



FITCHBURG STATE UNIVERSITY



Annual Security and Fire Safety Report 2019

CLERY COMPLIANCE DOCUMENT

Contains Statistics from 2018, 2017, & 2016

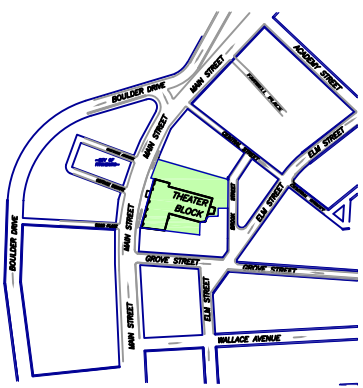
FITCHBURG STATE UNIVERSITY

CAPITAL PLANNING DIVISION
 160 PEARL STREET, FITCHBURG MA 01420
 PHONE: 978-665-3115 FAX: 978-665-3682

CLERY PLAN - SOUTH CAMPUS

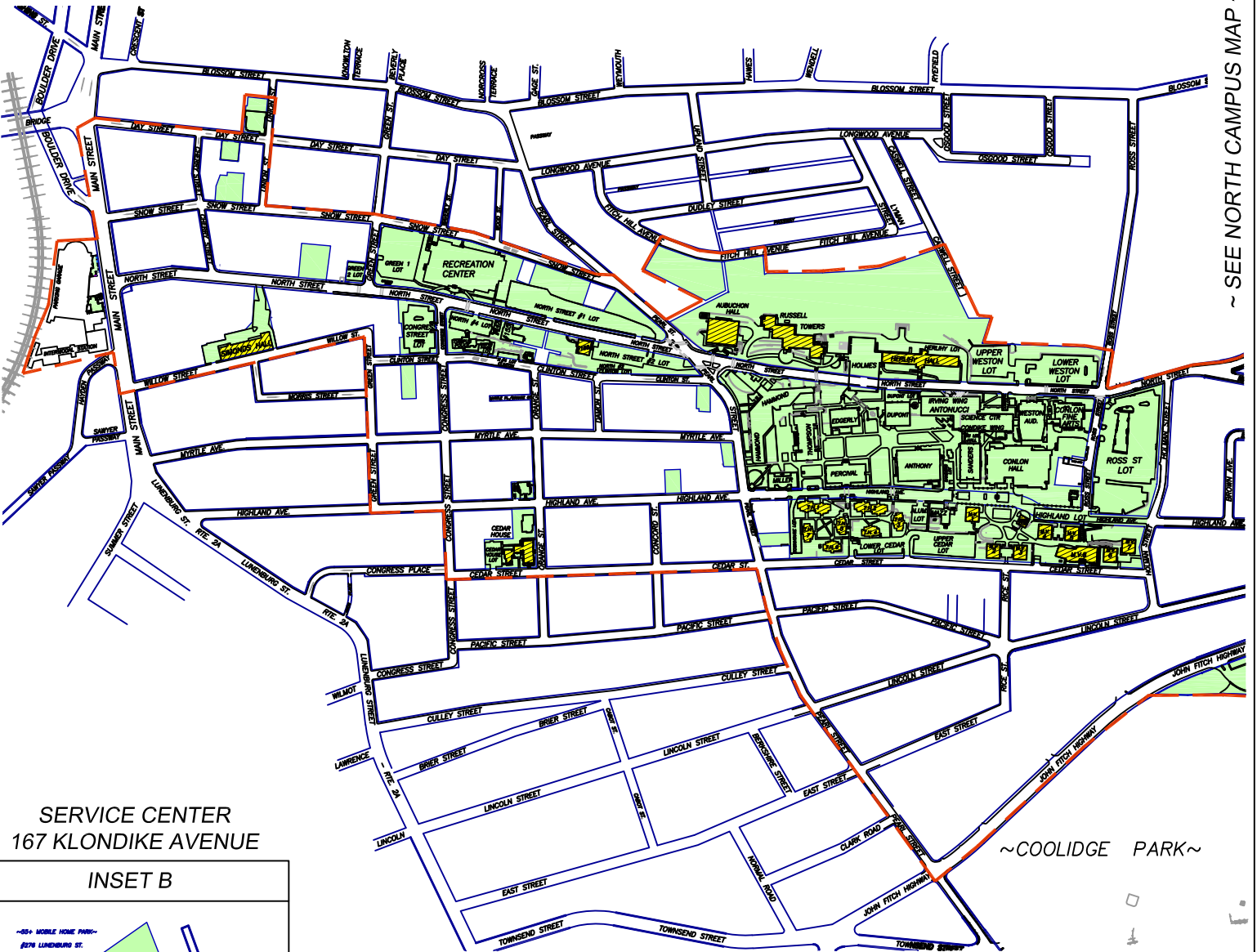
DATE: JULY 12, 2018
 DRAWN BY: H.E.M.

APPROVED BY: PK/MC
 DWG FILE: FSUDIGSAFE



INSET A

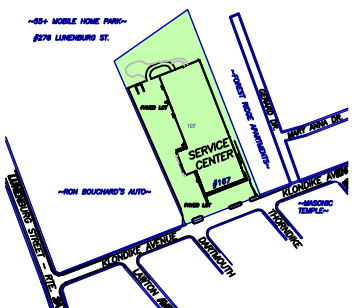
THEATER BUILDING
 689-717 MAIN STREET



~ SEE NORTH CAMPUS MAP ~

SERVICE CENTER
 167 KLONDIKE AVENUE

INSET B



LEGEND

- FSU PROPERTY
- ON-CAMPUS HOUSING
- PATROL AREA BOUNDARY



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A Message from the President

All of us at Fitchburg State University are committed to maintaining a safe and healthy campus community. Each of us play a role in this important effort, with the responsibility to remain observant and report any activity, individual, or incident that poses a threat to the University, to the University Police Department.

To that end, I encourage you to take a few moments to read the following report. It provides information on how you can take an active role in preventing crime and increasing your safety and security while on campus.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, the university publishes this report on an annual basis to provide its students, faculty and staff with an overview of our crime statistics, public safety resources, policies and procedures.

The Clery Act requires colleges and universities to keep records and report annually the crimes occurring on campus, including hate crimes. It also prescribes a number of security-related protocols for emergency response procedures, timely notifications for on-campus crimes and missing students, fire incident reporting, and the like.

Campus crime statistics included in this report are gathered from a variety of sources, including campus and local law enforcement agencies and campus officials with significant responsibility for student and campus activities.

The university also reports the annual crime statistics contained in this report to the U.S. Department of Education. A searchable database containing those statistics can be found at ope.ed.gov/security.

The requirements of the Clery Act are complex, and require significant coordination and organization among campus officials and administrators. All campuses aspire to provide a safe and secure environment for students and staff, and having solid procedures in place well in advance of a crime or other emergency is imperative to that effort.

Sincerely,

Richard S. Lapidus, Ph.D.
President



Introduction of the Annual Security and Fire Safety Report

The information in this report is provided to you as part of the Fitchburg State University's commitment to campus safety, and complies with the requirements of The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), The Higher Education Act of 1965 (HEA) and Massachusetts General Law Chapter 6 § 168C. Beyond the statutory requirements of this report, it is a consumer protection act designed to provide the reader a better understanding of the steps the university and its partners have taken to contribute to the safety of this institution.

This report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings, on property owned or controlled by the University, and on public property within, or immediately adjacent to, and accessible from the campus. The report includes institutional policies as they relate to campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual violence, fire safety requirements, and other matters.

This report is prepared by the University's Clery Compliance Working Group in collaboration with many on-campus entities; including, but not limited to, the Office of the President, the Division of Student Affairs, the Title IX Coordinator, Capital Planning and Maintenance, as well as local law enforcement agencies.

Campus crime, arrests and referral statistics include those reported to the Fitchburg State University Police Department, designated campus officials and local law enforcement agencies. The University Police Department also maintains a daily crime log, which is updated every two days. The crime log contains a list of all crimes reported to Fitchburg State University Police Department. The information is available to the public on the University Police Department's web page.

Each year, an email notification is sent to all enrolled students, faculty, and staff, which notification provides information on how to access the Annual Security Report online.

This report is also available in a hard copy format which may be obtained at the following locations:

Admissions in the Anthony Student Service Center, Room 102.
Human Resources in the Sanders Administration Building, Room 202.
Student Affairs in the Sanders Administration Building, Room 204.
Fitchburg State University Police Department, Lobby



Security and Access

Access to Campus Facilities and Residence Halls

During normal business hours, the campus' Academic and Administrative buildings are open and accessible to the public for studying, working, teaching, and conducting other University business. Each academic building has established its hours based on the needs of specific academic or administrative departments. Academic and Administrative buildings are randomly patrolled by the University Police Department.

The Fitchburg State University Police Department's communication center monitors entry into most residence halls via the university's alarm monitoring and electronic access control system, and in some locations, security camera. Through the communication center, dispatchers have the ability to monitor, which University Identification Card (OneCard) has been given access, which were denied access, and whether an entryway has been held open. They can then dispatch an officer or contact the Office of Housing and Residential Services directly to address any concerns. The residence halls are locked 24 hours per day. Guests of resident students must be escorted by their hosts at all times.

Statement of Policy for Addressing Safety and Security in Residence Halls

The Fitchburg State University Police Department and the Office of Housing and Residential Services work collaboratively to ensure safety and security within the residence halls. Part of this collaboration is our Housing Liaison Program. The Housing Liaison Program is overseen by the Fitchburg State University Police Department to meet the needs of the residence hall. This program goes beyond mere police presence in the residence halls. Officers of the Fitchburg State University Police Department meet regularly with Housing Staff to discuss current trends and issues with the students. Officers also participate in housing sponsored events, which allows students an opportunity to meet and speak with officers on a regular basis, and build relationships between students and officers. On a monthly basis, members of Fitchburg State University Police Department and Housing will collaborate on programs which emphasize safety and awareness.

Each residence hall has a designated Area Coordinator or Graduate Assistant Resident Director, and a staff of student Resident Assistants. Area Coordinators, Graduate Assistant Resident Directors, and the Resident Assistants receive comprehensive training before each academic year begins. This training includes protocols for responding to various emergencies (ranging in scope from psychological to health concerns), fire evacuations, sexual violence, vandalism, alcohol and other drug abuse, disorderly conduct, etc. The Director and Associate Director of Housing and

Residential Services supervise the Area Coordinator staff, which in turn provides direct supervision to the Resident Assistant staff. Members of the professional staff are available to assist students during normal business hours.

There is an Area Coordinator on duty each evening in addition to Resident Assistants on duty in every hall to assist students. Resident Assistants provide extra support by touring the residence hall floors on a regular basis during designated hours.

Students' access to their room is gained by swiping their university issued identification. Resident students are warned against propping residence hall entrance doors in an open position, disabling, or tampering with any fire or security system devices. Tampering with, or disabling, any security device or system is not only unsafe for the entire University community, but could also lead to criminal charges and/or campus disciplinary action.

Off-Campus Housing

Fitchburg State University does not have officially recognized student organizations that own or control housing facilities outside of the Fitchburg State University core campus. Therefore, local police are not used to monitor and record criminal activity since there are no noncampus locations of student organizations.

Fitchburg State University also does not own, sponsor or recommend the suitability of, any off-campus housing. Students seeking off-campus housing are cautioned to check thoroughly with local police and the property owner of any rental property about the incidence of crime in the area. It is also important to check for adequate safety devices in any building or apartment prior to signing any lease agreement.

To access City of Fitchburg data through their Police Department one can visit their website <http://www.fitchburgpolice.com>.

Maintenance of Campus Facilities

The University Police Department works closely with Capital Planning and Maintenance Department, Housing and Residential Services, and the OneCard Office to enhance security for campus facilities with the implementation of a card access system and secondary locking devices. These systems help ensure that faculty, staff, and students with the proper authorization are granted access to University resources after established business hours.

Additionally, members of the University's Student Security Team, under the supervision of the University Police Department, conduct a monthly survey of campus exterior lighting and call boxes to ensure they are operating properly. Those found to be defective, or in need of repair, are reported to the Capital Planning and Maintenance Department.

Any member of the university community who wishes to request maintenance service in their room or area can submit a work order online through the School Dude® system which is housed on the Capital Planning and Maintenance website: [Fitchburgstate.edu/offices-services-directory/capital-planning-maintenance/](https://fitchburgstate.edu/offices-services-directory/capital-planning-maintenance/). All members of the community are encouraged to report any concerns or hazards to either the Capital Planning and Maintenance Department or the University Police Department.



Law Enforcement and Jurisdiction

The Fitchburg State University Police Department consists of twenty-one sworn police officers whose mission is to reduce the incidence and fear of crime, to partner with the community to solve problems, and to enhance public safety in a manner that is reasonable, unbiased, and transparent. They strive to provide exemplary community-oriented policing services by creating partnerships and problem-solving strategies that promote the safety, security, and well-being of our community.

Members of the University's Police Department are graduates of a Massachusetts Police Academy, conducted and/or sanctioned by the Municipal Police Training Committee or the Massachusetts State Police. In addition, each officer receives annual in-service training in accordance with M.P.T.C. standards as well as specialized training according to best practices and current issues in law enforcement.

As provided by statute, "The (University) trustees may appoint as police officers persons in the employ of the University who in the enforcement of said rules and regulations and throughout university property shall have the powers of police officers, except as to service of civil process." (MGL: Ch. 15A§22) Officers are appointed as Special State Police Officers (SSPOs) under Massachusetts General Law Chapter 22c §63. This grants all University Police Officers the power to exercise law enforcement authority (enforcement of state and local laws), including detentions, arrests, and searches; concerning any criminal offense; occurring in or on buildings, structures, facilities, lands or roads; owned, occupied or used by the university.

The jurisdiction of the University Police Department is not confined solely to those property owned by the university, but extends to the environ of the campus when special vigilance is required on behalf of the university. This means that officers may take proactive steps to protect the university and those conducting business, such as investigation, detain and arrest in the area immediately surrounding the campus, often referred to as the university 'patrol area'.

Authority to Arrest & Relationship

The Fitchburg State University Police Department is the primary law enforcement entity for Fitchburg State University. Since Fitchburg State University is located within the city of Fitchburg,

Massachusetts, the local police (Fitchburg Police) and the Massachusetts State Police may at time assist the university, as well as, conduct law enforcement activities separate from the University Police Department within the boundaries of the University's property.

The three agencies, Fitchburg State University Police Department, Fitchburg Police Department, and the Massachusetts State Police (operating out of the Leominster Barracks) maintain a collaborative relationship. Information is routinely shared between the three agencies, who also work together during the year on various occasions.

The University Police Department conducts its own investigations, arrests, and booking, however, a memorandum is in place for the university to utilize either the city police station or the barracks to hold arrested individuals. There are no other written agreements or memorandums of understanding regarding other topics, including the investigation of criminal incidents, between FSUPD and the local police department.

Additional memorandum between the Fitchburg State University Police Department and the City of Fitchburg's Police Department are in place, which allows the city to call upon members of the Fitchburg State University Police Department to act as city special police officers.

By mutual agreement with state and federal agencies, the Fitchburg State University Police Department maintains a Criminal Justice Information Services terminal, which provides department personnel with access to the National Crime Information Computer System as well as the Criminal History Systems Board for the Commonwealth of Massachusetts. These databases are used to enhance public safety by accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

The university does recognize that there are a high population of students that choose to live off campus immediately adjacent to the university. The apartments rented by students are not owned by the university, nor are they owned or maintained by any organization or groups associated with the university. Due to the proximity of these properties, the area is routinely patrolled by the University Police Department. The University Police Department together with the Fitchburg Police Department and other departments of the city, ensures students living in privately owned off-campus apartments adheres to the University's Good Neighbor Policy. This policy governs student behavior both on and off campus.

This publication also contains information concerning on and off campus resources and is intended for all members of the university community. The information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for Fitchburg State University. Crimes should be reported to the **Fitchburg State University Police Department (978.665.3111)**, **Dean of Student (978.665.3887)**, **Title IX Office (978.665.4141)**, **City of Fitchburg Police Department (978.345.4355)**. To ensure a police response, provide a timely warning notice (if appropriate), and inclusion in the Annual Security Report.



Reporting

Fitchburg State University relies on accurate and prompt reporting of crimes to the University Police Department and appropriate police agencies. Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Fitchburg State University Police Department in a timely manner. This includes when a victim elects to or is unable to make such a report. Crimes that occur off campus should be reported to the city police department; however, one may report such instances to the University Police. The University Police will take basic information prior to transferring the call to the department of jurisdiction. This allows the University Police Department to be aware of the incident, assist in the determination of a Timely Notification, as well as assist in rendering aid if the matter is of an urgent concern.

Response to Reports

Fitchburg State University Police officers will respond to all requests for service and are the investigating authority for all crimes that occur on Fitchburg State University property. In instances where an incident is not a crime, but has been deemed a violation of the University Code of Conduct, or is deemed a Title IX matter, the University Police Department may refer the report to the appropriate office or jurisdiction for review or disciplinary action. Although incidents may also be brought to the University Police Department's attention for further investigation through the filing of a incident report through Student Affairs, it is always best to contact the University Police Department directly for a prompt response and investigation.

To report a crime or an emergency to the University Police Department, the following methods can be utilized:

- From an on-campus phone, dial extension 3111.
- From outside the University telephone system, dial (978) 665-3111.
- If using a cellular telephone, please remember that 911 will reach the Massachusetts State Police who then transfers the call to Fitchburg State University Police Department.
- Reports can be filed anonymously at: <https://www.fitchburgstate.edu/offices-services-directory/campus-police/anonymou-witness-form/>
- By pressing the red "Call" button on any of the over, 60 emergency call boxes located at strategic points throughout campus.

When calling for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State your location;
- Briefly state the nature of the emergency of crime that has occurred.

If possible, stay on the line unless otherwise advised by the dispatcher. If assistance is required from off-campus, the dispatcher will summon the appropriate police, fire and/or medical service.

Campus Security Authority (C.S.A.)

