, and first year students offered multiple times throughout the year.

**We Speak Up:** is WSU's pro-social behavior and bystander empowerment/intervention program that educates students to be proactive in helping others and offered multiple times throughout the year.

### ***Sexual Assault Violence Education (SAVE) Task Force***

The Sexual Assault and Violence Education (SAVE) Task Force is a collaborative effort of individuals across academic and student affairs, working together to coordinate sexual and relational violence education and prevention efforts campus wide. The Task Force is composed of administrators, staff, faculty and students representing various campus divisions, departments and disciplines, who are committed to "cultivating a vibrant campus life... in which all members of the WSU community feel welcomed, included, respected, empowered and valued" (Worcester State University, Strategic Plan). Through campus wide programming, training and resources, the task force will help to provide a safe, healthy and supportive campus climate, free of sexual and relational violence.

### ***Bias Incident Response Team (BIRT)***

The Bias Incident Response Team (BIRT) is responsible for providing a comprehensive approach to addressing incidents of bias that challenge the university's mission, core values, civility policies, Policy Against Discrimination, Discriminatory Harassment and Retaliation, and efforts toward improving campus climate. BIRT is composed of faculty, staff, and students who represent various divisions, departments, and disciplines and are committed to creating a safe and welcoming campus environment.

### ***Behavioral Intervention Team/Student Intervention Team***

The Behavioral Intervention Team/Student Intervention Team at Worcester State University takes a multidisciplinary approach to address reports of disruptive, problematic, or concerning student behavior prior to a critical incident and, as recommended by the National Behavioral Intervention Team Association, tracks "red flags" over time, detecting patterns, trends, and disturbances in individual or group behavior. The Behavioral Intervention Team's response to these reports is a proactive approach that balances the needs of the student who may be/is in crisis and the overall safety of the campus community.

### **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<sup>3</sup>.

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 Vice President for Student Affairs/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.

---

<sup>3</sup> 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.

- 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.

### ***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 the number of violations.

1 RESIDENT STUDENT	COMMUTER STUDENT
General Probation for one semester (15 weeks)	General Probation for one semester (15 weeks)
Complete an online alcohol education course	Complete an online alcohol education course
Parental/Guardian Notification for student under the age of 21	Parental/Guardian Notification for student under the age of 21
2 RESIDENT STUDENT	COMMUTER STUDENT
General Probation for an additional one semester (15 weeks)	General Probation for an additional one semester (15 weeks)
BASICS one on one educational course	BASICS one on one educational course
\$100 fine	\$100 fine
Complete five (5) hours of service	Complete five (5) hours of service
Residence Hall Probation for up to one academic year	Residence Hall Probation for up to one academic year
Parental/Guardian Notification for student under the age of 21	Parental/Guardian Notification for student under the age of 21
3 RESIDENT STUDENT	COMMUTER STUDENT
Disciplinary Probation for one semester (15 weeks)	Disciplinary Probation for one semester (15 weeks)
\$150 Fine	\$150 Fine
Residence Hall suspension for up to one academic year or residence hall expulsion	Permanent No Trespass Notice for the residence halls
Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21
4 RESIDENT STUDENT	COMMUTER STUDENT
Suspension from Worcester State University for no less than (1) semester	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	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	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.*

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

**Class A**

Heroin, Morphine, Flunitrazepam, Gamma Hydroxy Butyric Acid (aka GHB), Ketamine Hydrochloride (aka "Special K")

**Class B**

Cocaine, Codeine, Methadone, Oxycontin and Oxycodone, Amphetamines, Fentanyl, Methamphetamine and its isomers and salts, Phencyclidine (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, Barbitol, 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.

***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.).

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

***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.

***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.

***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.

### ***Medical/Recreational Marijuana***

Massachusetts state law permits the use of medical and recreational marijuana. However, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions, therefore Worcester State University will provide no change to its current drug policies. Please understand that the use, possession or cultivation of marijuana for medical or recreational purposes is not allowed in any Worcester State University property; nor is it allowed at any University-sponsored event or activity off campus.



In addition, no accommodations will be made for any student in possession of a medical marijuana registration card. Worcester State University will release students from the occupancy license (with documentation) who need to use or possess marijuana for medical purposes. Anyone who possesses or uses marijuana at Worcester State University may be subject to civil citation, state or federal prosecution, and university discipline.

***Sanctions – Marijuana/THC***

The following is a chart of MINIMUM sanctions for violations of the Drug Policy (Marijuana/THC). 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 the number of violations.**

<b>1</b>	<b>RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
	General Probation for one semester (15 weeks)	General Probation for one semester (15 weeks)
	Complete an online drug education course	Complete an online drug education course
	\$100 fine	\$100 fine
	Complete five (5) hours of service	Complete five (5) hours of service
	Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21
<b>2</b>	<b>RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
	Disciplinary Probation for one semester (15 weeks)	Disciplinary Probation for one semester (15 weeks)
	BASICS one on one education course	BASICS one on one education course
	\$150 fine	\$150 fine
	Complete ten (10) hours of service	Complete ten (10) hours of service
	Residence Hall Review+	Residence Hall No Trespass for up to one academic year
	Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21
<b>3</b>	<b>RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
	Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks	Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks
	\$200 fine	\$200 fine
	Residence Hall suspension for up to one academic year	Permanent Residence Hall No Trespass
	Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21
	Referral to Worcester State’s Student Intervention Team	Referral to Worcester State’s Student Intervention Team
<b>4</b>	<b>RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
	Suspension from WSU for no less than one (1) semester	Suspension from WSU for no less than one (1) semester
	Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21

+ Residence Hall Review: Together the Office of Community Standards 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.

## 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 the number of violations.

### Level

Levels may be increased with the number of violations.

<b>1 RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
General Probation for two semesters (30 weeks)	General Probation for two semesters (30 weeks)
BASICS one on one educational course	BASICS one on one educational course
\$100 fine	\$100 fine
Complete five (5) hours of service	Complete five (5) hours of service
Residence Hall Probation for up to one academic year	Residence Hall No Trespass Notice for up to one academic year
Parental/Guardian Notification for student under the age of 21	Parental/Guardian Notification for student under the age of 21
<b>2 RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
Disciplinary Probation for one semester (15 weeks)	Disciplinary Probation for one semester (15 weeks)
\$150 fine	\$150 fine
Complete ten (10) hours of service	Complete ten (10) hours of service
Residence Hall suspension for one academic year	Permanent No Trespass Notice for the residence halls
Parental/Guardian Notification for student under the age of 21	Parental/Guardian Notification for student under the age of 21
<b>3 RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)	Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)
Residence Hall Expulsion and/or suspension from Worcester State University	May be suspended from Worcester State University
\$200 Fine	\$200 Fine
Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21
Referral to Worcester State's Student Intervention Team	Referral to Worcester State's Student Intervention Team
<b>4 RESIDENT STUDENT</b>	<b>COMMUTER STUDENT</b>
Suspension from Worcester State University for no less than one semester	Suspension from Worcester State University for no less than one semester
Parental/Guardian notification for student under the age of 21	Parental/Guardian notification for student under the age of 21
Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)	Disciplinary Probation for no fewer than 15 weeks and no more than 30 weeks (upon return from suspension if applicable)

## ***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 Title IX and Alcohol & Drug Prevention Education within twenty-four (24) hours of receipt of letter from the Office of Title IX and Alcohol & Drug Prevention Education. 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 Title IX and Alcohol & Drug Prevention Education 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 <https://www.worcester.edu/campus-life/alcohol-drug-prevention-education/> Employees can also seek assistance and support through the Employee Assistance Program if they or a family member are struggling with addiction issues.

### ***Drug and Alcohol Abuse Prevention Program (DAAPP)***

The Drug Free Schools Campuses Regulations (34CFR Part 86) of the Drug Free Schools and Communities Act (DFSCA) requires an institution of higher education (IHE) such as Worcester State University, to certify that it has implemented programs to prevent the abuse of alcohol and use and/or distribution of illicit drugs both by Worcester State University students and employees both on its premises and as a part of any of its activities. The Fall 2023 Annual Report can be found at:

[https://docs.google.com/document/d/16Qai7LJYvBaWOIBY\\_pAYiSeN9GsnHJhh2wNeC1\\_YzfU/edit?usp=sharing](https://docs.google.com/document/d/16Qai7LJYvBaWOIBY_pAYiSeN9GsnHJhh2wNeC1_YzfU/edit?usp=sharing)

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

The following policy is from the Equal Opportunity, Diversity and Affirmative Action Plan for all Massachusetts State Universities. The policy below is from the MA State University Title IX Sexual Harassment Policy.