In accordance with the Clery Act, certain Fitchburg State University employees are designated as Campus Security Authorities. The term “Campus Security Authority” is defined as:

- A campus police department or a campus security department of an institution;
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property);
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses;
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. For example, staff responsible for campus student and family housing, a student center, or student extra-curricular activities; a director of athletics, coaches and trainers, faculty advisors to student groups, staff responsible for student discipline and campus judicial staff.

Those deemed to be Campus Security Authorities by Fitchburg State University, under the Clery Act, receive annual training by the university. This training includes a C.S.A. role and responsibility, how they are to report crimes, and to whom a report should be submitted. A list of on campus and off campus resources are also provided as part of the training so C.S.A.s can assist those who disclose crimes to them.

All data collected by a University’s C.S.A.s, with the exception of the University Police, are collected through the university’s incident reporting system and the Office of Student Affairs. Data is then reported to the Fitchburg State University Police Department, to be included in the Annual Security Report Crime Statistics. C.S.A.s may also file a report anytime directly to the University Police through the department Campus Authority Reporting form.

Campus Security Authority (CSA) Reporting form:

<https://www.fitchburgstate.edu/offices-services-directory/office-of-student-conduct-mediation-education/>.

Please refer to the following instructions when considering how you, as a C.S.A., should be reporting crimes:

- If the reported incident constitutes a threat to the safety of the university community, the Campus Security Authority (C.S.A.) should immediately call 911 or 978-665-3111 to connect directly with the Fitchburg State University Police Department.
- Confidential and anonymous C.S.A. reports are accepted. However, if the reporting party is a victim of a sex offense, they will also be encouraged to report the crime directly to the University Police Department, to the Office of Student Affairs, **or** the Title IX Coordinator.
 - A Confidential Report is one where the identity of the reporter is not made known to personnel beyond the official receiving the report.
 - An Anonymous Report means that the identity of the person making the report isn't known to any campus official.
- While secondhand (third party) reports are inherently unreliable and are difficult to verify, such reports shall also be accepted. The potential for duplication of reported incidents shall not be a factor in determining whether or not a report is taken.
- Clery Act reporting, via the C.S.A. Crime Report form, does not replace or change any existing reporting requirements or procedures for disciplinary referrals or misconduct.
- Hate Crimes present a special reporting challenge. C.S.A. are to report any suspected hate crime occurrence and the related category of prejudice.

Voluntary and Confidential Reporting

It is the policy of Fitchburg State University that all crimes should be reported to the University's Police Department. Anyone who is the victim, or witness to a crime, on campus is encouraged to promptly report the incident to the Fitchburg State University Police Department.

Fitchburg State University does not have a process for receiving confidential reports. When reporting a crime to the University Police Department, one is doing so knowing that some information may not be kept private and may be shared with others on campus who need to know, such as the Title IX Coordinator and Student Conduct. Also, some reports may become public records under state law, and therefore, the Fitchburg State University Police Department cannot hold **all** reports of a crime in strict confidence.

All reports of crime will be investigated by the Fitchburg State University Police Department, unless the victim of such crime elects not to pursue criminal charges, requests no further investigation be conducted on their behalf, and/or the crime committed does not have, or pose, a likelihood of further victimization of others.

Due to the sensitive nature of certain types of crime, victims of sexual assault, domestic/dating violence and stalking may choose to disclose crimes to an advocate for Pathways for Change,

Fitchburg State University's Counseling Services, or Fitchburg State University's Health Services. Victims who report crimes to these individuals may elect not to have police investigate the reported crime, especially if solely seeking support services.

The information provided, which can be absent of personal identifying information, may be used to provide an accurate account of crimes that occurred within the university's Clery geography, and determination of Timely Warning Notification to the community. An individual receiving confidential services offered by a professional or pastoral counselor may request that the counselor report the crime to the University Police Department on their behalf. Such report typically includes the nature of the offense, the location at which it occurred, and the date and time of its occurrence.

The option of victims, survivors, pastoral counselors, and professional counselors to report crimes to the Fitchburg State University Police Department in the aforementioned manner allows for protection of the victim's identity while ensuring necessary information required to comply with federal regulations is provided. The University uses these confidential reports to maintain accurate records for the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed confidentially are counted and disclosed in the annual crime statistics for the institution. Reporting procedures applicable to allegations of sexual assault, dating/domestic violence and stalking are further discussed later in this report. Pastoral counselors, and professional counselors acting in their professional roles, are not obligated to report any information if their client so chooses, but are required to explain the process in which one may report a crime confidentially.

When a potentially dangerous threat to the Fitchburg State University community arises, alerts will be issued to notify individuals of the threat promptly. These alerts will also inform the community of any recommended action to be taken.



Timely Warning Notifications

In the event a crime is reported, or a situation arises, within Fitchburg State University's Clery Geography (On Campus, Public Property and Non Campus property), that, in the judgment of the Chief of Police, or designee, and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide "timely warning" notice will be issued. Fitchburg State University takes its duty seriously to inform students and campus community members of criminal incidents to inform them how to protect themselves from harm. As a result, information about crime is provided in an accurate and timely fashion. The University will release information which can be used by students and other university community members to reduce their chances of becoming victims of similar crimes. These notices will be issued as a means of a Timely Warning Notice (TWN), which are called, **FSU Crime Alert**.

Timely Warning Notices are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a threat that a Clery reportable crime is ongoing or may be repeated so that campus community members can protect themselves from harm. The Clery Act defines specific crimes that require a Timely Warning Notice to be issued when crimes are reported to a Campus Security Authority (C.S.A.), University Police, or other local police agencies, and the reported crime(s) are believed to have occurred on campus, in non-campus buildings or on non-campus property, or on public property contiguous to the campus.

The Chief of Police, or designee, in conjunction with public relations, will develop the content of the Timely Warning Notices for the University community.

The department typically issues/posts Crime Alerts for incidents of:

- Murder/Non Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an on-going threat to the larger university community)
- Robbery involving force or violence (cases including pickpocketing and purse snatching will typically not result in the issuance of a Crime Alert, but will be assessed on a case by case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Fitchburg State University Police Department)
- Major incidents of arson
- Other crimes as determined necessary by the Chief of Police, or his/her designee

A Timely Warning Notice will typically include the following unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time or timeframe of the incident.
- A brief description of the incident.
- Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
- Suspect description(s) when deemed appropriate and if there is sufficient detail, (see below).
- Police/Public Safety agency contact information.
- Other information as deemed appropriate by the Chief of Police, or designee.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

The institution is not required to issue a Timely Warning Notice with respect to crimes reported to a pastoral or professional counselor. The description of subjects in a case will only be included if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that information will not be included in the alert. The Timely Warning Notice will not include any information that would identify the victim.

The issuing of a Timely Warning Notice will be decided on a case-by-case basis in light of all of the facts surrounding a crime, including the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

The decision to issue a Timely Warning Notice is made in coordination and consultation by at least two of the following personnel. However, in an extreme emergency, the notification process may be implemented at the sole direction of the Chief of Police, or designee.

Decision Team:

- President, or designee, which may include members of the Executive Cabinet
- Vice President of Student Affairs
- Director of Public Relations
- Chief of Police

The Chief of Police, or designee, in conjunction with public relations, will develop TWN for the university community. The Chief, or designee, will transmit the email containing the Crime Alert to the university community by utilizing the university's mass notification system, RAVE Alert®. Updates to the university community about any particular case resulting in an TWN may also be distributed electronically via the university email system or posted on the University Police Department's Web site.

Members of the larger campus community, those not actively enrolled in a course of study at the University, vendors and contractors doing business on campus and not issued a University email,

and other interested parties are encouraged to “Opt In” to receive University Crime Alert by texting FSUAlerts to 672836 or 226787.

Timely Warning Notices may also be posted in campus buildings when deemed necessary. When a Timely Warning Notice is posted in a campus building, it shall be printed on orange paper and be posted in the lobby/entrance area of the affected building(s) for at least seven (7) days. A list of the buildings where Crime Alerts have been posted is maintained by the Fitchburg State University Police Department.

The decision whether or not to issue a timely warning notice will be documented using a Timely Warning Publication Determination Form. FSU Crime Alerts and/or Timely Warning Publication Determination Forms are filed in the case folder with the corresponding incident report.

The department also maintains a daily crime log, which is updated every two-business days. The crime log contains a list of all crimes reported to the Fitchburg State University Police Department. The information is available to the public on the University Police Department’s web site.

Timely Warning Notifications will not be issued for the above listed crimes if:

- The department apprehends the subject(s) and the threat of imminent danger for members of the university community has been mitigated by the apprehension.
- If a report was not filed with the Fitchburg State University Police Department or if the University Police Department was not notified of the crime in a manner that would allow the department to post a "timely" warning to the community.
- A report that is filed more than five days after the date of the alleged incident may not allow the University Police Department to post a "timely" warning to the community. This type of situation will be evaluated on a case-by-case basis.
- The institution is not required to issue a Timely Warning Notice with respect to crimes reported to a pastoral or professional counselor.
- In instances where an **Emergency Notification** (FSUPD Policy 17.1.4) is issued, a Timely Warning Notice may not be issued.



Emergency Notification & Evacuation

Fitchburg State University utilizes the RAVE Alert system, otherwise known as FSU Alert, to provide immediate emergency notification to the community. This is done when confirmation of an incident or emergency that poses an immediate threat to the health or safety of the university community is discovered or reported.

In most situations, emergencies will first be encountered by faculty, staff, and/or students. When any member of the community encounters a potential emergency situation they should contact the University Police Department, who will serve as the initial point of contact. An officer from the University Police Department will speak with the reporting party to verify the nature of the incident and investigate on scene whether an emergency exists that would require substantial additional resources, or impacts a portion of the university community. If the latter occurs the officer will convey this information to the department's command staff, who will immediately notify the Chief of Police. Information relayed to the Chief will include the nature of the emergency, the area or areas potentially impacted, and what has been done to mitigate the emergency thus far. Emergencies such as disease outbreaks and utility outages could potentially be reported in other manners.

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

The University Police Department is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with University administrators, local first responders and/or the National Weather Service.

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

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

Members of the larger campus community, those not actively enrolled in a course of study at the University, vendors, and contractors doing business on campus and not issued a University email, and other interested parties may "Opt In" to receive University Crime Alerts by texting FSUAlert to 672836 or 226787. Those who chose to Opt in will receive all notifications via text messages. The University provides Opt In informational cards and signage at various events and locations around campus.

Fitchburg State University has developed a comprehensive procedure, which includes all of the following emergency alert systems: cellular telephones, text messages, emails, voice-mails, the outdoor broadcasting system using a siren voice alert system, indoor notification monitors, social media networking sites, face-to-face communications, and website notifications.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

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

Campus State of Emergency

The decision to issue an Emergency Notification is made at the discretion of the President, or designee, the Chief of Police, or designee. The decision to issue subsequent Emergency Notifications for a situation, incident, or emergency shall be issued by the Director of Public Relations, or designee, in consultation with President, or designee (which includes members of the Executive Cabinet), and members of the Fitchburg State University Emergency Management Team.

Emergency Response

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

The on-duty supervisor or officer-in-charge for the Fitchburg State University Police Department is responsible for immediately notifying the Chief of Police, or designee, of any situation that poses an immediate threat to the Fitchburg State University community.

The Chief of Police, or designee, is responsible for issuing an emergency notification to the University community via an FSU Alert, (RAVE Alert). Some or all of the methods of communication available from a RAVE Alert may be activated in the event of an immediate threat to the Fitchburg State University community.

This is done without delay and taking into account the safety of the community. A notification will not be issued if it will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. This decision will be made by the agency of jurisdiction to

include, but not limited to the Fitchburg State University Police Department, the City of Fitchburg Police Department, the Massachusetts State Police, or the Fitchburg Fire Department.

Federal Law requires that the institution immediately notify the campus community, that they may be affected by an immediate threat, significant emergency, or dangerous situation.

The types of incidents that may cause an immediate threat to the Fitchburg State University community could include, but are not limited to, emergencies such as:

- An Active Shooter on or near Campus,
- Hostage/Barricade Situation,
- Riot,
- Suspicious Package with Confirmation of a Device,
- Weather Emergency,
- Fire/Explosion,
- Suspicious Death,
- Outbreak of serious illness, disease or viruses
- Structural Damage to a University Owned or Controlled Facility,
- Biological Threat (Anthrax, etc.),
- Significant Flooding,
- Gas Leak,
- Hazardous Materials Spill, Etc.

All members of the Fitchburg State University community are notified on an annual basis that they are required to report to the Fitchburg State University Police Department, any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The Fitchburg State University Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose an immediate threat to the community.

Release of Information: General Guidelines

The decision to issue an Emergency Notification is made at the discretion of the President, or designee, the Chief of Police, or designee. The decision to issue subsequent Emergency Notifications for a situation, incident, or emergency shall be issued by the Director of Public Relations, or designee, in consultation with President, or designee (which includes members of the Executive Cabinet), and members of the Fitchburg State University Emergency Management Team. If the University's Chief of Police, or designee, in conjunction with other University administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Fitchburg State University Community, the Fitchburg State University Police and Media Relations will collaborate to determine the content of the message. Some or all of the systems described below are used to

communicate the threat to the Fitchburg State University Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

- Emergency Notification messages will be issued to students and employees upon the confirmation of a significant emergency, dangerous situation, incident or crime, impacting the campus community and/or the immediate surrounding area.
- Upon confirmation of an emergency situation that requires an immediate response, the Chief of Police, or designee should, and without delay, implement the notification process.
- The Chief of Police, or designee, may confer with external public safety officials to confirm emergencies before issuing the notification, if time allows.
- This information may be disseminated to the campus community by issuing an FSU Alert (RAVE Alert).

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Testing of the Emergency Management Plan

Fitchburg State University maintains an Emergency Response Plan, known as the University's Emergency Management Plan (EMP) that outlines responsibilities of campus departments during emergencies. This plan and its accompanying Emergency Support Function (ESFs) outlines incident priorities, scope, concept of operations, response, and specific responsibilities of particular departments or positions.

University departments are responsible for developing emergency response and continuity of operations plans for their areas and staff. The University's Emergency Management Team provides resources and guidance for the development of these plans.

The Fitchburg State University Emergency Management Team, in conjunction with the Fitchburg State University Police Department, is responsible for overseeing various aspects of the University Emergency Management Plan (FSU EMP) to include testing of the emergency notification, response and evacuation for any emergency or dangerous situation.

Fitchburg State University defines the following terms as follows:

- **Test** is defined as regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.
- **Drill** is defined as an activity that tests a single procedural operation.
- **Exercise** is defined as a test involving coordination of efforts.

Fitchburg State University utilizes the Rave Alert System for notifying the campus community of vital information as described above. This system is tested annually at the beginning of the fall semester in conjunction with the Fitchburg State University Information Technology Department. (Testing includes sending out a test alert through the RAVE System, which tests the following systems, university email, text messaging, wide-area broadcasting call boxes, Alertus, voicemail and text messaging capabilities.)

Fitchburg State University tests our evacuation plan during our biannual fire alarm drills. One drill occurs during the fall semester and is announced to the community; the second occurs during the spring semester and is not announced to the community. Each drill tests the evacuation of all Fitchburg State University on campus buildings as well as the Klondike Service Center and Main Street Theater building.

Fitchburg State University's Emergency Management Team has a dedicated subcommittee for coordinating Drills and Exercises for the team and the university. The subcommittee is responsible for coordinating tabletop exercises and various trainings during the monthly emergency management meeting. These trainings consists of testing portions of the FSU EMP, active shooter, communicable diseases, and other emergency situations.

Officers of the University Police Department who are designated as the individuals to verify and respond to emergency situations, receive additional training in connection to their role and responsibilities.

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The FSUPD does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, FSUPD officers on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Fitchburg State University, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

General Evacuation Procedures

All individuals on campus are encouraged to plan in advance for emergencies by identifying primary and secondary evacuation routes to exits.

Medical Emergencies

- Do not move a seriously ill or injured person unless it is a life-threatening situation.
- Call the emergency number for the University Police Department.
- Give as much of the following information as possible:
 - Your name and location
 - Type of illness or injury
 - Condition of ill or injured person
- Remain with the person until emergency personnel arrive and have an opportunity to speak with you.

Acts of Violence

- Do not try to intervene!
- Stay calm. Go to a safe location and call University Police
- Give as much of following information as possible:
 - Your name and location
 - Type of incident
 - Briefly, provide details of incident
- Stay on the line until help arrives.

Fire or Explosion

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 FSUPD (978-665-3111) Police Emergency or dial **911**.

- Stay calm and activate the nearest fire alarm pull station.
- Immediately leave the building by the nearest unobstructed exit.
- Do not attempt to recover personal property!
- If no one is following, close all doors behind you go to a safe location and call University Police
- Give as much of following information as possible:
 - Your name and location
 - Type of incident
 - Briefly provide details of incident

EVACUATION PROCEDURES FOR PEOPLE WITH DISABILITIES

If you are a student or staff member with disabilities, it is vital that you take a proactive approach in planning for emergencies. To discuss creating a specific plan for your needs, please contact:

- **Students:** Should contact Disability Services, 978-665-4020.
 - Disability Services is located in Hammond Hall, Room 303.
- **Faculty or Staff:** Should contact Human Resources, 978-665-3172.
 - Human Resources is located in the Sanders Administration Building, Room 202.

People with disabilities should plan in advance for emergencies by identifying primary and secondary evacuation routes to accessible exits.

If you need evacuation assistance, please take the following steps:

- Do NOT use the elevator. Move to a stairwell, or a protected area near the stairwell, that is protected from the emergency and notify University Police (978) 665-3111. If you do not have a phone notify a student, staff member or faculty of your location and have them alert University Police or Emergency Responders.
- You should NOT stay in the classroom, or office, UNLESS there is fire or smoke in the hallway and the room has no smoke or fire. If it is safe to stay in your current location and you are unable to safely exit the building, then you should shelter in place. Make sure to contact University Police. Emergency Responders will conduct a “room to room” search to ensure that everyone has evacuated the building.
- If you cannot notify anyone on your floor that you need help, listen for rescue personnel who will be searching the building and be prepared to make noise to help responders find your location.

- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Once alerted, University Police will take the appropriate actions to assist in your evacuation, or will notify those trained to evacuate individuals in need of special assistance, who will ensure your safe exit.

ASSISTING PEOPLE WITH DISABILITIES DURING AN EMERGENCY

General Guidelines

- Ask the person how you can help before attempting any rescue technique or giving assistance.
- Listen to the answer; the person is the best authority on his or her own disability.
- Keep service animals with their human partners.

Visually Impaired

- Tell the person the nature of the emergency and offer guidance to the nearest exit.
- Have the person take your elbow and escort him/her out of the building. Advise of obstacles as you walk.
- When you reach safety, help orient the person to the location and ask if any further assistance is necessary.

Deaf and Hearing Impaired

- Alert the person that there is an emergency by turning a light switch on and off several times.
- Look directly at the individual, verbalize, speak clearly, do not over exaggerate mouth movements, give instructions and write a short note on paper or text with a cell phone.
- Offer assistance as you leave the building.

Mobility Impaired

- If there is no immediate danger, take the person to the nearest accessible exit.
- If you cannot safely accompany the person to an accessible exit, notify University Police of the person's exact location by calling (978) 665-3111 on a cell phone or 3111 from a campus phone.
- Whenever possible, remain with the person until help arrives.
- Elevators should not be used for evacuation during an emergency. Move to a stairwell or a protected area near the stairwell, that is protected from the emergency and notify University Police (978) 665-3111. If you do not have a phone, notify a student, staff member or faculty of your location and have them alert University Police or Emergency Responders.

- Do not attempt to carry an electric wheelchair if it cannot be driven out of the building. ONLY in situations of extreme and immediate danger should you try to evacuate a wheelchair user without assistance. This person is the best authority on how he/she can be moved. Ask before attempting to move.
- It is best to let professional emergency personnel conduct the evacuation; however, a person with a mobility impairment can be carried by two people who have interlocked their arms to form a “chair,” or by carrying the person in a sturdy office chair. This should be considered **ONLY** as a last resort.

Shelter-in-Place

Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that 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 in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and 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, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, Fitchburg State University Police Department, Housing Staff members, other University employees, Local Police Department, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter-in-Place”

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

1. 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.
2. Locate a room to shelter inside. It should be:

- An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
 4. Turn off air conditioners, heaters, and fans.
 5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
 6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to FSUPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
 7. Turn on a radio or TV and listen for further instructions.
 8. Make yourself comfortable.



General Prevention & Awareness Programs

Fitchburg 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 New Student Orientation, all students and their parents are informed of resources offered by the Fitchburg State University Police Department and other University Departments.

The University also encourages and expects students and staff to be actively involved in the prevention of crime on campus. Disinterest or complacency are the prime contributors to the success of crime. The police cannot be everywhere at once. The university is dependent on the entire campus community to recognize and report incidents that are suspicious in nature or criminal to the University Police Department. During the 2018-2019 academic year, FSU offered approximately **44** crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

Course Offerings	# of Courses Offered	# of Individuals Trained
C.R.A.S.E. (Community Response to Active Shooter Events)	9	641
V.I.P.R. (Violence, Identification, Prevention, & Reporting)	19	303
Community C.P.R. and First Aid	9	56
R.A.D. (Rape Aggression Defense)	3	29
Alcohol Jeopardy/ Alcohol Awareness Mario Kart	4	<i>Not Tracked</i>

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others.

During the 2018 calendar year, Fitchburg State University Police sponsored monthly crime prevention and security awareness programs on campus and in the residence halls. These included the following:

Community Response to Active Shooter Events (C.R.A.S.E.)

The Active Threat Presentation is a 1 ½ hour class that is intended for students, staff and faculty. During the presentation, participants hear from members of the Fitchburg State University Police Department regarding various options to consider during an active shooter/hostile event. The objectives of the class include identification, prevention, and response to such incidents. These classes are held once a semester (Fall/Spring). In addition, C.R.A.S.E. has been incorporated as part of the first year student Orientation since 2017. Members of the University can request a presentation for their class, organization or group by contacting the University Police Department.

Violence Identification, Prevention, and Reporting (V.I.P.R.)

This University Police Department taught course is designed to help students, staff, and faculty spot suspicious behavior before criminal acts occur. The training helps participants develop enhanced levels of awareness and learn how to identify suspicious behaviors and report their observations to authorities. These classes are held once a semester (Fall/Spring). In addition, V.I.P.R. has been incorporated as part of the first year student Orientation since 2017. Members of the University can request a presentation for their class, organization or group by contacting the University Police Department. V.I.P.R. is also presented to the volunteers who work University's Commencement/Events.

Operation Identification

This program, which is free to all members of the university community involves the engraving of valuables with a unique number, symbol or combination, and recording of identification information with the police. This program not only deters theft by making a stolen property more difficult to sell and easier to identify but also expedites insurance claims in the event of a loss. Operation ID is presented at least once a semester in the residence halls and the department's annual Coffee with Cops in Hammond Hall. Officers will also take walk-in requests at the station anytime during the year.

Community Liaison Officer Program

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

- A designated contact person to allow ease of communication
- A feeling of familiarity and comfort
- Collaboration on community educational programs
- Collaboration on identifying and addressing issues of concern

This collaboration within the Liaison Program is open to students, staff, and advisors. The Liaison Program is a year round effort that includes over a dozen planned events each academic year, to include the “Housing Liaison Program”.

Housing Liaison Program

Fitchburg State University Police Department works closely with members of Housing and Residential Services to provide programs in the residence halls to resident students, throughout the academic year. Programs such as “Cookies with Cops” provide a relaxed atmosphere where students and officers engage in an open dialogue about crime prevention, societal issues that are prevalent to students, and how the department might be able to assist them. Officers schedule at least one program each semester (Fall/Spring) in each of the six residence areas.

Residential Programming Model

Resident Assistants provide educational programming to students through the use of a Residential Programming Model. The model includes both in-person and passive programming. The programs may be floor specific and/or building wide. Resident Assistants meet with the resident students to discuss a wide range of safety and prevention topics. During these meetings, the Resident Assistants may invite other members of the community to assist and discuss these various topics to include representatives from University Police Department, Counseling Services, Health Services, and Disability Services.

Rape Aggression Defense (R.A.D.)

The Rape Aggression Defense (RAD) System is a program of realistic, self-defense tactics and techniques. It is a comprehensive course for women that begins with awareness, prevention, risk reduction and avoidance, while progressing to the basics of hands-on defense training.

RAD is not a martial arts program. Our courses are taught by certified RAD instructors and provide participants with a workbook/reference manual. This manual outlines the entire physical defense

program for reference and continuous personal growth. The RAD System of physical defense is taught at many colleges and universities. The growing, widespread acceptance of this system is primarily due to the ease, simplicity and effectiveness of the tactics, solid research and unique teaching methodology.

The RAD System is dedicated to teaching women defensive concepts and techniques against various types of assault by using easy, effective and proven self-defense tactics. The system of realistic defense will provide the knowledge to make an educated decision about resistance.

RAD classes are offered at no charge to the University community. The classes are scheduled twice a semester (Fall/Spring).

Notice of Programs

Prior to the start of the fall and spring semester, the Fitchburg State University Police Department will post on their website (and provide information at “Rock the Block” and “Rock the Lounge”) the dates and times of the various programs offered as part of our department’s Personal Safety Offerings. For the upcoming 2019-2020 academic year, we currently have two Active Shooter Presentations scheduled, and four Rape Aggression Defense classes scheduled. Members of the department will hold additional classes if requested by any university department, club, or organization. The Fitchburg State University Anti-Violence Education (F.A.V.E) offers several programs in the Fall and Spring semester, focusing on awareness and prevention efforts associated with the Violence Against Women Act (V.A.W.A.) Program.

Violence Against Women Act (V.A.W.A) Related Prevention and Awareness

Fitchburg State University offers a wide variety of programming aimed at raising awareness regarding interpersonal violence, as well as helping to create a culture of support for those impacted by such. Specific examples of such programming in recent years includes:

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

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

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

Escalation is a program developed by the One Love Foundation, focusing on awareness and prevention of interpersonal violence. Beginning in the Fall of 2018, new students, during Fall Orientation, will participate in the Escalation program, which will be facilitated by both student Orientation Leaders and selected staff and faculty members.

Sexual Assault Prevention and Response Course (SPARC)

Beginning in the summer of 2018, new students will be required to complete the Sexual Assault Prevention and Response Course (SPARC). This course was developed by, and features, Fitchburg State University students, faculty, and staff. SPARC delivers important messaging regarding healthy relationships, consent, legal guidelines and University policy regarding interpersonal violence, and University and community reporting options and resources. There are elements of risk reduction throughout the SPARC program. Additionally, SPARC is a platform for teaching students about safe bystander options.

Other Programs Fitchburg State University has offered recently:

The Clothesline Project is a program first developed in Cape Cod, MA. As a means of promoting awareness surrounding the prevalence of domestic violence/sexual assault, shirts created by survivors are displayed on a clothesline. Viewers are asked to reflect upon the gravity of these issues as well as ways in which to support survivors.

Empty Place at the Table is an impactful display which seeks promote domestic violence awareness and honor those who have lost their lives due to domestic violence during the past year in Massachusetts. Place settings inscribed with the names of domestic violence victims are displayed.

Denim Day is a sexual assault awareness campaign which seeks to challenge victim-blaming, particularly surrounding the rape culture myth of clothing's alleged role in sexual assault. Members of the FSU Community (students and staff) are asked to wear denim on a designated day as a means of taking a unified stand against victim-blaming.

What Were You Wearing: Survivor Art Installation originally pioneered at the University of Arkansas in 2013, this installation seeks to challenge a pervasive rape culture myth surrounding clothing and its alleged role in sexual violence. Replicas of survivors' clothing, in addition to their stories, are displayed. The project asks for viewers to not only reflect upon the detrimental consequences of this rape culture myth, but also to start a conversation about ways in which to empower and support survivors.

FAVE Club is a service-oriented, University-funded, and student-run organization. The club was officially established in 2017 with the mission of developing on-campus initiatives centered on supporting survivors and promoting sexual assault/domestic violence awareness.

NOTE: Fitchburg State University strongly encourages any person that experiences or witnesses an act of violence to come forward and/or report the incident(s). Should a person choose to report an incident, he/she should do so to the Title IX Coordinator, University Police, Human Resources, and/or an appropriate supervisor. See inside of back cover for list of On and Off Campus Resources.



Drug, Alcohol, and Substance Abuse

The use of illegal substances and abuse of legal substances and alcohol impairs the safety and health of students and employees, inhibits personal and academic growth and undermines the public's confidence in the university. For these reasons, it is the policy of Fitchburg State University that all university activities and university property shall be free of the unlawful use or abuse of drugs and alcohol.

Drug-Free Schools and Communities Act Amendments of 1989

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

Students: <https://www.fitchburgstate.edu/offices-services-directory/office-of-student-conduct-mediation-education/campus-policies/>

Employees: <https://www.fitchburgstate.edu/offices-services-directory/human-resources-payroll/policies/>

General Provisions

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

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

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

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

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

Drinking funnels are prohibited on university property or at university-sponsored activities or events. Any activities that promote and/or encourage excessive drinking such as drinking games are prohibited.

University Alcohol Policy Statement

Fitchburg State University is a community dedicated to the academic, professional and personal development of its members and is committed to educational and social programs that promote such development. Personal and communal responsibility with regard to the university's alcohol policy is essential in ensuring that Fitchburg State's environment is conducive to student learning and development. This alcohol policy assumes that any student who consumes alcohol accepts responsibility for their conduct. Being intoxicated will not be accepted as an excuse for conduct that violates the Code of Conduct. Any student found to allegedly violate this alcohol policy will be subject to disciplinary action.

Alcohol Laws

The possession, sale or furnishing of alcohol on the university campus is governed by the University Alcohol Policies and Massachusetts' state law. Laws regarding the possession, use, sale, consumption or furnishing of alcohol is controlled by the Department of Alcohol and Beverage Control (ABC); however, the enforcement of alcohol laws on-campus is the primary responsibility of the Fitchburg State University Police Department. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws, including underage drinking laws, are strictly enforced by the Fitchburg State University Police Department. Violators are subject to university disciplinary action, criminal prosecution, fine, and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is also illegal.

Federal and State Drug Laws

The following is a summary of legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol provided in compliance with the Drug Free Schools and Communities Act. Local, state and federal laws make illegal uses of drugs and alcohol serious crimes. A conviction can lead to assigned community service, fines and/or imprisonment. A felony conviction for such an offense can prevent an individual from entering many fields of employment and licensed professions.

Drugs and Other Substances

The unlawful manufacture, distribution, dispensation, sale, possession or use of illegal substances or of drugs (e.g. narcotics, stimulants, depressants, hallucinogens) for which a required prescription has not been obtained is prohibited. The misuse or abuse of any prescription medication or over the counter drug is prohibited. It is also a violation of policy to be under the influence of and/or in the presence of illegal and/or the misused prescription medications.

The decriminalization of marijuana under Massachusetts's law does not impact the university as marijuana is still prohibited by Federal Law. In order to be in compliance with the Drug Free Schools and Communities Act, Fitchburg State University holds that manufacture, distribution, dispensation, sale, possession or use of marijuana on campus is prohibited. It is also a violation of policy to be under the influence of and/or in the presence of marijuana. Those found to be in violation of this can face administrative sanction through the university.

The students and employees of Fitchburg State University shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances, drug paraphernalia or alcohol. Any individual who violates this prohibition will be subject to disciplinary action. Sanctions may

include dismissal (expulsion) or termination of employment from the university, participation in an alcohol/drug abuse assistance or rehabilitation program, as well as referral of the matter to law enforcement agencies for prosecution.

Employees are required to notify the University’s Director of Human Resources (or designee), and in the case of students, the Director of Financial Aid (or designee), within five days of being convicted of violating a criminal drug statute in the workplace.

On campus, the Fitchburg State University Police Department has primary responsibility for the enforcement of Federal, State and local drug laws.

Massachusetts General Law for Alcohol and Other Drugs

Alcohol			
Statue	Offense	Sanction/Penalty	Right of Arrest
M.G.L Ch. 138 §34	Selling or Furnishing Alcohol to Person under 21	HC NMT 1 Year; and/or Fine NMT \$2,000	Criminal Compliant
M.G.L Ch. 138 §34A	Procuring Alcoholic Beverages by False Representation	Fine: \$300.	Criminal Compliant or possible arrest
M.G.L Ch. 138 §34C	Minor in Possession of Alcohol	Fine: NMT \$50 for 1swt offense	Arrestable
M.G.L Ch. 138 §22	Unlawful Transportation of Alcohol	HC NMT 6months; and/or Fine: \$2,500	Arrestable

Marijuana			
Statue	Offense	Sanction/Penalty	Right of Arrest
M.G.L Ch. 94C §32C	Sell, or intend to sell, any amount of marijuana anywhere	Up to 2 years in jail, and/or fine up to \$5,000	Arrestable
M.G.L Ch. 94C §32I	Sell, or intend to sell, paraphernalia to youth under 21	Up to 2 years in jail, and/or fine up to \$5,000. [Actual sale to minor under 18 is a felony of up to 5 years in prison.]	Arrestable
M.G.L. Ch.94C § 32C	Give marijuana to anyone under 21 at any location, in any amount, for any reason	Up to 2 years in jail, and/or fine up to \$5,000	Arrestable
M.G.L. Ch. 90 § 24	Operate under the influence of marijuana (OUI)	2 years probation + education program + license suspension of at least 90 days and probably 1 year + fines and fees of at least \$500	Arrestable
M.G.L. Ch. 94G § 13(d)	Open container of marijuana in vehicle	\$500 civil ticket may be issued to the driver and/or passengers of any age.	No Right of Arrest Civil Process
M.G.L. Ch. 94C § 32C	Homemade marijuana concentrate	Up to 2 years in jail, and/or fine up to \$5,000. [Note: High strength concentrate may be charged	Arrestable

		as a 5 year prison felony. See 94C, §§ 1, 31 and 32B.]	
M.G.L. Ch. 94C § 32C	Cultivation or growing marijuana in any amount anywhere by youth under 21	Up to 2 years in jail, and/or fine up to \$5,000.	Arrestable
M.G.L. Ch. 94C § 32L	Possession of 1 ounce or less in private or public by youth under 21	If 18, 19 or 20: \$100 civil ticket. If under 18: \$100 civil ticket + 4 hour drug class + 10 hours of community service. If fail to complete, then fine increases to \$1,000 and is assessed against parents too, plus case may be filed in juvenile court. See 94C, § 32N.	No Right of Arrest Civil Process
M.G.L. Ch. 94C § 34	Possession of over 1 ounce in private or public by under 21	Up to 6 months in jail, and/or \$500 fine. [Note: Even adults may be arrested for possession of over 2 ounces in public.]	Arrestable
M.G.L. Ch. 94G § 2 (d)	Possession, display or consumption by anyone of any age affiliated with the university/college	Suspension and/or other disciplinary action. This may be in addition to any other civil or criminal penalty allowed by law.	No Right of Arrest Administrative Process
Other Drugs			
Statute	Offense	Sanction/Penalty	Right of Arrest
M.G.L Ch. 94C §41	Possession of Controlled Substances	HC NMT 2 Year; and/or Fine NMT \$2000	Arrestable
M.G.L Ch. 270 §18	Smelling Substance with Toxic Vapor <i>(for the purpose of getting high)</i>	HC NMT 6months; and /or Fine NMT \$200	Arrestable in Presence
M.G.L Ch. 94C §32I	Sale or Possession with Intent to Sell Drug Paraphernalia	HC NLT 1 year, NMT 2 yrs; and /or Fine NLT \$500, NMT \$5,000 (increased penalty if buyer is under 18)	Arrestable

Controlled Substances—Uses and Effects on your body

Narcotics (Heroin)

- Initial euphoria followed by drowsiness and nausea
- Constricted pupils, watery eyes, dazed appearance
- Highly addictive
- Signs of overdose or prolonged use include: Slow shallow breathing, clammy skin, loss of appetite and weight and possible death

Depressants (Barbiturates, Tranquilizers)

- Addiction
- Relaxed muscles, calmness, drowsiness
- Confusion, disorientation, slurred speech
- Signs of overdose or prolonged use include: shallow breathing, clammy skin, weak and rapid pulse, coma and possible death

Stimulants (Cocaine, Methamphetamine)

- Addiction
- Increased heart rate and respiratory rate
- Elevated blood pressure
- Decreased appetite, weight loss
- Blurred vision, dizziness, insomnia, anxiety
- Impaired decision making
- High doses can cause physical collapse, irregular heartbeat, stroke and possible death.