### ***SEXUAL VIOLENCE POLICY (EFFECTIVE AUGUST 14, 2020)<sup>4</sup>***

#### ***Article I. Policy Introduction***

Together, 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 (collectively, “the Universities”) are committed to maintaining safe and healthy learning, living, and working environments that are free from all forms of discrimination and harassment.

Consistent with their commitment, the Universities do not discriminate on the basis of sex in the education program or activity that they operate, and are required by Title IX of the Education Amendments of 1972 (“Title IX”) to not discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment. Inquiries about the application of Title IX to the Universities may be referred to each respective institution’s Title IX Coordinator, to the Assistant Secretary of the Office for Civil Rights, or both.

This Title IX Sexual Harassment Policy (“Policy”) prohibits sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation as defined under Title IX and outlines the procedures for resolution of reports of these behaviors. The Universities provide educational and prevention programs, services for individuals who have been affected by discrimination and harassment on the basis of sex, and accessible, timely and equitable methods of investigation and resolution of complaints.

Previously known as the “Sexual Violence Policy,” the Title IX Sexual Harassment Policy has been amended, and renamed, to be consistent with the Title IX Regulations that became effective August 14, 2020. Additionally, this policy is intended to comply with the reauthorized Violence Against Women Reauthorized Act of 2018 (“VAWA”), including the Campus SaVE Act, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”). The Title IX Sexual Harassment Policy replaces and supersedes the “Sexual Violence Policy” previously contained on pages 13-45 of the Equal Opportunity, Diversity and Affirmative Action Plan (“EO Plan”).

The Universities prohibit all forms of discrimination, harassment, and sexual misconduct. These behaviors are antithetical to the mission of the Universities and, if not covered by this Policy, the Universities ensure that such conduct is prohibited and addressed through the Policy Against Discrimination, Discriminatory

---

<sup>4</sup> This Policy is effective as of August 14, 2020. Complaints made or claims reported prior to August 14, 2020 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.

Harassment, and Retaliation contained in the EO Plan, Student Code of Conduct and/or employee handbooks and collective bargaining agreements.

## ***Article II. Policy Definitions***

### **Actual Knowledge**

Notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the University. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the University. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the University with actual knowledge is the Respondent.

### **Administrative Investigator**

The Administrative Investigator is an impartial fact finder who investigates alleged violations of this Policy by interviewing parties and witnesses, collecting and reviewing statements and other relevant evidence, and providing a detailed, unbiased report regarding the findings of the investigation.

### **Advisor**

A single person of the party's choice, who may be, but is not required to be, an attorney, who may be present in any meeting or grievance proceeding, and who may inspect and review evidence. It is the advisor's responsibility to conduct cross-examination during the live hearing. The advisor's role is otherwise strictly limited to providing direct and non-disruptive assistance to the party.

### **Appellate Administrator/Body**

The Appellate Administrator/Body is annually trained and authorized by the Title IX Coordinator or designee to conduct a review of a decision made regarding an emergency removal, dismissal of a complaint, or decision reached by a Decision Maker(s).

### **Coercion**

Unreasonable pressure or emotional manipulation to persuade another to engage in sexual activity. When someone makes it clear that they do not want to engage in sexual behavior, or they do 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.

### **Complainant**

An individual who is alleged to be the victim of conduct that could constitute sexual harassment under this Policy. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University with which the formal complaint is filed.

## Consent

An understandable exchange of affirmative words or actions, which indicates a willingness by all parties to participate in mutually agreed upon sexual activity. Consent must be informed and freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.

Whether an individual has taken advantage of a position of influence over a Complainant may be a factor in determining consent. 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.

## Day

Day may refer to a calendar day or business day and will be specified in each instance in the Policy. A calendar day is any 24-hour period including weekends and holidays. A business day is a weekday, Monday through Friday, on which the Universities are open. Business days explicitly exclude Saturdays, Sundays, and holidays on which the Universities are closed for regular business.

## Decision Maker

The Decision Maker is trained to participate in the hearing process and private deliberations. Decision Makers determine the relevance of proposed questions during hearings, and issue written determinations of responsibility that include all findings, sanctions, and remedies.

## Education Program or Activity

All operations of the University including locations, events, or circumstances at or in which the University exercises substantial control over both the Respondent and the context in which the sexual harassment occurs, including any building owned or controlled by a student organization that is officially recognized by the University. Additionally, education programs and activities include:

- Operations on campus or on other property owned or controlled by the University, including networks, digital platforms, social media accounts, and computer hardware or software owned or operated by, or used by the University; or
- off-campus incidents in which the University exercised substantial control over both the Respondent and the context in which the behavior occurred.

## Evidence

Information that is presented to establish whether a fact is more or less true. The type and extent of evidence available will differ based on the facts of each incident, but explicitly includes the parties' own statements and statements of witnesses. Evidence may be inculpatory or exculpatory.

Exculpatory evidence is evidence that is favorable to the Respondent in that it exonerates or tends to exonerate the Respondent of responsibility.

Inculpatory evidence is evidence that shows, or tends to show, a person's involvement in an act, or evidence that can establish responsibility.

Evidence must be relevant, according to the ordinary meaning of the word.

Information or evidence protected by a legally recognized privilege (e.g., attorney/client, doctor/patient) is excluded from consideration unless the holder of the privilege has waived the privilege in writing to the Title IX Coordinator.

In addition, in accordance with Title IX regulations and the Massachusetts Rape Shield Law (Mass. G.L. c. 233, § 21B) the Respondent or their Advisor are prohibited from asking questions related to the Complainant's alleged prior sexual behavior or alleged sexual reputation unless offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Outside of the specific allowable exceptions, such information is not considered relevant.

### Force

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, and lack of such resistance cannot be relied upon as the sole indicator of consent.

### Formal Complaint

A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University investigate the allegation of sexual harassment.

### Incapacitation

An individual who is incapacitated by alcohol and/or drugs, whether 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 sixteen (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.

#### Preponderance of Evidence

Preponderance of evidence is a standard of review. Under this standard, conclusions by the Decision Maker must be based on what “more likely than not” occurred, based on available information and evidence. Accordingly, the Decision Maker must determine whether it is more likely than not that the Respondent violated this Policy.

#### Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. A Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

#### Supportive Measures

Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules or dining arrangements, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, restrictions from areas of campus, leaves of absence, increased security and monitoring of certain areas of the campus, statutorily provided leave to employees, and other similar measures.

The University will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

The Title IX Coordinator, or designee, is responsible for coordinating the effective implementation of supportive measures.

### ***Article III. Policy Application***

The Policy applies to all members of the campus communities, including, but not limited to, students, faculty, librarians, staff, visitors, contractors, and applicants for employment or admission, or any other person



participating in an education program or activity of the University. The Policy applies to on-campus and off-campus conduct, including online and virtual, that takes place in the United States within an education program or activity.

The Universities prohibit all forms of discrimination, harassment, and sexual misconduct. These behaviors are antithetical to the mission of the Universities and, if not covered by this Policy, the Universities ensure that such conduct is prohibited and addressed through the Policy Against Discrimination, Discriminatory Harassment, and Retaliation contained in the EO Plan, Student Code of Conduct and/or employee handbooks and collective bargaining agreements.

#### ***Article IV. Policy Dissemination***

Each University will prominently display the contact information for the institution's Title IX Coordinator, including the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

Each University will further prominently display the Title IX policy statement on its website and in each handbook or catalog that it makes available to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the University.

#### ***Article V. Policy Offenses***

##### ***Section V.1 Title IX Prohibited Sexual Harassment***

###### **Sexual Harassment**

The Universities prohibit, under this Policy, conduct on the basis of sex that satisfies one or more of the following conditions:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct; or,
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

Additionally, the behaviors as outlined in subsections (b) through (e) of this section constitute sexual harassment under this Policy.

###### **Sexual Assault**

An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Attempts to commit any of these acts are also prohibited.

###### **Sexual Assault – 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 (or attempts to commit the same). This includes any gender of victim or Respondent.

**Sexual Assault – Fondling**

Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of age and/or because of temporary or permanent mental incapacity

**Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent, which is 16 years old in Massachusetts.

**Incest**

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

**Dating Violence**

Any act of violence or threatened 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 a consideration of the following factors: (i) the length of the relationship, (ii) The type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship. This includes, but is not limited to, sexual, emotional or physical abuse, or the threat of such abuse.

**Domestic Violence**

Includes felony or misdemeanor crimes 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 receiving grant monies, or 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.

**Stalking**

Engaging in a course of conduct directed (directly, indirectly, through a third party or other means) at a specific person that would cause a reasonable person to— (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this Policy, the behaviors must be directly related to that person's sex.

***Section V.2 Retaliation***

Neither the Universities nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX or this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment, but arise out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

The Universities will keep confidential the identity of any individual who has made a report or complaint of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sexual harassment, any Respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g; or FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of Title IX and this policy, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation; however, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### ***Section V.3 Conduct That Is Not Prohibited***

The 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.

### ***Article VI. Consensual Relationships***

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

### ***Section VI.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.

***Section VI.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.

***Article VII. Making a Report***

Complainants have the right to not make a complaint to anyone. A number of reporting options are available and the Universities strongly encourage seeking support from medical, counseling, and other support services.

***Section VII.1 Title IX Coordinator***

Each University has designated and authorized at least one employee to coordinate its efforts to comply with its responsibilities under Title IX, who is referred to as the “Title IX Coordinator.”

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, electronic form (if available), or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the reporting options available at the time of the report. Reports do not constitute a formal complaint under this Policy unless they meet the criteria specified in the Title IX Complaint and Resolution Procedures.

The Title IX Coordinator will assist Complainants in notifying law enforcement, if requested by the Complainant.

The Title IX Coordinator, or designee, is responsible for coordinating the effective implementation of supportive measures and is responsible for receiving and responding to requests for disability accommodations related to supportive measures and participation in the grievance process. The Title IX Coordinator may collaborate with other appropriate offices on campus to provide necessary accommodations under this policy.

The Title IX Coordinator for Worcester State University is:

Jennifer Quinn M.Ed., CHES, CTTS  
Assistant Dean /Title IX Coordinator  
Office: Student Center 338  
508-929-8243

[jquinn@worchester.edu](mailto:jquinn@worchester.edu) or [wsu\\_titleix@worchester.edu](mailto:wsu_titleix@worchester.edu)

### ***Section VII.2 Law Enforcement***

Complainants may file a criminal complaint with Campus Police/Public Safety, the local police department where the incident occurred, and/or other state and federal law enforcement agencies. Complainants can make both a criminal report and a report to the University and do not have to choose one or the other. The Universities encourage victims of crimes to report incidents to the police so that the police can take appropriate measures to help victims and prevent future crimes. In addition to the Title IX Coordinator, Campus Police/Public Safety will help in filing a report with local law enforcement, should the Complainant request assistance.

Complainants are never required, however, to report an incident to Campus Police/Public Safety or local law enforcement. If a Complainant elects not to make a criminal report, the Universities will respect that decision; however, the Universities may have an obligation under the Clery Act to inform Campus Police/Public Safety of an alleged crime, but will not disclose the Complainant's name.

If a Complainant chooses to make a report to Campus Police/Public Safety, an investigation will be conducted and, if the Complainant so requests, they will receive assistance in filing criminal charges against the Respondent. Campus Police/Public Safety can also assist a Complainant in the process of obtaining protective restraining orders and abuse prevention orders for sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

Campus Police/Public Safety have specially trained officers to respond to complaints of sexual assault and dating/domestic violence. Whenever possible, Campus Police/Public Safety will make every effort to offer female Complainants/victims an opportunity to have a female officer present during all interviews.

Reports to law enforcement and/or criminal complaints do not constitute a formal complaint to the University under this Policy unless they meet the criteria specified in the Title IX Complaint and Resolution Procedures.

### ***Section VII.3 Confidential Reports***

Persons who have experienced prohibited forms of sexual harassment under this policy may share information confidentially with designated employees (“Confidential Employees”) who cannot reveal identifying information to any third party unless one or more of the following conditions is present:

- the individual has provided written consent to disclose information;
- there is a concern about imminent harm to self or others;
- the information concerns the neglect or abuse of someone who is a minor, elderly, or disabled; or
- an employee has been charged with providing non-identifiable information for purposes of the Clery Act.

“Confidential Employees” include:

- licensed mental health counselors,
- licensed health care personnel,
- pastoral counselors, or
- clergy who work for the Universities.

Employees may also report such misconduct in strict confidence through the Employee Assistance Program.

Please bear in mind, however, that if one requests certain supportive measures from the University (e.g., extension for 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 providing the requested measures. In such cases, one's privacy will be maintained to the extent that respecting confidentiality will not impair the University's ability to provide the requested measures. One may also confidentially report sexual harassment, sexual assault, domestic violence, dating violence, stalking, and/or retaliation as well as other forms of sexual violence and gender-based harassment to community support resources, which are not required to share information with the Universities.

### ***Article VIII. Resources***

The safety, health and well-being of the campus communities are of paramount importance to the Universities. Any person who experiences any form of sexual assault, sexual harassment, domestic violence, dating violence, stalking, or retaliation, or similar harmful behaviors regardless of whether they are expressly prohibited by this Policy, is strongly urged to speak with someone to get the support they need, no matter when or where the incident occurred. For information on the location, phone numbers, hours and services provided for the campus and community resources listed below, please contact the Title IX Coordinator or Deputy Title IX Coordinator, the EO Officer, Employee Services, Student Life or Office of Community Standards, Residence Life, Health Services, the Counseling Center and/or Campus Police/Public Safety. The information is also listed on each University's website.

### ***Section VIII.1 Immediate Needs***

#### **Assuring One's Safety**

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

#### **Preserving Evidence**

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 prove that a crime occurred, 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.), care should be taken to preserve copies and not delete the original communication.

### **Section VIII.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. One may generally discuss the incident with licensed medical personnel confidentially.

#### **Confidential Medical Resources on Campus**

Students may access the services of the Student Health Center on a confidential basis (Sheehan Hall, (508) 929-8875, M 8:00 am – 8:00 pm Tu-F 8:00 am – 4:00 pm). Employees may seek confidential counseling and referral services from the Employee Assistance Program (“EAP”).

#### **Confidential Community Medical Resources**

Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical-legal exams. One may find more information about SANE services and where to obtain them here: <https://www.mass.gov/ma-sexual-assault-nurse-examiner-sane-program>

#### **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 information about an incident as confidential as possible while assisting in determining next steps, 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.

#### **Confidential Counseling and Support Resources on Campus**

Students may access 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. All community members may access the confidential services of religious/pastoral counselors on campus, if any.

<https://www.worcester.edu/campus-life/health-wellness/counseling-services/>

### **Section VIII.3 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.

#### **National and State Organizations**

- The National Stalking Resource Center: <https://victimsofcrime.org/>
- Stalking, Prevention, Awareness, and Resource Center (SPARC): <https://www.stalkingawareness.org/>
- National Sexual Assault Hotline: 800-656-4673 (24 hour) <https://www.rainn.org/about-national-sexual-assault-telephone-hotline>

- RAINN [Rape Abuse & Incest National Network]: 800-656-4673 (Hotline) [www.rainn.org](http://www.rainn.org) (On-Line Live Chat)
- Safelink MA Hotline: 877.785.2020 (24/7)
- MA Spanish Language Rape Crisis Center Hotline (Llamanos): 800-223-5001(Hotline)
- National Domestic Violence Hotline: 800-799-7233 (24 hour)
- Healing Abuse Working for Change (HAWC): 800.547.1649 (24/7)
- Victim Rights Law Center: 115 Broad Street, 3rd Floor Boston, MA 02110 Phone: 617-399-6720 (legal services for victims of sexual assault) <https://www.victimrights.org/>
- Crisis Text Line for People of Color: Text STEVE to 741741
- The Trevor Project (LGBTQ Suicide Hotline): 866-488-7386
- Trans Lifeline: 877-565-8860
- Our Deaf Survivors Center: VP 978-451-7225, Text 978-473-2678
- MaleSurvivor: <https://malesurvivor.org>
- National Suicide Prevention Lifeline: 800-273-8255 (Hotline)

### **Massachusetts Office for Victim Assistance (MOVA)**

MOVA upholds and advances the rights of crime victims and witnesses by providing outreach and education, policy advocacy, policy and program development, legislative advocacy, grants management, and service referrals. MOVA supports free services throughout Massachusetts to help victims and survivors of sexual assault and rape. These services provide a range of options to support an individual's specific needs, including:

- 24/7 hotline counseling, information, and referral;
- will go with victims to hospitals and/or police stations 24/7;
- will go with a victim to court;
- provide one-to-one counseling and support group counseling; and
- provide primary prevention education, professional training and outreach.