Hallucinogens (LSD, PCP, Mushrooms)

- Hallucinations
- Confusion, panic, anxiety, depression and poor perception of time and distance
- Respiratory failure
- Death due to careless behavior

Cannabis (Marijuana, Hashish)

- Increase in heart rate, bloodshot eyes, dry mouth and throat, increased appetite
- Interferes with memory, speech, coordination, motivation, and perception of time
- Increased risk of lung cancer, weakened immune system and affects to the reproductive system
- Impaired decision making which can lead to harm or death

Prevention & Awareness Programs

Substance abuse prevention programs are coordinated through several campus departments. The programs provide training and substance abuse prevention programming to the University community and offer preventative educational and outreach activities.

In addition to providing care for mental health issues, the Office of Counseling Services is able to provide support, counseling, and resources to those who seek services related to substance use. Counseling Services can also act as a liaison to refer students to appropriate levels of care available in the community depending on the specifics of a student's concerns with substance use. Counseling Services is typically not able to accommodate court-ordered (required) drug and alcohol counseling.

Some staff in the Counseling Services Office have the capacity to deliver the "BASICS" (Brief Alcohol Screening and Intervention for College Students) intervention, which students may seek voluntarily, or on occasion, a referral emerging as part of a disciplinary action on campus.

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

AlcoholEDU for College

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

Fitchburg State University requires every member of the first-year class to complete AlcoholEDU for College, an evidence-based course taken by tens of thousands of students each year. This course aims to educate students about alcohol and its effects on the mind and body. For More information about this course visit: <http://www.fitchburgstate.edu/offices-services-directory/alcholedu/>

Students are encouraged to reflect upon their own attitudes and actions with regard to alcohol abuse, and to seek assistance from the either, Counseling Services, Health Services, or Student Affairs.

Employee Assistance Program (EAP): 1-800-451-1834

The Employee Assistance Program or "EAP" is a benefit that provides short-term counseling and, when needed, referral services to Fitchburg State University faculty and staff, and their household members. This free service is provided by AllOne Health. The EAP is staffed 24/7 by licensed counselors who respond quickly to request for help in a caring, respectful and confidential manner.

Hazing Policy

In 1985, Massachusetts passed legislation entitled, An Act Prohibiting the Practice of Hazing, and amended the legislation in 1987 to increase the penalties for those who practice hazing. This legislation appears in Chapter 536 of The Acts of 1985 and in Chapter 665 of The Acts of 1987 and requires Fitchburg State University to certify that the university has adopted a disciplinary policy with regard to the organizers and participants in hazing.

Hazing is defined as any conduct or method of initiation into any student organization, team, group, etc., which willfully or recklessly endangers the physical or mental health of any student, or other person, no matter how good the end result or intent. Such conduct includes but is not limited to:

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

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

Fitchburg State University shall issue, to every student organization, team, group, etc. which is recognized by Fitchburg State University, or is known to exist as an unaffiliated student group, student team or student organization, a copy of the Fitchburg State University Hazing Policy and Chapter 536 of The Acts of 1985 and in Chapter 665 of The Acts of 1987.

Title IX

Director of Title IX Compliance

Kristin Murphy 978-665-4141

Sanders Administration Building Room 202G

<http://www.fitchburgstate.edu/uploads/files/StudentAcademicLife/Affirmative-Action-Plan.pdf>



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Over the Summer and Fall 2014 semester, a committee made up of representatives from the 9 Massachusetts State Universities revised and developed the Equal Opportunity, Diversity and Affirmative Action Plan ('EO/AA Plan'). This plan includes a policy against discrimination, discriminatory harassment and retaliation, and a sexual violence policy. The plan also includes the complaint investigation and resolution procedures for addressing behavior/incidents that fall within the scope of the EO/AA Plan. This plan was approved by the Board of Higher Education on December 9, 2014, and became effective March 15, 2015. The plan was subsequently updated in September 2018. This plan supplants the Anti-Violence Policy that was adopted in the fall of 2014. Concurrently, there have been updates to the Student Handbook, and Code of Conduct to reflect the adoption of the EO/AA Plan.

The various Clery requirements for the Annual Security Reports as it relates to Sexual Assault, Domestic Violence, Dating Violence, and Stalking, in particularly those policy statements of **Prevention, Response Procedures to Follow, Disciplinary Procedures, Written Notification Checklist** can be found in its entirety within the University's Equal Opportunity, Diversity and Affirmative Action Plan (E.O.D.A.A.P.) . What follows are excerpts from the E.O.D.A.A.P.

University's Equal Opportunity, Diversity and Affirmative Action Plan

Pursuant to M.G.L. Chapter 15A, the Commonwealth of Massachusetts' Board of Higher Education ("BHE") is responsible for the overall governance of the Universities. Together with the BHE, the Universities' Boards of Trustees maintain and promote a policy of non-discrimination based on race, color, religion, national origin, age, disability, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status. A primary purpose of this Plan is to inform the campuses of:

- (1) the Universities' prohibition of all forms of discrimination, discriminatory harassment, sexual violence including sexual assault, sexual and gender-based harassment, domestic violence, dating violence, stalking and retaliation;
- (2) The Universities' efforts to prevent such behaviors; and
- (3) The manner in which the Universities will respond to such behaviors, including the prompt, impartial, fair and thorough investigation and resolution of complaints.

Through this Plan, the Universities also seek to responsibly recognize and, when possible, resolve the effects of past societal discrimination and the impact that discrimination has had. To those ends, the State Universities commit to an ongoing examination of all policies and procedures to ensure that they do not operate to the detriment of any person on any discriminatory basis. Finally, the Universities commit to a pro-active affirmative action posture with respect to the recruitment, selection and promotion of students and employees.

DEFINITIONS AND TERMS

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 respondents or witnesses. A prompt report will enable the University to most effectively respond to a complaint.

The process for resolving a complaint consists of three major stages: the investigation, the administrative review, and a possible appeal. Every effort will be made to investigate a complaint within sixty (60) calendar days after its receipt. Extenuating circumstances, including the complexity or severity of a complaint, breaks in the academic calendar or exam periods, may require that the investigation process be extended beyond 60 days. Every effort will be made to conclude the administrative review within fourteen (14) calendar days after the receipt of the investigation report and, where practicable, the appeal process will be concluded within thirty (30) days of receipt of the appeal.

In the event that good cause prevents the investigation and resolution process from being concluded in this time frame, the University will notify in writing all parties of the need for additional time and best efforts will be made to complete the process as expeditiously as possible. As a matter of course, parties can expect to receive status updates at reasonable intervals until the matter is resolved.

Standard of Review. All complaints pursued under the Complaint Investigation and Resolution Procedures will be evaluated under a "preponderance of the evidence" standard. Under this standard, conclusions must be "more likely than not." Accordingly, the fact-finder must find that it is more likely than not that the respondent violated the University's EO Plan, Student Code of Conduct or other relevant University policy.

Advisors. Each party to an investigation initiated under the Complaint Investigation and Resolution Procedures is entitled to have an advisor present during any meetings regarding the process (other than meetings between a party and University officials regarding accommodations or protective interim measures). Except as otherwise required by law, the advisor may observe, but may not participate in any way whatsoever, including, without limitation, by asking questions or speaking during the meeting or proceeding. The advisor's role is to provide support and/or advice to the party. During meetings and proceedings, the advisor may speak with the party or pass notes in a non-disruptive manner. The Universities reserve the right to remove from the meeting or proceeding any advisor who disrupts the process, or who does not abide by the restrictions on their participation. In addition, please note that the University does not need to cancel or delay a meeting or proceeding simply because an advisor cannot be present. Further, the advisor is not permitted to attend a meeting or proceeding without the advisee.

The personal advisor for a complainant, a student respondent or a non-unit employee respondent can be any person, including an attorney.

Respondents who are unit members may elect to have a union representative (or other University employee) present during any meeting that the unit member reasonably believes may result in discipline pursuant to the unit member's Weingarten rights. A respondent unit member who invokes their Weingarten right to a union representative or other University employee is not also permitted an advisor. If a party's advisor is an attorney, the University's legal counsel may also attend the meeting or proceeding.

Discipline or Sanctions. For the purposes of the investigation and resolution procedures, the terms may be used interchangeably.

Sexual Violence Policy

A. POLICY INTRODUCTION

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

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

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

1. Policy Purposes

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

- States that sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are prohibited and will not be tolerated;

- Defines and describes the conduct that is prohibited;
- Explains what to do if one experiences sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation;
- Identifies available on- and off-campus resources;
- Identifies the persons with whom one may speak confidentially;
- Describes all reporting options, including how to file a complaint with the university;
- Specifies the rights of both complainants and respondents; and
- Explains the universities' response to alleged incidents, including how reports of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation are evaluated, investigated and resolved.

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

The Universities prohibit and will not tolerate sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These behaviors violate this Policy, state and federal civil rights laws, and possibly the criminal laws of Massachusetts.

Fitchburg State University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

These behaviors can occur between strangers or acquaintances, including between people involved in an intimate or sexual relationship. Victims can be any gender. Any person, regardless of gender identity, can commit sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, and these behaviors can occur between people of the same or different gender.

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

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

3. Policy Application

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

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

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

4. Title IX Coordinator

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

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

The Title IX Coordinator may also serve as the University's Equal Opportunity Officer ("EO Officer"). If these positions are held by different persons, the Title IX Coordinator and EO Officer may collaborate on the enforcement of any aspect of this Policy. There may also be a Deputy Title IX Coordinator(s) designated to assist the Title IX Coordinator in the performance of the Coordinator's duties and to whom specific responsibilities may be delegated.

Anyone with questions, concerns or complaints related to Title IX, sexual violence, sexual harassment, gender-based harassment, domestic or dating violence, stalking and retaliation, and/or this Policy may contact the Title IX Coordinator on the relevant campus. The names and

contact information for the Universities' Title IX Coordinators and any Deputy Coordinators are identified on each campus's website.

<http://www.fitchburgstate.edu/about/equal-opportunity-diversity-and-affirmative-action-title-ix/>

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

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

B. DEFINITIONS AND EXAMPLES OF POLICY VIOLATIONS

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

1. Sexual Violence

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

a. Rape

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

b. Sexual Assault

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

mouth) by an object or by a body part, and/or non-consensual oral sex or anal sex. Examples of sexual assault include, but are not limited to:

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

c. Sexual Exploitation

Sexual exploitation is taking sexual advantage of another person for one's own benefit or the benefit of anyone other than that person without that person's consent. Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to:

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

d. Incest

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

e. Statutory Rape

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

f. Aiding in the Commission of Sexual Violence

The aiding or assisting in the commission of an act(s) of sexual violence is prohibited. Examples of aiding in the commission of sexual violence include, but are not limited to:

- Videotaping a friend having sex with a person who has passed out drunk at a party;

- Helping a friend to drug the friend's date's drink; and
- Encouraging students to engage in sexual activity when one knows those students to be incapacitated by drugs or alcohol.

g. Affirmative Consent

Consent is an understandable exchange of affirmative words or actions, which indicate a willingness by all parties to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement.

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

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

4. Domestic and Dating Violence

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

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

Dating violence is such behavior directed against another person in a social relationship of a romantic or intimate nature, and where the existence of such a relationship is determined based on a consideration of the length and type of relationship and frequency of interaction between the persons involved.

Examples of domestic and dating violence may, under the totality of the circumstances of each case, include, but are not limited to:

- Hitting, slapping, punching, kicking, pulling hair or other physical misconduct;
- Isolating a partner from family and friends;
- Destroying a roommate's personal items;
- Physically assaulting the child of a partner;

- Pursuing sexual activity when a partner is not fully conscious, is not asked, or is afraid to say no, or coercing a partner to have sex without protection;
- Threatening to reveal a person's sexual orientation without the person's permission;
- Exhibiting excessive possessiveness and jealousy;
- Constantly belittling or insulting a partner;
- Checking a roommate's cell phone or email account without permission;
- Demanding that a partner dress or act in a certain way; and/or
- Threatening violence against the victim's acquaintances, friends, or family members.

5. Stalking

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

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

6. Retaliation

The University prohibits retaliation against any person for making a complaint of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, for assisting in making a complaint, for resisting or openly opposing such conduct, or for otherwise using or participating in the complaint investigation process under the Policy. Persons who file, or participate in the investigation or resolution of, claims or complaints of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation with outside agencies, law enforcement or otherwise pursuant to any applicable state or federal law, are also protected from retaliation by this Policy.

Prohibited retaliation includes, but is not limited to: threats; intimidation; reprisals; continued harassment or misconduct; other forms of harassment; slander and libel; and adverse actions related to employment or education. Retaliation can be committed by individuals or groups, including friends, relatives or other associates of the person against whom a complaint is filed. Retaliation, even in the absence of proven sexual violence, sexual harassment, gender-based

harassment, domestic violence, dating violence or stalking in an underlying complaint, constitutes a violation of this Policy that is just as serious as the main offense itself.

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

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." 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. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 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.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.

8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately, (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
12. Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately, (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. Be true to yourself. Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. Lie. If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

C. 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.

D. RESOURCES

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Fitchburg State University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

ON CAMPUS	Type of Services Available	Contact Information
Counseling and Mental Health Services	Individual, couples and group counseling, crisis intervention, psychoeducational programming, outreach workshops, and community referrals. Counseling services are confidential and are offered at no charge to all enrolled students	<p>Hours of Operation Monday - Friday: 8:30 a.m. to 5:00 p.m. To make an appointment: Stop by our office or call us at 978-665-3152</p> <p>Hammond Bldg., 3rd Floor, Room 317</p> <p>https://www.fitchburgstate.edu/offices-services-directory/counseling-services/</p>
Health Services	Ambulatory care, health education/promotion and maintains health records for all full-time undergraduate and graduate students at the university.	<p>Hours of Operation Monday - Friday 8:30am - 5pm by appointment. Walk-in hours with no student workers are Thursday and Friday from 1:00 to 4:00pm.</p> <p>Ground Level of Russell Towers (across from the entrance of Holmes Dining Hall)</p> <p>Phone: (978) 665-3643/3894</p> <p>https://www.fitchburgstate.edu/offices-services-directory/health-services/</p>
Victim Advocacy Provided by Pathways for Change	24 hour crisis intervention, support groups, counseling and advocacy for Survivors of sexual assault and abuse as well as prevention education, professional training and community outreach	<p>On Campus office located in Aubuchon Hall's Office of Residential and Parking Services Office.</p> <p>Hotline: 1-800-870-5905</p> <p>https://www.pathwaysforchange.help/pfc/</p>

Visa and Immigration Assistance	The Office of International Education advises students on immigration matters, employment questions, and issues of cultural adjustment through a special orientation program, briefings, and individual advising.	Hours of Operation Monday-Friday 8:30 am – 5 pm Hammond, 316 Phone: 978-665-31089 https://www.fitchburgstate.edu/offices-services-directory/international-education/
Student Financial Aid	Assists students who, without financial assistance, would be unable to attend college	Hours of Operation Monday-Friday 8 am – 5 pm Anthony, Room 108 Phone: 978-665-3156 https://www.fitchburgstate.edu/offices-services-directory/financial-aid-office/

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

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

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

If an incident of domestic violence, dating violence, stalking or sexual assault occurs, the Universities encourage victims to report the incident and seek both police and medical assistance at Health Alliance Hospital Leominster. In Massachusetts, evidence may be collected even if you chose not to make a report to law enforcement. The hospital will contact the city in which a sex offense occur and notified them that they have received a kit, and will use an assigned number in place of the victim/ survivor’s name. Seeking police or medical assistance does not obligate a victim to make a complaint or take any further action, but the decision to seek medical help and gather evidence allows victims to preserve the full range of available options. The Universities will assist any community member to get to a safe place, provide transportation for medical help and, if requested, contact law enforcement. For 24/7 help, contact **University Police Department (978-665-3111)**, or contact the **Title IX Coordinator (978-665-4141)** during normal University hours.

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

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the University Police Department or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

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.

a. Confidential Medical Resources on Campus

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

b. Confidential Community Medical Resources

Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical-legal exams. One may find more information about SANE services and where to obtain them here:

<https://www.mass.gov/orgs/division-of-sexual-and-domestic-violence-prevention-and-services>

3. Confidential Counseling and Support

Generally, one may discuss the incident with a licensed mental health counselor or a counselor recognized by a religious order or denomination on a confidential basis. These counselors are good options if one wishes to discuss one’s situation with someone who can keep one’s information as confidential as possible while assisting one to determine what additional steps to

take, such as obtaining further counseling, seeking medical attention, preserving evidence, and/or reporting to University or law enforcement authorities then or at a later time.

a. Confidential Counseling and Support Resources on Campus

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

b. Confidential Community Counseling and Support Resources

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

White House Initiative to Combat Sexual Assault on College Campuses

www.notalone.gov (searchable listing of local resources & hotlines)

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

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

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

Massachusetts Office for Victim Assistance

<http://www.mass.gov/mova/>

Ask MOVA: 844-878-6682

MOVA Office: 617-586-1340

mova@state.ma.us

The National Stalking Resource Center

<http://www.victimsofcrime.org/our-programs/stalking-resource-center>

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

MA Spanish Language Rape Crisis Center

Hotline (Llamanos)

(800) 223-5001(Hotline)

Victim Rights Law Center

115 Broad Street, 3rd Floor Boston, MA 02110 Phone: 617-399-6720

(legal services for victims of sexual assault)

<http://changingourcampus.org/get-help/>

Additionally, the Rape Crisis Centers listed below offer FREE services, 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.