### **Sexual Assault and Rape Services By Region**

<https://www.mass.gov/sexual-assault-and-rape-services>

#### **Greater Boston Area Boston Area**

Rape Crisis Center, Cambridge (BARCC): 800-841-8371 (24-hour hotline) 617-492-6434 TTY  
<https://barcc.org/>

#### **Northeastern Massachusetts**

YWCA North Shore Rape Crisis Center, Lynn/Lawrence/Haverhill: 877-509-YWCA (9922), Spanish: 800-223-5001

Center for Hope and Healing, Lowell: 800-542-5212 Hotline, 978-452-8723 TTY



### **Central Massachusetts**

Pathways for Change, Inc., Worcester: 800-870-5905 Hotline, 888-877-7130

Pathways for Change, Inc., Fitchburg: 800-870-5905

Wayside Trauma Intervention Services, Milford: 800-511-5070 Hotline, 508-478-4205 TTY

Voices Against Violence, Framingham: 800-593-1125 Support line, 508-626-8686 TTY

### **Southeastern Massachusetts**

A Safe Place, Nantucket: 508-228-2111 Hotline, 508-228-7095 TTY

Cape Cod Shelter & Domestic Violence Services (508) 564-7233

Independence House, Hyannis: (508) 771-6702 or Hotline 800-439-6507

Independence House, Falmouth: (508) 548-0533 or Hotline 800-439-6507

Martha's Vineyard Community Services, Oak Bluffs: (508) 693-0032 Hotline or (774) 549-9659 TTY

The Women's Center, Greater New Bedford: Hotline (508)999-6636 or (508) 996-1177 TTY

The Women's Center, Fall River: Hotline (508) 996-3343 or (508) 996-1177 TTY

New Hope, Attleboro: 800-323-4673 Hotline/TTY

The Women's Center, Fall River: 508-672-1222 Hotline, 508-999-6636; TTY 508-996-1177

A New Day, Brockton: 508-588-8255 Hotline, 508-588-8255 or toll free at 888-293-7273

### **Western Massachusetts**

Elizabeth Freeman Center, Pittsfield: 866-401-2425 Hotline, 413-499-2425 TTY Center for Women and Community, Amherst: 413-545-0800 Hotline, 413-577-0940 TTY

NELCWIT, Greenfield: 413-772-0806 Hotline; 413-772-0815 TTY

YWCA of Western Mass, Springfield: 800-796-8711 (24/7) Hotline and TTY; 800-223-5001 Spanish

YWCA of Western Mass, Westfield: 800-796-8711 (24/7) Hotline and TTY

### **Domestic Violence Services**

MOVA supports free services throughout Massachusetts to help victims and survivors of domestic violence. These services provide a range of options to support an individual's specific needs.

<https://www.mass.gov/domestic-violence-services>

#### ***Section VIII.4 Private Non-Confidential Campus Resources***

The Universities offer a variety of resources to those community members who have experienced or been affected by sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation. While the following resources are not bound by confidentiality, they will seek to keep information as confidential as possible and will only share information within the limited group of University personnel necessary to address the issues of prohibited conduct presented.

- Title IX Coordinator (and any Deputies)
- EO Officer
- Campus Police/Public Safety
- Human Resources (Employee Services)
- Housing/Residence Life
- Student Life/Student Affairs
- Office of Community Standards
- Disability Services

The WSUPD Tip Line is also available for confidential reporting. It offers tipsters anonymity, allowing anyone to 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.

### ***Article IX. Employees’ Duty to Report***

Employees of the Universities have reporting obligations, as outlined below.

Reports are not required if knowledge of the potential violations is obtained at public awareness events, in approved research projects, and as part of coursework assignments.

Reports are also not required if made to “Confidential Employees” except where one or more of the following conditions are met:

- the reporting party has provided written consent to disclose information;
- there is a concern about imminent harm to self or others;
- the information concerns the neglect or abuse of someone who is a minor, elderly, or disabled; or
- an employee has been charged with providing non-identifiable information for purposes of the Clery Act.

### ***Section IX.1 Campus Security Authorities (CSA)***

Campus Security Authorities (CSAs) are individuals who by virtue of their University responsibilities, and under the Clery Act, are designated to receive and report criminal incidents to Campus Police/Public Safety so that they may be included and published in the University’s Annual Security and Fire Safety Report (Clery Report). All Employees who are designated as CSAs for the purposes of the Clery Act must immediately provide Campus Police/Public Safety with non-identifying statistical information regarding all reported incidents of sexual assault, dating violence, domestic violence, and stalking. For more information related to CSA’s, please look to the Worcester State University’s most recent Annual Security and Fire Report found on the University Police website, <https://www.worcester.edu/university-police/>

### ***Section IX.2 Employees’ Duty to Report Discrimination, Discriminatory Harassment, and Retaliation***

Behavior prohibited under this Policy may also be prohibited under the Policy Against Discrimination, Discriminatory Harassment, and Retaliation. In terms of reports of discrimination, discriminatory harassment, or retaliation, any trustee, administrator, department chair, program coordinator, manager or supervisor who has knowledge of or receives such a report from a student or other member of the University community is obligated to report the information to the EO Officer or Title IX Coordinator as soon as the employee becomes aware of it. Likewise, any member of the campus community is encouraged to report to the EO Officer or the Title IX Coordinator any conduct of which they have direct knowledge and which they in good faith believe

constitutes discrimination, discriminatory harassment, or retaliation. Any member of the University community who has a question about their reporting responsibilities should contact the Title IX Coordinator or EO Officer.

***Section IX.3 Mandatory Reports Involving Minors and Vulnerable Adult Populations***

Persons under 18 (“minors”) may be students or may be engaged in activities sponsored by the Universities or by third parties utilizing University facilities. Where an employee has reasonable cause to believe that a minor is suffering from abuse, sexual abuse or neglect, including the sexual misconduct prohibited by this Policy, the employee and/or the University may be obligated to comply with the mandatory child abuse reporting requirements established at Mass. G.L. c. 119, §§ 51A-E. In such cases, the employee must immediately report the matter to Campus Police/Public Safety, who, in consultation with other officials, shall contact the Department of Children and Families (“DCF”) and/or outside law enforcement. An employee may also directly contact law enforcement or DCF in cases of suspected abuse or neglect.

Massachusetts law also imposes mandatory reporting requirements for certain occupations where abuse or neglect of individuals with disabilities or who are over age 60 is suspected. For more information, please contact the Title IX Coordinator or Campus Police/Public Safety.

***Article X. 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 Title IX Complaint and Resolution Procedures of this Policy and of the EO Plan, subject to the provisions of any applicable collective bargaining agreements. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Administrative Investigator, Decision Maker, or Appellate Body, and voluntarily providing all documentation that relates to the claim being investigated. The failure and/or refusal of any employee, other than an employee subject to criminal charges or who invokes a Fifth Amendment privilege, to cooperate in an investigation may result in a separate disciplinary action up to and including termination. Such disciplinary action does not constitute retaliation under this Policy.

***Article XI. Amnesty***

Students may be hesitant to report sexual harassment, sexual assault, domestic or dating violence, stalking, or retaliation out of concern that they, or witnesses, might be charged with violations of the Universities’ drug/alcohol policies. While the Universities do not condone such behavior, they place a priority on the need to address sexual harassment and other conduct prohibited by this Policy. Accordingly, the University may elect not to pursue discipline against a student who, in good faith, reports, witnesses, or participates in an investigation of sexual harassment, sexual assault, domestic or dating violence, stalking, or retaliation.

***Article XII. False Reporting***

The initiation of a knowingly false report of sexual 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.

### ***Article XIII. University Response to Sexual Harassment***

When the University has actual knowledge of sexual harassment in an education program or activity of that University against a person in the United States, it will respond promptly in a manner that is not deliberately indifferent.

The University is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

The University's response will treat Complainants and Respondents equitably by offering supportive measures to a Complainant, and by following a grievance process that complies with those outlined in the Title IX Complaint and Resolution Procedures section of this document before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

Upon actual notice, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

#### ***Section XIII.1 Emergency Removal of Respondent***

The University may remove a Respondent from the University's education program or activity on an emergency basis, provided that the University undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

#### ***Section XIII.2 Administrative Leave of Employee***

The University may place an employee on paid administrative leave during the pendency of a grievance process under this Policy when it reasonably concludes that the employee: (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 the specific reason(s) for the paid administrative leave. During the paid administrative leave, the University reserves the right to prohibit the employee from entering upon the University's property or participating in any University activities absent written authorization from an appropriate University official. The status of the paid administrative leave may change over time as determined to be appropriate and effective. The failure of an employee to comply with

the paid administrative leave terms may result in further action or discipline consistent with applicable collective bargaining agreements or employee handbooks.

### ***Section XIII.3 Response to a Formal Complaint***

In response to a formal complaint, the University must follow a grievance process that complies with the Title IX Complaint and Resolution Procedures section of this document.

### ***Article XIV. Written Notification of Rights***

The Universities will notify Complainants alleging sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- an explanation of the options available;
- referrals to confidential assistance and support services from both on- and off-campus resources, including 24-hour services;
- a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- request that the University impose no contact/communication orders or other supportive measures;
- choose whether or not to make a formal complaint, which would initiate a formal investigation, unless the University deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- file no complaint with the University, but receive supportive measures from the University;
- a prompt, thorough, and equitable investigation and resolution of a complaint;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- know, in advance, the names of all persons known to be involved;
- an advisor of their choice who can be present at any time during the complaint resolution proceedings, including the Administrative Investigation. In addition, this Advisor will participate in the live hearing as the representative of the Complainant who shall cross-examine the Respondent and any witnesses, but whose participation in the process is otherwise limited as outlined in this Policy;
- an advisor provided by the University during the live hearing if you do not have one;
- reasonable accommodations for a documented disability during the process;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including inculpatory and exculpatory evidence;
- provide witnesses, including fact and expert witnesses;
- submit questions for the Administrative Investigator to ask witnesses;
- know the status of the case at any point during the process;
- be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);

- file a police report and/or take legal action separate from and/or in addition to the University discipline process;
- seek and enforce a harassment prevention order, restraining or similar court order;
- be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- not file a complaint or seek assistance from local law enforcement, but receive supportive measures from the University;
- be free from any behavior that may be construed by the University to be intimidating, harassing or, retaliatory; and
- have the matter handled in accordance with University policy.

The Universities will notify parties who are Respondents to claims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking under this Policy in writing that they have the following rights to:

- an explanation of the allegation(s) against them, including sufficient details known at the time;
- sufficient time to prepare a response to the allegation(s) before any initial interview;
- referrals to confidential assistance and support measures from both on- and off-campus resources, including 24-hour services;
- request that the University impose no contact/no communication orders or other supportive measures;
- receive a copy of the complaint filed against them;
- know, in advance, the names of all persons known to be involved;
- be presumed not in violation of University Policy and that a determination of responsibility is made at the conclusion of the grievance process;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- an advisor of their choice who can be present at any time during the complaint resolution proceedings, including the Administrative Investigation. In addition, this Advisor will participate in the live hearing as the representative of the Respondent who shall cross-examine the Complainant and any witnesses, but whose participation in the process is otherwise limited as outlined in this Policy. Pursuant to Weingarten, Respondent unit members may exercise their right to a union representative or other University employee at meetings which the unit member reasonably believes may result in discipline, in addition to an advisor of their choice unless such advisor is also the Weingarten representative;
- an advisor provided by the University during the live hearing if you do not have one;
- reasonable accommodations for a documented disability during the process;
- not to have irrelevant sexual history discussed;
- be present at certain meetings and inspect, review and respond to evidence before completion of the investigative report;
- speak and present information on their own behalf, including evidence inculpatory and exculpatory evidence;
- provide witnesses, including fact and expert witnesses;

- submit questions for the Administrative Investigator to ask witnesses;
- know the status of the case at any point during the investigation and resolution process;
- be provided with a copy of the Investigative Report and an opportunity to respond to the report in advance of the live hearing;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);
- be free from any behavior that may be construed by the University to be intimidating, harassing, or retaliatory; and
- have the matter handled in accordance with University policy.

### ***Article XV. Training***

The University ensures that Title IX Coordinators, Administrative Investigators, Decision Makers, Appellate Administrators, and any person who facilitates an informal resolution process receive annual training on:

- the definition of sexual harassment under this policy,
- the scope of the University's education program or activity,
- the Title IX Complaint Resolution Procedures, including how to conduct investigations, hearings, appeals, and informal resolution processes, as applicable, and
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Each University ensures that investigators receive training on issues of relevance to create an Investigative Report that fairly summarizes relevant evidence.

The University ensures that Decision Makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

All available materials used to train Title IX Coordinators, Administrative Investigators, Decision Makers, Appellate Administrators, and any person who facilitates an informal resolution process will be made publicly accessible on the University's website.

### ***Article XVI. Recordkeeping***

The University will create, and maintain for a period of not less than seven years, unless a longer period of retention is required by law, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the University will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity.

If the University does not provide a Complainant with supportive measures, then the University will document the reasons why the University did not provide such measures. The documentation of certain bases of measures does not limit the University in the future from providing additional explanations or detailing additional measures taken.

Furthermore, the University will maintain for a period of not less than seven years, unless a longer period of retention is required by law, records of:

- each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript of the hearing, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity;
- any appeal and the result therefrom;
- any informal resolution and the result therefrom.

### ***Article XVII. Statistical Reporting and Timely Warnings under The Clery Act***

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

### ***Article XVIII. Compliance Concerns***

Persons concerned about the University's handling of a Title IX report or investigation, may bring their concerns to the attention of the University's Title IX Coordinator. Concerns may also be reported 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](mailto:OCR.Boston@ed.gov)

### ***Article XIX. Title IX Complaint and Resolution Procedures***

The Universities have adopted the following grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this policy.

Unless otherwise specified, the provisions, rules, or practices in this grievance process for handling formal complaints of sexual harassment under Title IX apply equally to both parties. Proceedings under the Title IX Complaint and Resolution Procedures shall be prompt, fair, and impartial, and be conducted by officials who receive annual training, as addressed in Article XV.



The Title IX Complaint and Resolution Procedures treat Complainants and Respondents equitably by:

- providing remedies to a Complainant where a determination of responsibility for sexual harassment has been made against the Respondent; and
- following an investigation and hearing process that complies with this section before imposing any disciplinary sanctions or other actions that are not supportive measures against a Respondent.

Remedies are designed to restore or preserve equal access to the University's education program or activity. Such remedies may include the same individualized services described as "supportive measures"; however, remedies may be disciplinary or punitive and place burden on the Respondent.

The Title IX Complaint and Resolution Procedures include an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provides for credibility determinations that are not based on a person's status as a Complainant, Respondent, or witness.

### ***Section XIX.1 Freedom from Bias and Conflict of Interest***

The University requires that any individual designated as a Title IX Coordinator, investigator, Decision Maker, or any person designated to facilitate an informal resolution process not have a conflict of interest or bias for or against Complainants or Respondents generally, or an individual Complainant or Respondent.