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 Hotline, 508-626-8686 TTY
- Victim Advocate/Assistance Program: <http://worcesterda.com/resources/victim-resources/>

As the above contact information may be subject to change, current contact information on rape crisis centers in Massachusetts can be found at:

<http://www.mass.gov/eohhs/consumer/physical-health-treatment/health-care-facilities/rape-crisis-centers.html>

For more information about programs and services offered by the Commonwealth regarding sexual and domestic violence see:

<http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/dvip/violence/sapss/>

4. Non-Confidential Campus Resources

The Universities offer a variety of resources to those community members who have experienced or been affected by sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. While the following resources are not bound by confidentiality, they will maintain one's privacy within the limited group of University personnel necessary to address the issues of prohibited conduct presented.

- Title IX Coordinator (and any Deputies)
- EO Officer
- University Police
- Human Resources
- Housing/ Residential Services
- Student Affairs
- Student Conduct
- Disability Services

F. REPORTING OPTIONS

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

Victims have several options for reporting: **Confidential Reports, Non-Confidential Reports and Making No Report.** While each option will be described in detail below and is summarized at *Appendix A*, as a rule, if a University receives a report of sexual violence, sexual harassment,

gender-based harassment, domestic violence, dating violence, stalking or retaliation, it must investigate the report. If one is unsure of someone's duty to report or ability to maintain one's privacy, one should ask them before one talks to them about an incident. They will be able to explain if they are required to make a report, and they can identify others who can help.

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

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

1. Confidential Reporting Options

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

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

Even if one does not wish to make a complaint, these individuals can help one to obtain support services and provide information about one's options. Please bear in mind, however, that if one requests certain protective interim measures from the University, e.g., extension for academic work or changing classes, residence halls or work locations, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of providing the requested measures. In such cases, one's privacy will be maintained to the extent that

maintaining confidentiality will not impair the University's ability to provide the requested measures.

One may also confidentially report sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation to community support resources, which are not required to share information with the Universities.

b. Anonymous Reporting

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

2. Non-Confidential Reporting Options

a. Campus Reporting Options

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

Individuals may report an incident of Domestic Violence, Dating Violence, Sexual Assault or Stalking to the institution's Title IX coordinator. The Title IX Coordinator is responsible for coordinating the institution's compliance with Title IX. The Title IX Coordinator is the Director of **Title IX Compliance** at Fitchburg State University, and can be contacted in Sanders Administration Building Room 202G or by phone at **978-665-4141**. The institution's sexual harassment policy, including a description of the grievance procedures can be found in <http://www.fitchburgstate.edu/uploads/files/StudentAcademicLife/Affirmative-Action-Plan.pdf>

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

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

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

- Members of the Boards of Trustees;
- The President and Vice Presidents;
- Assist./Assoc. Vice Presidents;
- Title IX Coordinator/ Deputy Coordinators;
- EO Officer;
- University Police;
- Director and Assist./Assoc. Director of Human Resources;
- Departmental Directors and Assist./Assoc. Directors;
- Housing Staff (including RDs and RAs);
- Athletic Coaches, Assistant Coaches and Athletics Administrators;
- Studio Managers;
- Lab Managers;
- Deans and Assistant/Associate Deans
- Academic Department Chairs;
- Academic and Non-Academic Program Directors/ Coordinators;
- Faculty/Staff Leading or Chaperoning Travel or Overnight Trips; and
- Faculty/Staff Advisors to Student Organizations.

Once an RE receives the report, the University is “on notice” of the incident and the University is then required, under most circumstances, to investigate. If one makes a report to an RE, however, only the people who need to know about the report will be told. Personal information will be shared only as necessary, and consistently with state and federal law: (1) with Administrative Investigators, witnesses, and the accused; (2) with other University officials to provide interim measures or accommodations; or (3) when required to be disclosed by law.

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

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

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

b.Criminal Reporting Options

Victims may file a criminal complaint with University Police Department (**978-665-3111**) and/or the City of Fitchburg Police Department (**978-345-4355**) where the incident occurred. Victims can make a criminal report and a report to the University; one does not have to choose one or the other.

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

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

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

c.Governmental Reporting Options

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

U.S. Department of Education, Office for Civil Rights

<http://www2.ed.gov/about/offices/list/ocr/index.html>

U.S. Department of Education Office for Civil Rights

33 Arch Street, 9th Floor Boston, MA
02119-1424

(617) 289-01111, TDD (877) 521-2172

Email: OCR.Boston@ed.gov

U.S. Department of Justice, Office on Violence Against Women

<http://www.ovw.usdoj.gov/>

Office on Violence Against Women 145 N
St., NE, Suite 10W.121

Washington, D.C. 20530

(202) 307-6026

Fax: (202) 305-2589

Email: ovw.info@usdoj.gov

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

Boston Office:

One Ashburton Place Rm.
601
Boston, MA 02108
(617) 994-6000

Springfield Office:

436 Dwight Street, Rm.
220
Springfield, MA 01103
(413) 739-2145

Worcester Office:

Worcester City Hall
484 Main Street, Rm. 320
Worcester, MA 01608
(508) 453-9630

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

d. Third Party Reporting

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

e. Unknown/Non-University Offenders

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

3. Making No Report

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

4. Amnesty

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

5. Timeframe for Reporting

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

6. False Charges

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

7. Employees' Duty to Report

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

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

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

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

8. Employees' Duty to Cooperate

Every faculty member, librarian, administrator, staff member and University employee has a duty to cooperate fully and unconditionally in an investigation conducted pursuant to the Complaint Investigation and Resolution Procedures at Appendix 4 of the EO Plan, subject to the provisions of any relevant collective bargaining agreements. This duty includes, among other things, speaking with the EO Officer, Title IX Coordinator, Administrative Investigator, reviewing or appellate body, and voluntarily providing all documentation that relates to the claim being investigated. The failure and/or refusal of any employee, 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.

PROCEDURES THE UNIVERSITY WILL FOLLOW WHEN A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING IS REPORTED

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the University Police Department or local law enforcement. Students should contact Dean of Students and employees should contact Human Resources.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow:

Incident Being Reported	Procedure Institution Will Follow:
Sexual Assault	<ol style="list-style-type: none"> 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care 2. Institution will assess immediate safety needs of complainant 3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 4. Institution will provide complainant with referrals to on and off campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options 7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate 8. Institution will provide written instructions on how to apply for Protective Order 9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution 10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

<p>Stalking</p>	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate
<p>Dating Violence</p>	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” directive to accused party if deemed appropriate

Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant 2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department 3. Institution will provide written instructions on how to apply for Protective Order 4. Institution will provide written information to complainant on how to preserve evidence 5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Institution will provide the victim with a written explanation of the victim’s rights and options 7. Institution will provide a “No trespass” directive to accused party if deemed appropriate
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G. PRIVACY AND CONFIDENTIALITY: ADDITIONAL CONSIDERATIONS

1. Requests for Confidentiality or for No Investigation

If a victim discloses an incident of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation, but requests that the University maintain confidentiality or that no investigation or disciplinary action occur, the University will weigh the request against its obligation to provide a safe, non-discriminatory environment for its entire community, including the victim, and its obligation to comply with applicable laws. It is important to understand that the University’s ability to investigate an incident and pursue disciplinary action against the alleged perpetrator(s) may be limited if the University honors a confidentiality or no investigation request.

Victims may request that directory information on file with the University be withheld by request. This can be accomplished by speaking with the Registrar’s Office, who is responsible for maintaining all student academic records. The Registrar is located in the Anthony Service Center, room 110. (978) 665-4196, registrar@fitchburgstate.edu

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know,

i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

In consultation with University Police and other University personnel as necessary, the Title IX Coordinator will evaluate a request for confidentiality or that investigation/discipline occur by considering a range of factors including, but not limited to, whether:

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

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

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

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

2. Privacy for Respondents Who Are Students

A student's right to privacy is primarily governed by the Family Educational Rights and Privacy Act ("FERPA"), which provides that personally identifiable information maintained by the Universities in students' educational records may not be disclosed except with the consent of the student or as otherwise specified by law. For more information, see Fitchburg State University's website for its Annual Notice on FERPA. <https://www.fitchburgstate.edu/offices-services-directory/registrar/student-records/ferpa/>

3. Disclosures Made At Public Awareness Events

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

4. 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.

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Fitchburg State University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

The Universities may provide individualized services as appropriate to either or both parties involved, making every effort to avoid depriving a student of access to the student's education, throughout the investigation process. The Universities want all community members to be safe,

to receive appropriate medical attention, and to get the help they need to heal and to continue to access their educational or employment opportunities.

The Universities further wish for complainants to understand how to access available interim measures. Complainants may obtain protective interim measures by either (1) reporting the incident to the Title IX Coordinator or other Responsible Employee and requesting interim measures, or (2) disclosing the incident to a counselor, who in turn can request interim measures on the complainant's behalf from the University.

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

Respondents may seek interim measures by making a request directly to the Title IX Coordinator and/or the Administrative Investigator assigned to the matter in which the respondent is a party.

The Universities will maintain as confidential any accommodations or protective interim measures provided, to the extent that maintaining such confidentiality would not impair the ability of the Universities to provide the accommodations or protective interim measures.

In assessing the need for either or both parties to receive interim measures, the Universities will not rely on fixed rules or operating assumptions that favor one party over another. The determination of interim measures shall be made on a case-by-case basis in consideration of the information available to the Title IX Coordinator. The Universities may provide one or more of the following protective measures:

- "No contact/communication" orders;
- Escorts to ensure safety while moving between locations on campus;
- Changes in academic or work schedules;
- Statutorily-provided leave to employees, such as domestic violence leave pursuant to M.G.L. c. 49, §52d;
- Alternative housing, dining and/or office accommodations;
- Restrictions from areas of campus;
- Medical and/or mental health services;

- Assistance in identifying an advocate to help secure additional assistance, such as off-campus and community advocacy, support and services; and/or
- Academic accommodations, such as:
 - Transferring to another section of a course, lecture or lab;
 - Rescheduling an academic assignment or test;
 - Arranging for incompletes, a leave of absence, or withdrawal from campus; and
 - Preserving eligibility for academic, athletic, or other scholarships, financial aid, internships, study abroad, or foreign student visas.

The Universities may also suspend a student on an interim basis or place an employee on paid administrative leave prior to completing an investigation under this Policy when it reasonably concludes that the person:

- a) Poses a threat to health or safety;
- b) Poses a threat to university property or equipment;
- c) Is disruptive or interferes with an investigation under this policy or the normal operations of the university; or
- d) Is charged with a serious violation of state or federal law.

The University shall provide the employee or student of the specific reason(s) for the interim action. During an interim action, the University reserves the right to prohibit the person from entering upon the University’s property or participating in any University activities absent written authorization from an appropriate University official. When a person has been placed on interim suspension or paid leave of absence, the Universities will make reasonable efforts to complete the investigation process in an expedited manner. The interim measures needed by either or both parties may change over time, and the Title IX Coordinator shall communicate with each party throughout the investigation and resolution process to ensure that interim measures are appropriate and effective based on the parties’ evolving needs.

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

Rights of Victims and the Institution’s Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

Additionally, in some circumstances, a complainant may wish to seek an order of protection from a court or appropriate jurisdiction against the alleged perpetrator. In these circumstances, the University Police Department will assist individuals in their attempt to secure these orders. Individuals may also seek restriction of access to the University by non-students or non-employees when appropriate.

Fitchburg State University complies with Massachusetts law in recognizing orders of protection as stated in Chapter 209A and Chapter 258E of Massachusetts General Law. Any person who

obtains an order of protection from a Court of Law in Massachusetts or any other state of the United States, should provide a copy to University Police and the Office of the Title IX Coordinator. A complainant may then meet with University Police Department to develop a Personal Safety Plan, which is a plan for University Police Department and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection on behalf of the victim, but can assist with the process if requested. The victim is required to apply directly for these services. Protection from abuse orders may be available through the district court of the County of jurisdiction where the crime occurred, plaintiff or defendant resides.

Types of Orders available through the Courts:

- **Abuse Prevention Orders**
 - The abuse prevention law (Chapter 209A) is there to protect you against someone who is abusing you. An abuse prevention order is limited to someone with whom you have a specific types of relationship (family, intimate, residential). <https://www.mass.gov/abuse-prevention-orders-for-plaintiffs>
- **Harassment Prevention Orders**
 - The harassment prevention law, commonly called Chapter 258E , is there to protect you against someone who is harassing, stalking or sexually assaulting you, no matter what your relationship with them might be. <https://www.mass.gov/harassment-prevention-orders>
- **Extreme Risk Protection Orders**
 - An Extreme Risk Protection Order (ERPO), also known as a red flag law, is an order from a judge that suspends a person’s license to possess or carry a gun. <https://www.mass.gov/extreme-risk-protection-orders>

The University may issue an institutional no contact order if deemed appropriate, or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

University Issued Orders

- **Interim Restrictions**
 1. The appropriate dean, director of student conduct, or designee may impose upon a student pending disciplinary action and/or in all cases where a student has been accused with and/or is undergoing criminal proceedings for any felony charge,

immediate interim restrictions without prior notice whenever there are sufficient facts to show that the accused student's continued presence on the campus endangers the physical safety or well being of others, or themselves, or disrupts the educational process of the university.

2. Interim restrictions may include, but are not limited to: restriction from class/ university and/or campus housing, assignment to alternate housing, limitation of access to designated housing facilities and/or campus facilities by time and location, restriction of communication with named individuals within the university community, and/or the requirement to secure advance authorization to engage in a specified activity.
 - a. All restrictions from the University and/or removal from class and/or attendance at classes shall be subject to review by the appropriate dean and/or the director of student conduct.
3. The director of housing and residential services, or designee, may impose upon a student pending disciplinary action immediate residential restrictions without prior notice whenever there are sufficient facts to show that the accused student's continued presence in the residence halls disrupts or potentially disrupts the residential community.
4. Students wishing to appeal an interim restriction must first do so in writing, by submitting a written appeal to the Office of Student Affairs. Upon receipt of the written appeal, the student shall have the opportunity to meet with the appropriate dean, or designee, to present their own version of the facts and to indicate why interim restrictions should not be imposed. Following this meeting, the decision of the dean or designee will be final.
5. Violations of interim restrictions may result in suspension or dismissal from Fitchburg State University.

Protective Measures and No-Contact Orders

1. The appropriate dean, director of student conduct, or designee may take administrative action, irrespective of the student conduct process, to provide protective measures and/or issue no-contact orders. A student wishing to contest any such measures, shall submit a letter in writing to the Office of Student and Academic Life. Such measures may include but are not limited to:
 - a. "No contact/communication" orders;
 - b. Escorts to ensure safety while moving between locations on campus;
 - c. Changes in academic or work schedules;
 - d. Alternative housing, dining, and/or office accommodations;
 - e. Restrictions from areas of campus;
 - f. Assistance in identifying an advocate to help secure additional assistance, such as off-campus and community advocacy, support and services; and/or
 - g. Appropriate academic accommodations.

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

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

The Universities will provide written information to community members regarding counseling, medical and mental health services, disability accommodations, victim advocacy, legal assistance, visa and immigration assistance, and other services available on and off campus.

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

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action
- To an explanation of the options available;
- To referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
- To a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- To request that the university impose no contact/communication orders or other interim protective measures;
- To make a complaint that starts the university's investigation and resolution processes;
- To a prompt, thorough and equitable investigation and resolution of a complaint;
- To choose whether or not to initiate a formal investigation of the complaint, unless the university deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- To the confidentiality of the investigation process to the extent possible (see privacy and confidentiality at section g);
- To an advisor of one's choice who will assist and be present at any time during the investigation proceedings, but who may not participate in or otherwise provide representation in any way throughout the process;
- To reasonable accommodations for a documented disability during the process;

- To know, in advance, the names of all persons known to be involved;
- Not to have irrelevant sexual history discussed;
- To be present at certain meetings and review evidence;
- To speak and present information on one's own behalf;
- To submit questions for the administrative investigator to ask witnesses;
- To know the status of the case at any point during the process;
- To be provided with a copy of the investigation report and an opportunity to respond to the report in advance of the administrative review;
- To be informed of the outcome of the process in a timely manner;
- To an appeal from the outcome of the process (if proper grounds for appeal exist);
- To file no complaint with the university, but receive support services from the university;
- To file a police report and/or take legal action separate from and/or in addition to the university discipline process;
- To seek and enforce a no contact, restraining or similar court order;
- To be assisted by the university in seeking assistance from or filing a complaint with local law enforcement;
- To not file a complaint or seek assistance from local law enforcement, but receive support services from the university;
- To be free from any behavior that may be construed by the university to be intimidating, harassing or retaliatory; and
- To have the matter handled in accordance with university policy.

Parties who are **respondents** to claims of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation have the following rights:

- To an explanation of the allegations against them;
- To referrals to confidential assistance and support services from both on- and off-campus resources, including 24 hour services;
- To request that the university impose no contact/no communication orders or other interim protective measures;
- To receive a copy of the complaint filed against them;
- To be presumed not in violation of university policy until a violation is established through the complaint investigation process;
- To the confidentiality of the investigation process to the extent possible (see privacy and confidentiality at section g);
- To an advisor of one's choice who will assist and be present at any time during the investigation proceedings, but who may not participate in or otherwise provide representation in any way throughout the process (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);

- To reasonable accommodations for a documented disability during the process;
- To know, in advance, the names of all persons known to be involved;
- Not to have irrelevant sexual history discussed;
- To be present at certain meetings and review evidence;
- To speak and present information on one's own behalf;
- To submit questions for the administrative investigator to ask witnesses;
- To know the status of the case at any point during the investigation and resolution process;
- To be provided with a copy of the investigation report and an opportunity to respond to the report in advance of the administrative review;
- To be informed of the outcome of the process in a timely manner;
- To an appeal from the outcome of the process (if proper grounds for appeal exist);
- To be free from any behavior that may be construed by the university to be intimidating, harassing or retaliatory; and
- To have the matter handled in accordance with university policy.