### ***Section XIX.2 Parties to a Complaint***

The parties to a complaint are the Complainant, who is the alleged victim of conduct that could constitute sexual harassment; and the Respondent, who is the alleged perpetrator of conduct that could constitute sexual harassment.

A Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the Title IX Complaint and Resolution Procedures.

### ***Section XIX.3 Making a Formal Complaint***

A formal complaint is a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the University formally investigate.

At the time of filing a formal complaint, a Complainant must be participating in, or attempting to participate in, the education program or activity of the University with which the formal complaint is filed. Formal complaints may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, electronic form (if available), or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

The "document filed by a Complainant" may be a document or electronic submission (such as by electronic mail) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

Reports made to University employees, including the Title IX Coordinator and campus law enforcement, do not constitute a formal complaint under this Policy unless they meet the aforementioned criteria in this section.

Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party in the Title IX Complaint and Resolution Procedures.

While the Universities encourage prompt reporting of incidents of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, as well as retaliation, they do not limit the timeframe for filing a complaint under this Policy. Complaints may be filed at any time, but the University's ability to take action may be limited by the matriculation or employment status of Complainants, Respondents, or witnesses. A prompt report will enable the University to most effectively respond to a complaint.

### **Dismissal of a Formal Complaint**

The University must investigate the allegations in a formal complaint. However, if the conduct alleged in the formal complaint would not constitute sexual harassment as defined by this Policy even if proved, did not occur in the University's education program or activity, or did not occur against a person in the United States, then the University must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX and this Policy. A dismissal of a formal complaint under this Policy for one of the aforementioned reasons does not preclude action under another University policy or its Code of Conduct.

The University may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; the Respondent is no longer enrolled or employed by the University; or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted pursuant to this section, the University will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties. Any party may appeal the dismissal of a formal complaint, in accordance with the appeal process described in Section XIX.6(j).

### **Consolidation of Formal Complaints**

The University may consolidate formal complaints of sexual harassment allegations against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Where the formal complaint process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

## **Concurrent Investigations**

In some circumstances, the Respondent's alleged conduct violating this Policy may constitute a potential violation of other University conduct policies such as the Policy Against Discrimination, Discriminatory Harassment, and Retaliation and/or the Student Code of Conduct. To avoid duplicative efforts, the University may undertake a concurrent investigation of the alleged conduct. Where such concurrent investigation takes place, the University will use the Title IX Complaint and Resolution Procedures, provided however that cross-examination in the live hearing may be restricted to only questions relevant to allegations of violations of the Title IX Sexual Harassment Policy. Based on the findings of the concurrent investigation, the Respondent may be subject to disciplinary action for violations of this Policy as well as the Policy Against Discrimination, Discriminatory Harassment, and Retaliation and/or the Student Code of Conduct, as well as other policy violations. If a formal complaint is dismissed in accordance with Article XIX, Section XIX.3 (a), an investigation may continue under other University conduct policies and the procedures prescribed for alleged violations of those policies.

## ***Section XIX.4 Notice of Allegations***

Upon receipt of a formal complaint in writing, the University will promptly provide the following written notice to the parties who are known:

- Notice of the allegations of behavior potentially constituting sexual harassment as defined in this Policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting sexual harassment under this Policy; and the date and location of the alleged incident, if known.
- To a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, other meetings, or hearings with sufficient time for the party to prepare to participate.
- Notice of the Title IX Complaint and Resolution Procedures, including any potential informal resolution process.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Title IX Complaint Resolution Procedures.
- A statement to the parties that they may have an advisor of their choice.
- A statement to the parties that they may inspect and review evidence.
- A statement informing the parties of any provision in this Policy or the University's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the Title IX Complaint and Resolution Procedures.

A Respondent has ten (10) calendar days in which to respond to the complaint after the Notification of Allegations. In cases where a Respondent refuses or fails to participate in the investigation and resolution process, the University may continue the process without the Respondent's participation. The failure of the Respondent to participate in the investigation and resolution process will not prevent the University from imposing discipline or other sanctions when a violation is found.

At any point after receiving the notice of allegations, including during the investigation and live hearing, a Respondent to any formal complaint may agree to the allegations and the recommended sanction(s).

### **Amending Allegations**

If, in the course of an investigation, the University decides to investigate allegations about the Respondent or Complainant that are not included in the original notice of complaint, the University will provide notice of the additional allegations to the parties whose identities are known.

## **Section XIX.5 Resolution Options**

The Title IX Complaint and Resolution Procedures offer two options, the Informal Resolution Option and the Formal Resolution Option.

### **Informal Resolution Option**

Parties may have the option to request to resolve their formal complaint through a voluntary informal resolution process offered by the University (such as mediation) that does not involve a full investigation and adjudication. If the University offers it, the option to participate in an informal resolution process can be chosen when the formal complaint is filed or at any time prior to reaching a determination regarding responsibility. The University can facilitate an informal resolution process, provided that the University has:

- Provided to the parties a written notice disclosing:
  - the allegations;
  - the requirements of the informal resolution process including:
    - the parties' inability to resume a formal investigation arising from the same alleged conduct once a mutually agreed upon resolution is reached through the informal process, and
    - the parties' right, at any time prior to agreeing to a resolution through the informal resolution process, to withdraw and resume the formal investigation procedures with respect to the formal complaint;
  - any consequences resulting from participating in the informal resolution process, including the records that will be maintained;
  - information on the records that will be maintained or could be shared as a result of participation in the informal resolution process, as required or allowable under FERPA, collective bargaining agreements, employee handbooks, or applicable regulations; as required by law; or as otherwise deemed appropriate;
- Obtained the parties' voluntary, written consent to the informal resolution process.

The University will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. Similarly, the University does not require the parties to participate in an informal resolution process.

The matter will be deemed resolved when all parties expressly agree to an outcome that is acceptable to them and to the University. The University will create a written record of any such agreement. The University will also ensure a reasonably prompt time frame for an informal resolution process, if it is offered and utilized. Every attempt will be made to conclude the Informal Resolution Option within sixty (60) calendar days of the date of the request.

### **Formal Resolution Option**

The process for resolving a formal complaint through the formal resolution option consists of three major stages: the investigation, the live hearing, and a possible appeal.

If a complaint has been properly filed, either by a Complainant or signed by the Title IX Coordinator, the University will assign the matter to an Administrative Investigator. The University may also designate other trained and knowledgeable University officials to assist with the investigation. Under circumstances where the University deems it necessary or appropriate, the University may also appoint an external investigator.

Following the investigation, a live hearing will be held and presided over by a Decision Maker who is neither the Investigator nor the Title IX Coordinator. All complaints pursued under the Title IX Complaint and Resolution Procedures will be evaluated under a “preponderance of the evidence” standard. Under this standard, conclusions must be based on what “more likely than not” occurred.

A written determination is issued after the live hearing and parties have the right to appeal the decision on specific permissible grounds, as outlined in Section XIX.6 j.

## **Section XIX.6 Formal Resolution Process**

### **Timeframe**

The University will attempt to investigate a complaint within sixty (60) calendar days after the notification of allegations. If, for good cause, an investigation is temporarily delayed, the University will provide the parties written status updates at reasonable intervals until the investigation is completed that explains the reason for the delay or extension. Good cause for limited delays may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the complexity or severity of a complaint; and breaks in the academic calendar or exam periods. While the University will make reasonable efforts to accommodate the availability of parties, their advisors, and witnesses, a party, their advisor, or a witness may not delay the process indefinitely by refusing to attend or otherwise participate in the process.

The University will attempt to conclude the hearing within fifteen (15) business days of receipt of the Investigation Report.

The University will attempt to conclude the appeal process within thirty (30) business days of receipt of the appeal.

## **Investigation**

The investigation may include, but is not limited to:

- interviews of the parties and other individuals and/or witnesses; and/or reviewing certain documents or materials in the possession of either party or any witness that the Administrative Investigator has deemed relevant;
- consideration of all relevant documents, including written statements and other materials presented by the parties and witnesses;
- evidence collection, including but not limited to, documents, text messages, emails, social media posts and messages, photographs, surveillance camera footage, door lock interrogations, card access records, guest sign-in logs, academic records, employee records and personnel documentation, and law enforcement reports;
- the Administrative Investigator's findings of fact based on the preponderance of the evidence standard;
- the Administrative Investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.

## **Burden of Proof**

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so for a formal investigation.

## **Right to an Advisor of Choice**

The Complainant and Respondent have an equal opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The University does not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding; however, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings. The University maintains the right to remove an advisor from any meeting or proceeding if the advisor is disruptive. The meeting or proceeding may then be delayed to allow the party to secure another advisor.

## **Equal Opportunity to Present, Review, and Respond to Evidence**

Both parties are afforded an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The University does not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

So that each party can meaningfully respond to the evidence prior to conclusion of the investigation, both parties are provided an equal opportunity to review:

- any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
- the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility; and
- inculpatory or exculpatory evidence whether obtained from a party or other source.

The University will provide each party and the party's advisor, if any, any evidence subject to review in an electronic format or a hard copy. The parties will have ten (10) calendar days to review the evidence and submit a written response, which the investigator will consider prior to completion of the Investigative Report.

The Administrative Investigator will review the written responses to the evidence, if any, and, based on the information provided, conduct any additional investigation that may be necessary prior to the completion of the Investigative Report. The University will make all such evidence subject to the parties' review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

### **Investigative Report**

Following the opportunity for the parties to review the evidence and respond in writing, the Administrative Investigator will create an Investigative Report that fairly summarizes relevant evidence, the Administrative Investigator's findings of fact based on the preponderance of the evidence standard and the Administrative Investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.

At least ten (10) calendar days prior to a hearing the investigator will send each party and the party's advisor, if any, the Investigative Report in an electronic format or a hard copy, for their review and written response. The parties have five (5) calendar days to submit a written response to the Administrative Investigator. The Investigative Report and written responses, if submitted, will be forwarded by the Administrative Investigator to the Decision Maker promptly upon receipt of the written responses or upon the response deadline.

### **Live Hearing**

The Title IX Complaint and Resolution Procedures include a live hearing presided over by a Decision Maker.

Parties are requested to give the University five (5) business days of advance notice of the advisor who will accompany them to the live hearing. If a party does not have an advisor, they are requested to notify the University five (5) business days in advance of the hearing so the University is able to provide them with an advisor.

At the University's discretion, live hearings may be conducted in-person or virtually where the parties, witnesses, and other participants are able to simultaneously see and hear each other with enabling technology.

At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision Maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

The University will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for review upon request.

### ***Cross-Examination***

At the live hearing, the Decision Maker(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor and never by a party personally.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision Maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

- such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
- if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party does not have an advisor present at the live hearing, the University will provide that party an advisor of the University's choice to conduct cross-examination on the party's behalf.

If a party or witness does not submit to cross-examination at the live hearing, the Decision Maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Decision Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

### **Determination Regarding Responsibility**

The Decision Maker(s) will make every reasonable effort to submit a written determination regarding responsibility to the Title IX Coordinator within ten (10) business days after the conclusion of the live hearing.



To reach this determination, the Decision Maker(s) will apply the preponderance of evidence standard in all formal complaints of sexual harassment against students, faculty, and staff.

The written determination will include:

- identification of the allegations potentially constituting sexual harassment;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the Title IX Sexual Harassment Policy to the facts; a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and
- the University's procedures and permissible bases for the Complainant and Respondent to appeal.

The Title IX Coordinator will provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

### **Possible Sanctions and Remedies**

#### ***For Faculty and Staff (employee) Respondents***

Disciplinary action taken against an employee shall be regarded as an administrative action, up to and including termination.

Additional disciplinary action shall also be taken against an employee who violates a sanction or sanctions imposed pursuant to this Policy.

#### ***For Student Respondents***

A student who has been found to have violated the Sexual Harassment Policy may be subject to sanctions including, but not limited to:

- reprimand
- fines and/or restitution
- warning
- disciplinary hold
- disciplinary probation
- assessment
- loss of privileges
- educational program or project
- relocation of residence
- revocation of admission or degree
- restriction from facilities or activities
- withholding of degree
- temporary or permanent residence hall suspension
- suspension
- expulsion

In general, the sanction typically imposed for students for rape is expulsion. The sanction typically imposed for students for other forms of sexual assault, domestic violence, dating violence, and stalking is suspension or expulsion. All student sanctions, however, are determined on a case-by-case basis in consideration of: the seriousness of the violation; sanctions typically imposed for similar violations; prior disciplinary history; and any other circumstances indicating that the sanction should be more or less severe.

Additional disciplinary action shall also be taken against a student who violates a sanction or sanctions imposed pursuant to this Policy. Depending on the nature of the violation, such discipline may be imposed pursuant to the provisions of this Policy or pursuant to the applicable provision of the Student Code of Conduct.

### ***Additional Remedies Following Finding of a Violation***

Where necessary, the University will provide additional measures to remedy the effects of a violation. These remedies are separate from, and in addition to, any supportive measures that may have been provided or sanctions that have been imposed. If the Complainant declined or did not take advantage of a specific service or resource previously offered as a supportive measure, such as counseling, the University will re-offer those services to the Complainant as applicable or necessary.

In addition, the University will consider broader remedial action for the campus community, such as increased monitoring, supervision, or security at locations where the incidents occurred, increased or targeted education and prevention efforts, climate assessments/victimization surveys, and/or revisiting its policies and procedures.

### ***Appeals***

Either party may appeal a determination regarding responsibility, a dismissal of a formal complaint, or any allegations therein, on the following bases:

- procedural irregularity that affected the outcome of the matter;
- new evidence that could affect the outcome of the matter was not reasonably available at the time the determination regarding responsibility or dismissal was made; and
- the Title IX Coordinator, investigator(s), or Decision Maker(s) had a conflict of interest or bias for or against either Complainants or Respondents generally, or the individual Complainant or Respondent, which affected the outcome of the matter.

Appeals of the written determination made by the Decision Maker(s) must be submitted within ten (10) calendar days of receipt of the written determination. Appeals of the dismissal of a formal complaint, or any allegations therein, must be submitted within ten (10) calendar days of receipt of the written notification of such action.

The University will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. The Appellate Administrator/Body will not be the same person as the Decision Maker(s) who reached the determination regarding responsibility or dismissal, the Administrative Investigator(s), or the Title IX Coordinator.

The Appellate Administrator/Body will issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

Where practicable, the appeal process will be concluded within thirty (30) business days of receipt of the appeal.

***Section XIX.7 Formal Complaint Resolution Timeline***

The timeline maybe adjusted based upon the considerations set forth in the Title IX Complaint and Resolution Procedures, but no party will be deprived of the minimum review periods provided for in this Policy.

<b>Formal Complaint Investigation Steps</b>	<b>Timeframe</b>
Complaint Received and Notification of Allegations sent to the Respondent	Promptly after formal complaint received
Respondent’s Response	Written response, if any, due 10 calendar days after notice of allegations
Investigation	To be concluded, where practicable, within 60 calendar days of notice of allegations
Evidence Review & Response	Parties have 10 calendar days to review evidence and submit written response
Investigative Report	Provided to parties at least 10 calendar days prior to live hearing
Investigative Report Review & Response	Written response must be submitted by parties at least 5 calendar days before live hearing
Live Hearing	Within 15 business days of receipt of written responses to Investigative Report
Determination of Responsibility	Within 10 business days of conclusion of the live hearing
Appeal Submittal	Due within 10 calendar days of written determination
Appeal Response	To be concluded, where practicable, within 30 calendar days of receipt of written appeal

***How to Be an Active Bystander***

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. If you or someone else is in immediate danger, call University Police at (508) 929-8911, or the local police by dialing 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

### ***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 their 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](http://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 POLICY FOR STUDENTS WHO RESIDE ON-CAMPUS<sup>5</sup>**

For the purposes of this policy, a student may be considered to be “missing” if the person’s absence is contrary to their usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances include a reasonable/reliable report or suspicion that the missing student may be endangered. Examples include, but are not limited to, victim of foul play, expression of suicidal thoughts, alcohol or other drug abuse, a life-threatening situation, or recent contact with person(s) who may endanger the student’s welfare.