J. EDUCATION AND PREVENTION PROGRAMS

As part of the Universities' commitment to providing working, living and learning environments free from sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation, this Policy shall be disseminated widely to the campus communities through publications, new employee and student orientations, physical posting in places where students and employees are likely to see it, and other appropriate communications. A copy of this Policy is prominently posted on each University's website. You can obtain a copy of this policy in its entirety at <https://fitchburgstate.edu/uploads/files/StudentAcademicLife/Affirmative-Action-Plan.pdf>

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

1. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

The Universities provide sustained and comprehensive training to the campus community concerning:

1. Prevention and awareness programs that address rape, acquaintance rape, domestic and dating violence, sexual assault, and stalking;
2. The provisions of the universities' sexual violence policy; and

- The Universities' Complaint and Investigation Procedures for alleged violations of the Sexual Violence Policy. Additionally, the Universities provide all new or incoming students and employees primary prevention and awareness programs that promote awareness of rape, acquaintance rape, domestic and dating violence, sexual assault, and stalking.

These programs include distribution of educational materials to new students; participating in and presenting information and materials during new student and employee orientations; providing programs by invitation at staff meetings or in academic courses, etc.

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?	Target Audience
Ask First Kiss Second	February 14, 2018	Hammond Campus Center	Program regarding importance of consent & sexual assault prevention	Students and Employees
“What Were You Wearing”- Survivor Art Installation	April 13-22, 2018	Hammond Campus Center	Promoting awareness of sexual assault and addressing rape culture myths	Students and Employees
Teal Ribbon Campaign	April 2018	Locations throughout campus	Promoting sexual assault awareness and support of survivors	Students and Employees
Take Back the Night	April 18, 2018	Hammond Campus Center	Ongoing sexual assault awareness program	Students and Employees
Denim Day	April 25, 2018	Locations throughout campus	Sexual assault awareness program addressing rape culture myths	Students and Employees
Filming of campus community members (faculty/staff/students) for SPARC (Sexual Assault Prevention and Response Course)	Ongoing project throughout Spring 2018 Semester	Locations throughout campus	Sexual assault prevention and response online training for all incoming FSU students	Incoming FSU Students
SPARC (Sexual Assault Prevention and Response Course)	August 2018	Online Program	Sexual assault prevention and response online training for all	Incoming FSU Students

launched for all incoming students			incoming FSU students	
RA Training- Sexual Assault Prevention and Response	August 28, 2018	Science Building	Sexual assault prevention and response for Resident Assistants	Students and Employees
FAVE (Fitchburg Anti-Violence Education) Presentation to International Students	August 29, 2018	Hammond Campus Center	Discussion of various anti-violence programs and on/off campus resources	Students and Employees
One Love Foundation “Escalation” Training with faculty/staff/student orientation leader facilitators	August 30, 2018	Hammond Campus Center	Program discussing relationship abuse and recognition of warning signs. To be implemented with all incoming students at Fall Orientation	Incoming FSU Students
One Love Foundation “Escalation” Program with all incoming students at Fall Orientation	September 4, 2018	Weston Auditorium and various classrooms throughout campus	Program discussing relationship abuse and recognition of warning signs.	Incoming FSU Students
FAVE Table at Rock the Block	September 11, 2018	Campus Quad	Promoting awareness of anti-violence initiatives/ supports	Students and Employees
Purple Ribbon Campaign	October 2, 2018 (throughout month of Oct.)	Locations throughout campus	Promoting domestic violence awareness and support of survivors	Students and Employees
“Healthy Relationships” Program- implemented by YWCA	October 15, 2018	Hammond Campus Center	Educational programming regarding healthy relationships. Promoting awareness of domestic violence and supports	Students and Employees

FYRE (First Year Residential Experience) Program with FAVE	October 17, 2018	Russel Towers (Residence Hall)	Promoting awareness of anti-violence initiatives and support resources with resident students	Incoming FSU Students
“These Hands Don’t Hurt”	October 25, 2018	Hammond Campus Center	Promoting awareness of interpersonal violence and support resources	Students and Employees
Hunting Ground Screening- presented by Pathways for Change Campus Advocate	October 31, 2018	Hammond Campus Center	Sexual assault awareness with Fraternity and Sorority Life	Students
The “Uncomfortable Conversation”	November 11, 2018	Boston, MA	FAVE Club students attended a program regarding sexual assault awareness/prevention and support of survivors	
Bystander Training- presented by Pathways for Change Campus Advocate	November 26, 2018	Hammond Campus Center	Bystander training (sexual assault prevention & response) for members of Fraternity & Sorority Life	Students
Sexual Violence Awareness Committee Meetings- Coordinated by Pathways for Change Campus Advocate	Throughout Fall 2018 Semester	Housing & Residence Life Conference Room	Discussion of collaborative sexual assault awareness programming initiatives (student stakeholders and various campus departments)	Students and Employees

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

- The University's prohibition of the crimes of sexual assault, domestic violence, dating violence and stalking.
- The University's Sexual Violence Policy and Complaint and Investigation Resolution Procedures for addressing complaints of sexual assault, domestic violence, dating violence and stalking.
- The Massachusetts' legal definitions of the crimes of sexual assault, domestic violence, dating violence and stalking.
- The legal definition of "consent" in reference to sexual activity in Massachusetts.
- The institution's definition of consent AND the purposes for which that definition is used.
- The rights and remedies of students and employees under Title IX.
- Practical information about identifying, preventing, and reporting sexual violence and sexual harassment.
- The reporting options available to victims, on and off campus.
- The confidential resources available to the victims, on and off campus.
- How to obtain accommodations and/or interim protective measures.
- How the Universities' analyze complaints.
- Positive options for bystander intervention that an individual may take to prevent harm or intervene in risky situation.
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Information regarding:
 - Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
 - How the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
 - Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
 - Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);

- Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);
- The role of alcohol and drugs and student safety.
- How employees should respond to reports of sexual violence, sexual and gender-based harassment, domestic and dating violence, and stalking; employees’ duty to make reports to the Universities and how to make such reports.
- The University’s prohibition against retaliation.

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

- The obligations of responsible employees when interacting with students or employees making reports of sexual violence, sexual and gender-based harassment, domestic and dating violence, and stalking.
- The obligations of responsible employees to forward reports to the Universities.
- The dynamics of sexual violence and the unique toll it can take on self-blaming and traumatized individuals.
- Understanding how sexual violence occurs, how it is perpetrated, and how victims naturally respond during and after assault.
- Issues related to sexual violence, domestic violence, dating violence and stalking.
- The requirements of the Complaint Investigation and Resolution Procedures.
- How to conduct an investigation in a manner that protects the safety of the parties and promotes accountability.
- How to conduct prompt, fair, impartial and thorough investigations. Furthermore, the Universities pledge to routinely:
 - Evaluate current policies, procedures, and practices;
 - Ensure appropriate training of all persons charged with administering this policy and/or involved in the complaint investigation and resolution process;
 - Evaluate who is designated an R.E. for Title IX reporting purposes and/or C.S.A. for Clery act reporting purposes, and disseminate and publish applicable list of R.E.s and C.S.A.s;
 - Ensure appropriate training of R.E.s and C.S.A.s;
 - Evaluate campus climate assessment survey data;
 - Provide education and prevention programming for students and employees; and
 - Evaluate physical security needs on campus.

K. INDEPENDENT INVESTIGATIONS

At any time, the University, at its discretion, may conduct an investigation independent of, or in addition to, the procedures described in this Policy.

L. COMPLIANCE CONCERNS

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

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

M. MASSACHUSETTS LEGAL DEFINITIONS

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

1. Sexual Assault

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section22>

2. Domestic Violence

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

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A>

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

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A>

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13m>

<https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260>

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter265/Section13m>

Section 15D of M.G.L. c. 265 prohibits the strangulation or suffocation of another person.

<https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260>

3. Dating Violence

While Massachusetts does not have a law concerning dating violence, conduct may constitute an assault or assault and battery under M.G.L. c. 265, § 13A. An assault or an assault and battery: (i) upon another and [the perpetrator] by such assault and battery causes serious

bodily injury; (ii) upon another who is pregnant at the time of such assault and battery, [the perpetrator] knowing or having reason to know that the person is pregnant; or (iii) upon another who [the perpetrator] knows has an outstanding temporary or permanent vacate, restraining or no-contact order or judgment issued pursuant to [applicable law], in effect against him at the time of such assault or assault and battery.”

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section13a>

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section13m>
<https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260>

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section13m>

Section 15D of M.G.L. c. 265 prohibits the strangulation or suffocation of another person.

<https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter260>

4. Stalking

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

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section43>

5. Consent

There is no definition of the term “consent” in the Massachusetts General Laws. Massachusetts courts use the term “against his/her will” which means without consent. Cases have held that consent cannot be compelled or induced by force or threats, and consent is not present when the victim is incapacitated. In other words, consent requires a voluntary agreement demonstrated by words or actions, by a person with sufficient mental capacity to make a conscious choice to do something proposed by another, free of duress. Commonwealth v.

Lopez, 433 Mass. 722 (2001), Commonwealth v. Lefkowitz, 20 Mass. App. Ct. 513 (1985); see also:

<https://malegislature.gov/Laws/GeneralLaws/PartIV/Title/Chapter265/Section22>

CONFIDENTIALITY AND REPORTING		
Personnel/Organization	Confidential Status	Obligation to Report to the University's Title IX Coordinator and/or Outside of the University
University Counseling Services	Confidential	<p>None, with the following exceptions:</p> <ul style="list-style-type: none"> ▪ If there is reasonable cause to suspect that a minor, or an elderly or disabled person, has been abused, Counseling Services may report this to the University in compliance with state law. ▪ If a person presents an imminent threat of harm to one's self or others, a clinical provider may break confidentiality. ▪ If one would like to request certain protective interim measures in the aftermath of reported sexual violence, <i>e.g.</i>, more time to submit academic work or changing classes, residence halls or work locations, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures. <p>De-identified statistical information may be reported to University Police in compliance with the Clery Act.</p>
University Health Services	Confidential	<p>None, with the following exceptions:</p> <ul style="list-style-type: none"> ▪ If there is reasonable cause to suspect that a minor, or an elderly or disabled person, has been abused, Counseling Services may report this to the University in compliance with state law. ▪ If a person presents an imminent threat of harm to herself or others, a medical provider may break confidentiality. ▪ If one would like to request certain protective interim measures in the aftermath of reported sexual violence, <i>e.g.</i>, more time to submit academic work or changing classes, residence halls or work locations, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures. <p>De-identified statistical information may be reported to University Police in compliance with the Clery Act.</p>

University Chaplains, Clergy or Pastoral Counselors	Confidential	<p>None, with the following exceptions:</p> <ul style="list-style-type: none"> If one would like to request certain protective interim measures in the aftermath of reported sexual violence, <i>e.g.</i>, more time to submit academic work or changing classes, residence halls or work locations in the aftermath of reported sexual violence, the Dean of Students and/or other University officials as necessary may be contacted only for the purpose of implementing the interim measures. <p>De-identified statistical information may be reported to University Police in compliance with the Clery Act.</p>
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CONFIDENTIALITY AND REPORTING

Personnel/Organization	Confidential Status	Obligation to Report to the University’s Title IX Coordinator and/or Outside of the University
Employee Assistance Program	Confidential	None
Off-Campus Medical Providers	Confidential	None
Off-Campus Rape Crisis Centers, Counseling and/or Victim Support Services	Confidential	None
Off-Campus Chaplains, Clergy, Pastoral Counselors	Confidential	None
Local Police or other Law Enforcement	<i>Not Confidential</i>	There is no obligation for local police or law enforcement to make a report to the University, but information may be shared with the University within the requirements of Massachusetts law.
Outside Agencies (MCAD, EEOC, OCR, BHE)	<i>Not Confidential</i>	The relevant agency will notify the University of accepted complaints.
Title IX Coordinators (and Deputies)	<i>Not Confidential</i>	Yes. The Title IX Coordinator will share information with University officials and employees who need to know it in order to implement University policies and procedures.
EO Officers	<i>Not Confidential</i>	Yes. The EO Officer will share information with University officials and employees who need to know it in order to implement University policies and procedures.

University Police	<i>Not Confidential</i>	Yes. University Police will share information with University officials and employees who need to know it in order to implement University policies and procedures. Depending on the circumstances, an anonymous public warning may be issued by University Police. Whenever possible, the University will notify one if this will be issued and one's name and identifying information will not be included.
University Trustees	<i>Not Confidential</i>	Yes. Members of the Board of Trustees will share information with University officials and employees who need to know it in order to implement University policies and procedures.
The President	<i>Not Confidential</i>	Yes. The President will share information with University officials and employees who need to know it in order to implement University policies and procedures.

CONFIDENTIALITY AND REPORTING		
Personnel/Organization	Confidential Status	Obligation to Report to the University's Title IX Coordinator and/or Outside of the University
Vice Presidents, Associate and Assistant Vice Presidents	<i>Not Confidential</i>	Yes. The Vice Presidents and Associate/Assistant Vice Presidents will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Director and Assistant Director of Human Resources	<i>Not Confidential</i>	Yes. The Director/Assistant Director of Human Resources will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Departmental Directors and Assistant Directors	<i>Not Confidential</i>	Yes. Departmental Directors and Assistant Directors will share information with University officials and employees who need to know it in order to implement University policies and procedures, except: Those Departmental Directors and Assistant Directors who serve in professional roles in which communications are afforded confidential status under the law (<i>e.g.</i> , licensed mental health care providers, medical providers, pastoral counselors and clergy) will maintain confidentiality.
Residence Life Professional Staff (including RDs/RAs)	<i>Not Confidential</i>	Yes. These Residence Life professionals will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Athletic Coaches, Assistant Coaches and Athletics Administrators	<i>Not Confidential</i>	Yes. These members of the Athletics Department will share information with University officials and employees who need to know it in order to implement University policies and procedures.

Studio Managers	<i>Not Confidential</i>	Yes. Studio Managers will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Deans, Associate and Assistant Deans	<i>Not Confidential</i>	Yes. The Deans and Associate/Assistant Deans will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Academic Department Chairs	<i>Not Confidential</i>	Yes. Academic Department Chairs will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Academic and Non-Academic Program Directors and Program Coordinators	<i>Not Confidential</i>	Yes. Academic and Non-Academic Program Directors/ Coordinators will share information with University officials and employees who need to know it in order to implement University policies and procedures.

CONFIDENTIALITY AND REPORTING		
Personnel/Organization	Confidential Status	Obligation to Report to the University's Title IX Coordinator and/or Outside of the University
Faculty and Staff Leading or Chaperoning Travel or Overnight Trips	<i>Not Confidential</i>	Yes. Faculty and Staff Travel Leaders and/or Chaperones will share information with University officials and employees who need to know it in order to implement University policies and procedures.
Faculty and Staff Advisors to Student Groups	<i>Not Confidential</i>	Yes. Faculty and Staff Advisors to Student Groups will share information with University officials and employees who need to know it in order to implement University policies and procedures.

INVESTIGATION AND RESOLUTION PROCEDURES

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

I. INTRODUCTION AND APPLICATION

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

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

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

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

Discrimination or discriminatory harassment on the basis of:

- Race
- Color
- Religion
- National Origin
- Age
- Disability/Failure to Accommodate
- Sex/Gender
- Sexual Orientation
- Gender Identity
- Gender Expression
- Genetic Information
- Marital/Parental Status
- Veteran Status

Any form of the following prohibited conduct:

- Sexual Violence
 - Rape
 - Sexual Assault
 - Sexual Exploitation
 - Incest
 - Statutory Rape
- Aiding In The Commission Of Sexual Violence
- Sexual Harassment
- Gender-Based Harassment
- Domestic Violence
- Dating Violence
- Stalking

Retaliation

II. INVESTIGATION AND RESOLUTION PROCEDURES Investigations of complaints are necessary to determine:

- Whether a complaint alleges a violation of the EO Plan or the Student Code of Conduct;
- Whether prohibited conduct has occurred;
- Whether there is an ongoing risk of harm for further prohibited conduct and, if so, what steps must be taken to prevent its recurrence;
- Whether interim protective measures should be in place for the safety of the complainant or the community, or to redress the effects of prohibited conduct;

- Whether the conduct warrants disciplinary action; and
- Whether local or system-wide changes to policies, practices or training should be considered and implemented by the Universities.

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

All investigations of alleged sexual harassment, sexual violence, dating violence, domestic violence and stalking under these Procedures will be conducted using a trauma-informed approach to support complainants, while ensuring that appropriate support and due process protections are provided to all parties.

The trauma-informed approach is based on scientific evidence that a person who is subjected to a traumatic situation experiences a change in brain function that can materially affect the person's response to the situation and how memories of the event may be stored and recalled. A trauma-informed approach acknowledges that a complainant in a sexual harassment, sexual violence, dating violence, domestic violence or stalking case may have suffered a traumatic incident that may affect their participation during an investigation. A trauma-informed approach is also consistent with the provision of a fair and equitable process for the respondent.

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

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

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

A. Informal Resolution Procedure

After full disclosure of the allegations and the parties' option for formal resolution, and if the University determines that a particular complaint is appropriate for such process, the parties to a dispute may attempt to reach an informal resolution of the potential violation. The Universities encourage involved parties to request the intervention of the University to assist in an informal resolution by contacting the EO Officer.

In conference with the Title IX Coordinator and/or others as necessary, the EO Officer or the EO Officer's designee will assess the request for informal resolution against the severity of

allegations and the potential risk of a hostile environment or safety concern for other campus community members. If an informal resolution is appropriate, the EO Officer will notify the parties. The University will not ask a complainant to resolve a problem with a respondent without the involvement of the EO Officer or designee.

The EO Officer or designee will facilitate a dialogue with the parties in an attempt to reach a resolution. At no time prior to the resolution of the matter shall either party question or confront the other, or engage a third party to do so, outside the presence of the EO Officer or designee.

The matter will be deemed resolved when all parties expressly agree to an outcome that is acceptable to them and to the University. Every attempt will be made to conclude the Informal Resolution Process within sixty (60) days of the date of the complainant's request.

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

B. Formal Investigation Procedure

Submission of Complaint and Initial Review

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

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

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

The EO Officer or designee will determine if the complaint falls within the jurisdiction of these Procedures. When complaints allege sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and/or retaliation, the EO Officer or designee will refer them to the Title IX Coordinator for jurisdictional evaluation and review. At

this point, the University will implement any necessary and/or appropriate interim protective measures, or monitor and/or revise any measures already in place. If the University determines that the complaint is not properly filed pursuant to these Procedures, it will provide written notice to the complainant (or third party reporter).

Investigation Process

1. Complaints and the Respondent's Response

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

The Administrative Investigator will notify the respondent of the complaint, provide him or her with a copy of the complaint, and invite the respondent to submit a written response. See the model Notice to Respondent attached to these Procedures. If the respondent does not respond, or otherwise fails to participate in the investigation, the Administrative Investigator will complete the investigation on the basis of the other information obtained.

Where a complaint is brought by a third party reporter, the Administrative Investigator shall attempt to meet with the potential complainant to discuss his/her participation in the investigation, and to gain additional information.

2. Counterclaims

At times, a Respondent may assert a counterclaim against the Complainant in which the Respondent alleges that the Complainant has engaged in conduct that violates the EO Plan. Such counterclaims are treated as separate complaints under the EO Plan.

Under such circumstances, the Investigator will notify and/or provide a copy of the Respondent's complaint to the Complainant for his or her response in the same manner that the initial complaint is provided to the Respondent.

The University has the discretion to consolidate into one investigation all complaints between a Complainant and a Respondent (or among multiple parties), if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident(s).

Any complaint by a Respondent against a Complainant that is frivolous, knowingly false, or asserted in bad faith will be considered retaliation against the Complainant who filed the original complaint, and will become a separate violation of the EO Plan for which the Respondent may be subject to potential sanctions.

3. Investigation

The investigation shall include, but is not limited to: an analysis of the allegations and defenses presented using the preponderance of the evidence (more likely than not) standard; consideration of all relevant documents, including written statements and other materials presented by the parties; interviews of the parties and other individuals and/or witnesses; and/or reviewing certain documents or materials in the possession of either party that the Administrative Investigator has deemed relevant. The Administrative Investigator may also review any available campus police investigation reports or the investigation reports of local law enforcement authorities.

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

At the conclusion of the investigation of the complaint, the Administrative Investigator shall prepare an Investigation Report for an administrative review. The Investigation Report shall: outline the investigatory steps undertaken; summarize the factual findings; state whether any policy violations have occurred based on the preponderance of the evidence; explain the rationale for each violation determination; and, if applicable, recommend a sanction(s).

Both parties shall be provided with an opportunity to review the Investigation Report and an opportunity to respond in writing in advance of a decision of responsibility and before the Investigation Report is submitted for administrative review.

In providing both parties with the opportunity to review the Investigation Report before a decision of responsibility is made, both parties should be afforded the opportunity to come to campus with his/her advisor (or, if a respondent is a unit member, a Weingarten representative) to review the Investigative Report. To minimize the risk of compromising the investigation and to protect the sensitivity of the information contained in the Investigation Report, the parties should be given as much time as they need to review the Investigative Report, but should not be provided with a hard or electronic copy of the Investigative Report to take with them. Both parties shall then be afforded seven (7) to ten (10) business days to respond in writing to the Investigative Report. The Investigator should follow-up on any material comments made by either party that have not already been given appropriate consideration. Subsequently, the Investigative Report should be finalized by the Investigator to include a decision of responsibility and then submitted for administrative review.

A person making a complaint of sexual violence, domestic violence, dating violence or stalking may submit an impact statement during the Investigation Process. A respondent to such a complaint may submit a statement of mitigation or extenuation during the Investigation

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

Administrative Review

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

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

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

Notice of Outcome

At the completion of the administrative review, the University will notify the party found responsible of all sanctions imposed. If the sanctions imposed include a separation from the residence halls or the University, and, in the opinion of the Administrative Investigator and/or reviewing body, the party poses a continued threat to the safety of the campus community, the sanctions may take effect immediately, and while an appeal is pending.

At the completion of the administrative review, the University will also contemporaneously issue a written Notice of Outcome to all parties. The Notice of Outcome shall include the following:

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

If no appeal is filed by either party within ten (10) business days of their receipt of the Notice of Outcome, the results will become final and the University will proceed with the imposition of the recommended sanction(s).

Option for Mediation of Formal Complaints

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

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

Timeframe

The University will make every attempt to investigate a complaint within sixty (60) days of the date of its submission. If, for good cause, an investigation cannot be completed within 60 days, the University will provide the parties status updates in writing with an explanation for the delay, at reasonable intervals until the investigation is completed. The University will make every effort to conclude the administrative review within fourteen (14) calendar days of receipt of the Investigation Report.

C. Appeals

Either party may appeal the results of an investigation under these Procedures by submitting a written letter of appeal to the EO Officer or designee within ten (10) business days of the party's receipt of the Notice of Outcome. An appeal may be transmitted electronically to the EO Officer or designee. Appeals may be submitted on the following grounds:

1. To allege a material procedural error within the investigation and resolution process that would substantially change the outcome; or
2. To consider new evidence that was not known at the time of the investigation that would substantially change the outcome.

Appeals will not be considered on any other basis.

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

necessary, the appellate officer or body may seek additional information and/or refer the matter back to the Administrative Investigator, prior to making an appellate determination.

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

Under limited, exceptional circumstances, and in compliance with the principles of due process, the University reserves the right to correct, amend, supplement or modify a finding, conclusion or sanction to ensure that an investigation has been prompt, fair, impartial and thorough.

D. Possible Sanctions and Additional Remedies

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

Additional disciplinary action, subject to all provisions of applicable collective bargaining agreements or personnel policies, shall also be taken against an employee who violates a sanction or sanctions imposed pursuant to this Plan.

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

- Reprimand
- Warning
- Disciplinary probation
- Loss of privileges
- Relocation of residence
- Restriction from facilities or activities
- Temporary or permanent residence hall suspension
- Fines and/or restitution
- Disciplinary hold
- Assessment
- Educational program or project
- Revocation of admission or degree
- Withholding of degree
- Suspension
- Expulsion

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

Additional disciplinary action shall also be taken against a student who violates a sanction or sanctions imposed pursuant to this Plan. Depending on the nature of the violation, such

discipline may be imposed pursuant to the provisions of this Plan or pursuant to the applicable provision of the Student Code of Conduct. Additional Remedies Following Finding of a Violation.

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

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

III. RELATED INFORMATION AND DEFINITIONS

For the purposes of these Procedures, the following terms are defined and used as follows:

Complainant. An individual who makes a complaint under these Procedures. The Complainant may also be the University under certain circumstances.

Respondent. An individual who is accused of violating the EO Plan.

Day. A day shall mean a calendar day, unless otherwise specified herein. Discipline or Sanctions. The terms may be used interchangeably.

Advisors.

Each party to an investigation initiated under the Complaint Investigation and Resolution Procedures is entitled to have an advisor of their choice present during any meetings regarding the process (other than meetings between a party and University officials regarding accommodations or protective interim measures). The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. Except as otherwise required by law, the advisor may observe, but may not participate in any way whatsoever, including, without limitation, by asking questions or speaking during the meeting or proceeding. The advisor's role is to provide support and/or advice to the party. During meetings and proceedings, the advisor may speak with the party or pass notes in a non-disruptive manner. The Universities reserve the right to remove from the meeting or proceeding any advisor who disrupts process, or who does not abide by the restrictions on their participation. In addition, please note that the University does not need to cancel or delay a meeting or proceeding simply because an advisor cannot be present. Further, the advisor is not permitted to attend a meeting or proceeding without the advisee.

The personal advisor for a complainant, a student respondent or a non-unit employee respondent can be any person, including an attorney.

Respondents who are unit members may elect to have a union representative (or other University employee) present during any meeting which the unit member reasonably believes may result in discipline pursuant to the unit member's Weingarten rights. A respondent unit member who invokes their Weingarten right to a union representative or other University employee is not also permitted an advisor.

If a party's advisor is an attorney, the University's legal counsel may also attend the meeting or proceeding.

Referrals to Title IX Coordinator. Complaints of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation will be referred to the Title IX Coordinator for evaluation. Before starting an administrative investigation, the Title IX Coordinator or his/her designee will determine whether the reported facts, if true, would violate the Sexual Violence Policy and/or the Student Code of Conduct, and may consult with the complainant to obtain more information and discuss his/her options.

Interim Protective Measures. Upon review of a complaint, the University may determine that interim protective measures are necessary or appropriate for either party, making every effort to avoid depriving any student of access to the student's education. The Universities will implement interim measures on a case-by-case as described in Section H of the Sexual Violence Policy. Interim measures may also be instituted and/or modified at any point during the investigation and resolution process.

Off Campus Behavior. The Universities may investigate off-campus conduct alleged to violate the EO Plan and/or Student Code of Conduct when such conduct involves behavior by or toward a community member, which

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

Grade Disputes. While grade changes must generally be pursued through the academic grade change procedure, a complaint may proceed under these Procedures when a student alleges that a grade was improper because of discrimination, discriminatory harassment, sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation. The remedy for policy violations in cases pursued under these Procedures may be determined and/or implemented in conjunction with Academic Affairs.

Amnesty. Students may be hesitant to report sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation out of concern that they, or witnesses, might be charged with violations of the Universities' drug/alcohol policies. While the Universities do not condone such behavior, they place a priority on the need to address sexual violence and

other conduct prohibited by the Sexual Violence Policy. Accordingly, a University may elect not to pursue discipline against a student who, in good faith, reports, witnesses, or participates in an investigation of sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation.

Conflicts of Interest. If any University official involved in the investigation, resolution or appeal process believes there is a potential or actual conflict of interest regarding their role, they must disclose this. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused; conflict in advance to the EO Officer, Title IX Coordinator (where applicable) or designee. Likewise, if a complainant or respondent believes there is a conflict of interest present regarding any University official involved in the investigation, resolution or appeal process, s/he must disclose the conflict in advance to the EO Officer, Title IX Coordinator (where applicable) or designee. If a valid conflict of interest exists, the University will take steps to remedy or eliminate the conflict.

Confidentiality of Process. These Procedures will be conducted as confidentially as reasonably possible to protect the privacy of all involved. The Universities may share information about the allegations with parties, witnesses or others on a need-to-know basis, and shall share information with union representatives pursuant to M.G.L. Chapter 150E, or as otherwise required by law. All with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss it with anyone except an advisor or union representative. See Section VI of the Sexual Violence Policy for more information about confidential reporting options.

Joint Investigation. In some circumstances, a respondent's conduct may constitute a potential violation of other University conduct policies in addition to the EO Plan and/or the Student Code of Conduct. To avoid duplicative efforts, the University may undertake a joint investigation of the conduct under these Procedures. Based on the findings of the joint investigation, the respondent may be subject to disciplinary action for violations of the EO Plan and/or the Student Code of Conduct, as well as other policy violations.

Preponderance of the Evidence. The standard of review used to evaluate all complaints. Under this standard, conclusions must be "more likely than not." Accordingly, the fact-finder must find that it is more likely than not that the respondent violated the University's EO Plan, Student Code of Conduct or other relevant University policy.

Notice of Meetings and Access to Information. Each party to an investigation will be provided timely notice of meetings at which such party or both parties may be present. The parties will be afforded the same and timely access to any information that the University is aware will be used at any meeting or hearing. Where appropriate or required by law, the University may redact the complainant's name and other identifying information from any information provided to the respondent, including the specific charge and the complaint or related materials.

Training of Officials Who Participate in the Investigation and Resolution Process. Proceedings pursuant to these Procedures are conducted by officials who receive annual training on the issues of discrimination, discriminatory harassment and retaliation. Officials also receive annual training specific to matters of sexual and gender-based harassment, domestic violence, dating violence, stalking, as well as how to conduct an investigation that protects the safety of complainants, promotes accountability, and provides all parties with the same opportunities to be accompanied to meetings or proceedings by an advisor of their choice.

Written Notification The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Refusal of Participation. In cases where a complainant or respondent (or both) refuses or fails to participate in the investigation and resolution process, the University may continue the process without the complainant and/or respondent's participation. The failure of the respondent to participate in the investigation and resolution process will not prevent the University from imposing discipline or other sanctions when a violation is found.

Right to File an Outside Complaint. Individuals have the right to file charges of discrimination, discriminatory harassment, sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation at any time with the appropriate government agency, with or without utilizing these Procedures. More information about filing an outside complaint can be found in the Non- Discrimination and Harassment Policy and the Sexual Violence Policy, both of which are contained in the EO Plan.

Concurrent Criminal or Civil Proceedings. Persons may be accountable to both the Universities and the state for conduct that constitutes potential violations of the EO Plan and/or Student Code of Conduct and state or federal law. University investigations may be conducted before, after or simultaneously with civil or criminal proceedings, and University investigations are not subject to challenge on the grounds that civil or criminal charges involving the same conduct have been dismissed or reduced. When a person has been charged with a crime or a violation of civil law, the Universities will neither request nor agree to special consideration for the individual solely because of his/her student status. Persons subject to parallel criminal charges shall be instructed that their statements and/or other information supplied by them may be subject to subpoena.

When a criminal investigation of an incident of sexual violence, sexual or gender-based harassment, domestic or dating violence, stalking or retaliation is also occurring, the University will not delay its investigation due to the criminal investigation, unless law enforcement

requests to gather evidence. When law enforcement makes such a request, the University will typically resume its investigation within three to ten days.

Withdrawal of Complaint. The complainant may withdraw a complaint at any point during the investigation. The EO Officer, Title IX Coordinator, or designee, however, may determine, in their discretion, that the allegations raised in the complaint warrant further investigation despite the complainant's desire to withdraw the complaint. See Section VII (A) of the Sexual Violence Policy for more information on the circumstances under which the University may elect to proceed with an investigation of alleged sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation.

Domestic Violence Leave Policy (Employees)

Pursuant to Massachusetts law, specifically "An Act Relative to Domestic Violence" (the "Act"), the University provides up to fifteen (15) days of job-protected leave, each calendar year, to employees who are victims of domestic violence.

Which Employees Are Eligible for Domestic Violence Leave?

An employee who is a victim, or an employee who has a family member who is a victim, of "abusive behavior" is eligible for leave. Covered family members include the employee's spouse, parent, stepparent, child, stepchild, sibling, grandparent, and grandchild. The Act specifically notes that perpetrators of domestic violence are not entitled to leave.

What is "Domestic Violence" under the Act?

The Act defines "domestic violence" as abuse against an employer or the employee's family member by:

- A current or former spouse of the employee or the employee's family member;
- A person with whom the employee or the employee's family member shares a child in common;
- A person who is cohabitating with or has cohabitated with the employee or the employee's family member;
- A person who is related by blood or marriage to the employee; or
- A person with whom the employee or employee's family member has or had a dating or engagement relationship.

What is “Abuse” and “Abusive Behavior” under the Act?

The Act’s definitions of “abuse” and “abusive behavior” are broadly defined.

“Abuse” is defined as:

- Attempting to cause or causing physical harm;
- Placing another in fear of imminent serious physical harm;
- Causing another to engage involuntarily in sexual relations by force; threat or duress or engaging or threatening to engage in sexual activity with a dependent child;
- Engaging in mental abuse, which includes threats, intimidation or acts designed to induce terror;
- Depriving another of medical care, housing, food, or other necessities of life; or
- Restraining the liberty of another.

“Abusive behavior” is any behavior constituting domestic violence, stalking, sexual assault, or kidnapping under Massachusetts law.

When is Domestic Violence Leave Available?

If an employee has suffered abusive behavior, or has a family member who is the victim of abusive behavior, the employee may take leave from work for purposes related to the abuse, such as:

- Obtaining medical attention or counseling;
- Obtaining legal help;
- Meeting with law enforcement or a district attorney;
- Security housing;
- Securing an order of protection from a court;
- Attending child custody proceedings;
- Attending other court proceedings related to the abusive behavior, and
- Obtaining other victim’ services.

The employee is entitled to up to fifteen (15) days of leave per year.

Is Notice Required?

Yes. Except where there is a threat of imminent danger to the health and safety or safety of the employee or the covered family member, employees must provide “appropriate” notice to their immediate supervisor and/or the Associate Director of Human Resources in advance of their need for leave.

Will Documentation Need to Be Provided to Support a Leave Request?

Yes. Unless there is a threat of imminent danger, the University may also require employees to produce documentation of their need for domestic violence leave. Valid documentation that will support leave under the Act includes:

- A protective order issued by a court;
- A letter from the court or agency addressing the abusive behavior;
- A police report;
- Medical documentation of treatment as a result of abusive behavior;
- A sworn statement signed under the pains and penalties of perjury provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or professional who has assisted the employee in addressing the abusive behavior; or
- A sworn statement signed under the penalties of perjury from the employee attesting that he or she had been the victim of abusive behavior, or that a family member has been a victim of abusive behavior.

If an unscheduled absence occurs, the employee must produce valid documentation of the reason for the absence within 30 days of the unauthorized absence. The university may not require the employee to produce evidence of an arrest or conviction.

Are There Confidentiality Requirements?

Yes. All documentation should be provided to the Office of Human Resources and will be kept confidential and will not be disclosed except if requested to or consented, in writing, by the employee, or ordered to be released by a court or otherwise required by applicable state or federal law. Additionally, the Office of Human Resources will only retain this documentation for only as long as it is required to determine the employee's eligibility for domestic violence leave.

Are Employees Entitled to Pay During Domestic Violence Leave?