### ***Reporting***

If any person has reason to believe that a student who resides in on-campus housing is missing, the Worcester State University Police Department (WSUPD) should be contacted immediately at 508-929-8911. Reports can be made at any time 24/7. This call will generate an incident report and initiate an investigation to attempt to locate the missing student.

### ***Notification Procedures***

Worcester State University’s missing student investigative procedures include the following:

Communication procedures for official notification of appropriate individuals at the University that a student has been reported missing.

Once WSUPD receives a missing student report the following individuals should be contacted:

- Chief of University Police or designee
- Assistant Dean for Residence Life or designee
- Vice President for Student Affairs or designee

If through investigation of a report, the University Police determines a student has been missing they will:

- Notify the local law enforcement agency.
- Contact those designated individuals provided by the student, as their missing student emergency contact person.
  - If a student has not identified such an individual, the University will notify the listed emergency contact person after the student is determined to be missing.
  - If a student is under 18 years of age, and not an emancipated individual, immediately contact the custodial parent(s) or legal guardian(s) of the student, in addition to the student’s missing student contact person.

### ***Procedures for Designation of Emergency Contact Information***

#### **Students age 18 and above and emancipated minors**

Every student who lives in campus residence halls, regardless of age, may register one or more individuals to be a contact strictly for missing persons purposes. The contact person can be anyone and does not have

---

<sup>5</sup> 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.

to be the same contact(s) that identified as emergency contact. The identification of contact individuals will be offered annually or mid-year if a student moves into campus housing.

A designation will remain in effect until changed or revoked by the student.

The student's contact information will be registered as confidential, that this information will be accessible only to authorized campus officials, and it will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

Students under the age of 18

Worcester State University is required to notify a custodial parent or guardian after the student is determined to be missing, if they are under the age of 18 and are not emancipated, that is, not legally independent of their parents. 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.

## **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:

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

## **CLERY DEFINITIONS**

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

### Criminal Homicide

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

Sexual Assault (Sex Offenses): An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **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.

- **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.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.

**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.

**Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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

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

**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.

**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.

**Drug Abuse Violations<sup>6</sup>:** 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.

**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.

**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;

---

<sup>6</sup> 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.

- 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.*

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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—

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

Stalking:

- engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.
- For the purposes of this definition –
  - Course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

*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.*

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. In accordance with the Clery Act, "Before an incident can be classified as a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias."

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:
  - 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
  - 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).
- In or on a non-campus building or property. The term “non-campus building or property” means:
  - 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.)
  - 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. (For the purpose of this report, Worcester State University non-campus properties include: Windstar Farm in Sterling, MA, the Worcester Center for Crafts, Worcester Ice Center, 51 Sever Street, and 140 Goddard Memorial Drive, all located in Worcester, MA).
    - Goddard Memorial Drive is no longer used as of school year 2023-2024, however, statistics for this location would fall under non-campus locations.
- 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.

# STATISTICAL REPORT

2020-2022 REPORTED CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY*	STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
RAPE	2020	2	2	0	0
	2021	4	4	0	0
	2022	6	6	0	0
FONDLING	2020	1	1	0	0
	2021	9	8	0	0
	2022	6	4	0	0
INCEST	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
STATUATORY RAPE	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
ROBBERY	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
AGGRAVATED ASSAULT	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
BURGLARY	2020	0	0	0	0
	2021	1	1	1	0
	2022	1	1	0	0
MOTOR VEHICLE THEFT	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
ARSON	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0

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

2020-2022 VAWA REPORTED OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY*	STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	1	0	0
DATING VIOLENCE	2020	0	0	0	0
	2021	0	0	0	0
	2022	1	0	0	0
STALKING	2020	0	0	0	0
	2021	3	2	0	0
	2022	3	2	0	0

2020-2022 ARRESTS AND DISCIPLINARY REFERRALS					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY*	STUDENT HOUSING	NON- CAMPUS PROPERTY	PUBLIC PROPERTY
<b>ARRESTS:</b> WEAPONS: CARRYING, POSSESSION, ETC.	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> WEAPONS: CARRYING, POSSESSION, ETC.	2020	2	2	0	0
	2021	1	1	0	0
	2022	0	0	0	0
<b>ARRESTS:</b> DRUG ABUSE VIOLATIONS	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> DRUG ABUSE VIOLATIONS **	2020	14	13	0	0
	2021	44	44	0	0
	2022	35	35	0	0
<b>ARRESTS:</b> LIQUOR LAW VIOLATIONS	2020	0	0	0	0
	2021	0	0	0	0
	2022	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> LIQUOR LAW VIOLATIONS	2020	102	102	0	0
	2021	100	99	0	0
	2022	75	75	0	0

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

**Hate Crimes:** There were no reported Hate Crimes for the years 2020, 2021, or 2022.

# 2022 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 may be fire hazards and are prohibited. See the Residence Hall Occupancy License for more information.

The use of microwave ovens is permitted within the residence halls provided that such use is in full accordance with manufacturer operating instructions. For safety reasons, students are not to leave microwave ovens unattended while food is being prepared. It is suggested that students make arrangements with their roommate(s) so that microwave ovens are limited to one per bedroom. Worcester State furnishes student rooms with beds, desks, desk chairs, chest of drawers, and wardrobes.

Fire codes prohibit students from bringing their own furniture unless it has a CAL 133 fire-rating and does not violate fire and safety policies. If you wish to bring your own furniture, be aware that if our staff cannot substantiate its fire code rating, you will be asked to remove it. Personal furniture must not interfere with fire evacuation.

Flammable decorations larger than 2'x3' (e.g., large paper posters, flags, fishnets, blankets, tapestries, carpeting hung from ceiling or on walls, etc.) in all housing units are prohibited. Use of nails, bolts, tacks, picture hangers or other invasive wall anchoring devices are prohibited. Additional information is provided throughout the year.

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. 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. Chapter 143 of the Massachusetts General Laws prohibits smoking in schools, colleges, universities, public buildings and institutions.

### **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 ensure their proper operation and communication with the fire alarm reporting systems. Fire evacuation drills are performed during 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; and
- Systems functionality

All fire drills are monitored by the Worcester State University Police Department. 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 training 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***

All policies can be located in the Residence Hall Handbook at: <https://webcdn.worcester.edu/campus-life/wp-content/uploads/sites/56/2023/09/Res-Hall-handbook-2023-24.docx.pdf>

### ***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.

- Do not let garbage accumulate. Take your trash out to the dumpster.
- All electrical appliances must be UL approved.
- Cooking appliances such as hotplates, hot pots, coil water-heaters, toaster ovens, crockpots, etc., may be fire hazards. **THEY ARE PROHIBITED.**
- Fire Drills are performed during each semester. Failure to leave your apartment/room may result in judicial action and residential status review.
- 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 2020-2022 fire statistics as reported to the Worcester State University Police Department. The statistics are current as of publication of this report.

Residence Hall	Fire Alarm Monitoring	Sprinkler System	Smoke Detectors	Fire Extinguishers	Evacuation plans & Placards	Fire Drills
Chandler Village 1-26	YES	YES	YES	YES	YES	1
Dowden Hall	YES	YES	YES	YES	YES	1
Sheehan Hall	YES	YES	YES	YES	YES	1
Wasylean Hall	YES	YES	YES	YES	YES	1

## 2020-2022 FIRE LOG

Location	Total Fires in Each Building	Fire Number	Cause of Fire	Injuries Requiring Treatment	Number of Deaths	Value
Wasylean Hall	1	1	Unintentional/Electrical	0	0	\$1000-9999
Chandler Village 16	1	1	Unintentional/Cooking	0	0	\$0-99

## REFERENCES

Worcester State University 2023-2024 Student Handbook and Student Code of Conduct

<https://www.worcester.edu/handbook/>

Worcester State University 2023-2024 Residence Hall Handbook <https://webcdn.worcester.edu/campus-life/wp-content/uploads/sites/56/2023/09/Res-Hall-handbook-2023-24.docx.pdf>

Worcester State University Employee Handbook <https://webcdn.worcester.edu/mywoostate-facstaff/wp-content/uploads/sites/67/2022/06/Employee-Handbook.pdf>