Only employees who are entitled to paid vacation time, sick days, or personal days, will be paid for domestic violence leave, and must exhaust this time prior to taking unpaid leave. This policy does not supersede or replace any benefits or privileges that are provided to employees under their respective collective bargaining agreements. And, leave granted pursuant to this policy would run concurrently with any domestic violence leave currently allowed under an employee's collective bargaining agreement.

Questions Regarding Policy?

Employees who have questions regarding the Domestic Violence Leave Policy may contact the Associate Director of Human Resources at ext. 3850 or the Associate Vice President of Human Resources & Payroll Services at ext. 3172.

Other Resources: The University recognizes that victims of domestic violence may need access to other types of resources and services in addition to leave. A list of resources can be found on the Fitchburg Anti Violence Education page at <https://www.fitchburgstate.edu/offices-services-directory/fitchburg-anti-violence-education/> .

University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Fitchburg State University.

EOP DISCRIMINATION / SEXUAL VIOLENCE POLICY COMPLAINT FORM

This form is used to report information necessary to initiate an investigation of alleged discrimination, harassment, sexual or gender-harassment, domestic or dating violence, stalking or retaliation pursuant to the Universities' Equal Opportunity, Diversity and Affirmative Action Plan ("EO Plan") and/or the Student Code of Conduct. All reasonable efforts will be made to maintain the involved parties' confidentiality and privacy during the investigation and resolution procedure.

It is unlawful to retaliate against a student, employee or any other person affiliated with the University for filing a complaint or for cooperating in an investigation of a complaint.

All parties to a complaint may have a personal advisor (for union employees this may be a union representative) assist them throughout the process, in accordance with Sexual Violence Policy, Student Code of Conduct and applicable collective bargaining agreements.

Filing this incident report is only for resolution through the University's Complaint Investigation and Resolution Procedure. Completing this form **DOES NOT** constitute filing an official police report with either the Fitchburg State University Police Department or the City of Fitchburg Police Department. To file an official police report, please contact the Fitchburg State University Police Department at (978) 665-3111 or in person at 32 Clinton Street (for incidents occurring on Fitchburg State Campus Property) or the City of Fitchburg Police Department at (978) 345-9648 or in person at 20 Elm Street, Fitchburg, MA 01420 (for incidents occurring off campus in the city of Fitchburg).

EOP Discrimination / Sexual Violence Policy Complaint Form:

https://cm.maxient.com/reportingform.php?FitchburgStateUniv&layout_id=8

(HEOA) Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.



Sex Offender Registration

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect on October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. The act also requires sex offenders already required to register in a State to provide notice, as required, under State Law, of each institution of higher education in that State at which a person is employed, carries on a vocation, volunteer's services or is a student.

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

- Level 1:** Considered a Low-Risk Offender
- Level 2:** Considered a Moderate-Risk Offender
- Level 3:** Considered a High-Risk Offender

How to Inquire

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

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

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

Sex Offender Registry Board

P.O. Box 4547
Salem, MA 01970
(978) 740-6400

www.mass.gov/orgs/sex-offender-registry-board

Fitchburg Police Department

20 Elm Street
Fitchburg, MA 01420
(978) 345-9648

www.fitchburgpolice.com

Penalties for Improper Use of Sex Offender Registry Information

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



Missing Student Notification Policy

The "Suzanne's Law" amends Section 3701 (a) of the Crime Control Act of 1990 so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21, and reports the missing person to the National Crime Information Center of the Department of Justice. All instances where a student is presumed missing should be immediately reported to the Fitchburg State University Police Department, or to local law enforcement in the absence of FSUPD.

The Fitchburg State University Police Department's policy is to initiate investigations immediately of reported missing persons. Any person (student, staff or faculty) believed to be missing from the campus unexpectedly should be immediately reported to the Fitchburg State University Police Department. Any resident student reported missing would be investigated by the Fitchburg State University Police Department (the local law enforcement of jurisdiction). Any other community member reported missing should be reported to the local law enforcement of having jurisdiction of the individual home address. However, the Fitchburg State University Police Department should also be notified, and will assist local law enforcement as needed.

The Fitchburg State University Police Department will investigate any report of a missing person that is filed by someone with knowledge of that student being missing or otherwise not where she/he is expected to be. This report may be filed by a parent/guardian or another family member of the person, by a roommate, Dean of Students or Housing and Residential Services staff

member (including student staff), Health Services staff member, faculty member, employment supervisor, or anyone else with information that indicates the person is missing. The Fitchburg State University Police Department will conduct an initial investigation to determine if the person appears to be missing, has simply changed their routine unexpectedly, and whether or not there is a reason to believe the person is endangered.

Students under Age 18 and Not Emancipated

For any student under the age of 18 who is not emancipated, the University must notify a custodial parent or guardian no later than 24 hours after the time the student is determined to be missing, in addition to notifying any additional contact person designated by the student.

For all missing students, Fitchburg State University will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

For any situation in which a missing person is believed to be endangered, this notification will be made as early as possible while officers are continuing to investigate.

Students under the Age Of 21

For students under the age of 21, Suzanne's Law requires that student to be entered into the national missing persons' database as soon as it is determined that student is missing.

Should a student be determined missing for more than 24 hours, the following will occur; Police will notify the Dean of Students. Police will again contact the student's parent or guardian to update them on information known at that time, efforts made to locate the person, and to get further information that may lead to the location of the missing person.

Missing Student Contact Information

Every student who lives in on-campus student housing, regardless of age, should register one or more individuals to be a contact in case of an emergency, or in case they are reported missing. The contact person can be anyone. Fitchburg State University does not require students to provide an a missing person contact, but it is strongly encouraged that they do so. If students choose to register either a missing person or emergency contact person, they are, in effect, also providing permission for law enforcement personnel to contact the identified individual if they are reported as a missing student. To register contact information specific to a missing person, please speak to a member of Housing and Residential Services in their office at 234 North Street, Aubuchon Hall.

Students residing in campus housing will be informed annually that each student has the option to identify a person designated as a confidential missing person contact to be notified by Fitchburg State University no later than 24 hours after the time the student is determined to be missing by the designated University officials authorized to make that determination (specifically,

the Fitchburg State University Police Department) or the local law enforcement agency in which the student went missing.

When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials and law enforcement and that it may not be disclosed outside of a missing person investigation.

Missing Student Procedures

A student is determined to be missing when the Fitchburg State University Police Department have verified that reported information is credible and circumstances warrant declaring the person missing. Should the Fitchburg State University Police Department investigate and determine that a residential student is missing, contact will then be made to the missing person contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by the Fitchburg State University Police Department. If the student is under the age of 18 and is not an emancipated individual, Fitchburg State University Police Department will notify the student' parent of guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Fitchburg State University will inform the Local PD (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.



Counting Clery Act Crimes

In compliance with the Massachusetts Public Records Law and the requirements of the Jeanne Clery Disclosure Act, there is a public police log and a Clery Crime/Fire log available 24 hours a day, at the Fitchburg State University Police Department, located at 32 Clinton Street, Fitchburg, MA 01420.

A summary of police activity (Public Logs) may be viewed on the department's website: <http://www.fitchburgstate.edu/offices-services-directory/campus-police/public-logs/>

The Clery Daily Crime Logs may be viewed on the department's website: <http://www.fitchburgstate.edu/offices-services-directory/campus-police/clery-crime-and-fire-logs/>

The Clery Daily Crime Logs records crimes by the date that the crime has been reported to the University Police Department within the department's patrol jurisdiction. This log is also available for public inspection at the Fitchburg State University Police Department and includes the nature, date, time, and general location of each crime reported to the department.

Collection of Annual Crime Statistics

The Fitchburg State University Police Department is the centralized reporting authority for Fitchburg State University. The Fitchburg State University Police Department collects statistics from the Dean of Students, Title IX Office, Health Services, and the Counseling Services for the Annual Security Report. Statistical information about alcohol, drug and weapons referrals is compiled through the Dean of Students. The Fitchburg State University Police Department additionally collect statistical information from the City of Fitchburg Police Department and the Massachusetts State Police for all publically held properties adjacent or contiguous to the campus as defined by federal law.

Fitchburg State University Police Department collects statistical data from the local law enforcement agencies for student organizations for the inclusion of this report. These statistical data, reported as non-campus property, are for overnight trips where student stay on behalf of the institution and the institution controls the space for that period of time. Student Organizations of Fitchburg State do not own or control any space or property outside of that which is owned by the university. Property purchased by the Alumni Association is also included in the year that the property is purchased.

For calendar year 2018, Fitchburg State University Police Department asked members of Athletics, Housing and the Office of Student Development (Department that oversees Student Clubs and Organizations) for a list of off campus locations. The following locations were identified

during which student stays met the Department of Education’s definition of Off Campus Location, (which is a single overnight stay at a location for consecutive years or more than one night.)

- 1582 Moon Valley Drive, Davenport, FL
- 1941 Tamiami Trail, Port Charlotte, FL
- 400 Gran Bahama Blvd., Davenport, FL
- 505 Pharr Road NE, Atlanta, GA
- 808 20th Street South, Birmingham, AL
- 1352 Northland Drive, Mendota Heights, MN

Local law enforcement having jurisdiction were contacted and all reported no Clery reportable crimes during the requested periods.

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

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

Crime Statistics

The crime statistics found in this report represent alleged criminal offenses reported to the Fitchburg State University Police Department and/or local law enforcement agencies. Therefore, the data collected does not necessarily reflect prosecutions or convictions for crimes. Because some statistics are provided by non-police authorities, such as those deemed as Campus Security Authorities, the data are not directly comparable to data from the FBI's Uniform Crime Reporting System, which only collects statistics from police authorities. Please note that valid comparisons of campus statistics are possible only with study and analysis of the conditions affecting each institution. The statistics provided in this report covers the following areas:

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

Crime Statistics for 2018, 2017, and 2016

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offenses
		On Campus Student Housing	On Campus Total			
Murder by Non-negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Rape	2018	6	6	0	0	6
	2017	4	5	0	0	5
	2016	3	4	0	0	4
Fondling	2018	0	1	0	0	1
	2017	3	3	0	0	3
	2016	0	1	0	1	2
Incest	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2013	0	0	0	0	0
Statutory Rape	2018	2	2	0	0	2
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Robbery	2018	0	0	0	0	0
	2017	1	1	0	0	1
	2016	1	0	0	0	1
Aggravated Assault	2018	1	1	0	0	1
	2017	0	0	0	2	2
	2016	1	1	0	2	3
Burglary	2018	1	1	0	0	1
	2017	1	1	0	0	1
	2016	4	5	1	0	6
Motor Vehicle Theft	2018	0	2	0	0	2
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Arson	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

VAWA Statistics

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offenses
		On Campus Student Housing	On Campus Total			
Domestic Violence	2018	3	4	0	1	5
	2017	5	6	0	1	7
	2016	4	4	0	0	4
Dating Violence	2018	0	1	0	0	1
	2017	0	0	0	0	0
	2016	1	1	0	0	1
Stalking	2018	5	6	0	0	6
	2017	6	9	0	0	9
	2016	12	20	0	1	20

Violations Leading to Arrests

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offenses
		On Campus Student Housing	On Campus Total			
Weapon Violations	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2010	0	0	0	2	2
Drug Violations	2018	0	0	0	0	0
	2017	1	1	0	1	2
	2016	0	0	0	2	2
Liquor Violations	2018	0	0	0	0	0
	2017	1	0	0	0	1
	2016	2	2	0	2	4

Violations Leading to Judicial Referrals

Reported Crimes	Year	Campus		Noncampus	Public Property	Total Offenses
		On Campus Student Housing	On Campus Total			
Weapon Violations	2018	1	1	0	0	1
	2017	8	8	0	0	8
	2016	2	1	0	0	2
Drug Violations	2018	0	0	0	0	0
	2017	1	1	0	0	1
	2016	21	22	0	1	23
Liquor Violations	2018	233	237	0	0	237
	2017	267	268	0	0	268
	2016	148	151	0	0	151

Clery Definitions

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

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

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

Sexual Assault: 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 the 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. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object.

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

Incest: 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 age of consent.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

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

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

Arson: Any willful or malicious burnings or attempts to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Larceny-theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

For the purposes of this definition:

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

Stalking: is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrest: Persons processed by arrest, citation or summons. An arrest has occurred when a law enforcement officer detains an adult with the intention of seeking charges against the individual for the specific offense(s) and a record is made of the detention. A juvenile should be counted as “arrested” when the circumstances are such that if the individual were an adult, an arrest would have been counted.

Referred for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

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

Drug Law Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium, or cocaine, and the derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturate, Benzedrine). Possession of a small amount of marijuana will no longer be counted as less than an ounce of marijuana has been decriminalized. However, possession will be still considered a violation and subject to student conduct hearing.

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

Unfounded Crimes Reported

Since 2015, institutions have been required to include in the annual security report statistics for the total number of crime reports that were “unfounded” and subsequently withheld from crime statistics during each of the three most recent calendar years. The standard for ‘unfounding’ a reported crime is very high. A crime may be reported as unfounded only after a full investigation by sworn or commissioned law enforcement personnel. A crime is also considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the **report is false or baseless**.

Year	Number of Reported Crimes Deemed Unfounded	Crime	Location	Reason unfounded
2018	0	N/A	N/A	N/A
2017	0	N/A	N/A	N/A
2016	0	N/A	N/A	N/A

Hate Crimes Definitions

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Although there are many possible categories of bias, under the Clery Act, only **Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin** and **Disability** are reported in the University’s Annual Security Report. Fitchburg State University Police Department also reports monthly Hate Crime to the Commonwealth, which in turns report our statistics to the federal government which tracks a broader category of hate crimes.

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

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

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

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

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

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

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

- Murder /Non-negligent Manslaughter,
- Manslaughter by negligence,
- Sexual Offenses (rape, fondling, incest, statutory rape)
- Robbery,
- Aggravated Assault,
- Burglary,
- Motor Vehicle Theft,
- Arson,
- Larceny-Theft,
- Simple Assault,
- Intimidation,
- Destruction/Damage/Vandalism of Property.

The first eight offenses are previously defined, in addition to those offenses, Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in the Clery Act statistics only if they are Hate Crimes.

Larceny-Theft: is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in

which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Simple Assault: is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Included are assaults that do not involve the use of a firearm, knife, cutting instrument or other dangerous weapons, and in which the victim did not sustain serious or aggravated injuries.

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

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

Hate Crime Statistics

Reported Hate Crimes Statistics for 2018, 2017, & 2016														
		On Campus (Student Housing)			On Campus Total (Includes Student Housing)			Non-Campus			Public Property			2018 Totals
		2018	2017	2016	2018	2017	2016	2018	2017	2016	2018	2017	2016	
Murder/Non-Negligent Manslaughter	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses- (Rape, Fondling, Incest, Statutory Rape)	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
	Disability	0	0	0	0	0	0	0	0	0	0	0	0	0

Robbery	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burglary	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Motor Vehicle Theft	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Arson	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Simple Assault	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Larceny-Theft	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Intimidation	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	
Destruction/ Damage/ Vandalism of Property	Race	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender	0	0	0	0	0	0	0	0	0	0	0	0	0
	Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0
	Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
	Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0
	Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0
	National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	



Clery Geography

The Clery geography of Fitchburg State University is unique and complex due to the physical location of the university. On Campus encompasses all university-owned property from the McKay Campus Complex and adjacent wooded area, to the Fitchburg Mart Intermodal, as well as the property of Elliot Field and the Wallace Civic Center. These properties are not directly connected. Most university property is divided or interrupted by city and privately owned properties. Some of these properties may fall under the university “routinely patrolled” jurisdiction. To assist one in further understanding the nuances of property for patrol as well as inclusion in our annual statistics, we have provided the Clery definition of the various geography as well as both a listing of all university-owned property and a map (*figure 1 below*).

The Clery Act geographical reporting area definitions are:

On Campus:

- 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 that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendor).

NonCampus Building or Property

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- 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.

Public Property

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

University Recognized Properties

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

Location	Street Address	Clery Classification
Admission Visitor Lot	279 Highland Avenue	On Campus
Anthony Student Center	280 Highland Avenue	On Campus
Aubuchon Hall	234 North Street	On Campus Residential
Cedar Street Annex (Staff Housing)	22 Cedar Street	On Campus
Cedar Street House	30 Cedar Street	On Campus Residential
Center for Professional Studies	150 Main Street	On Campus
Central Street Lot	11 Central Street	NonCampus
Condike Science Center	333 North Street	On Campus
Congress Street Lot	4 Congress Street	On Campus
Conlon Fine Arts	367 North Street	On Campus
Conlon Hall	316 Highland Avenue	On Campus
Crown Fried Chicken	70 North Street	On Campus
Dupont Facilities Building (CPM)	299 North Street	On Campus
Edgerly Hall	281 North Street	On Campus
Elliot Athletic Fields	25-53 Pearl Hill Road	On Campus
Exercise Science	155 North Street	On Campus
Faculty/Staff Apartment	46 Clinton Street	On Campus
Green Street Lot 1	60 Green Street	On- Campus
Green Street Lot 2	63 Green Street	On Campus
Hammond Hall	160 Pearl Street	On Campus
Healy Guest House	147 North Street	On Campus
Herlihy Hall	320 North Street	On Campus Residential
Holmes Dining Hall	280 North Street	On Campus
Institutional Research and Planning	340 Highland Avenue	On Campus
Klondike Service Center	167 Klondike Avenue	Non Campus
Landry Athletic Complex	990 John Fitch Highway	On Campus
Lower Cedar Street Lot	158 Cedar Street	On Campus
Miller Hall	230 Highland Avenue	On Campus
Mara Village One	299 Highland Avenue	On Campus Residential
Mara Village Two	210 Cedar Street	On Campus Residential
Mara Village Three	220 Cedar Street	On Campus Residential
Mara Village Four	329 Highland Avenue	On Campus Residential
Mara Village Five	339 Highland Avenue	On Campus Residential
Mara Village Six	250 Cedar Street	On Campus Residential
Mara Village Seven	260 Cedar Street	On Campus Residential
Mara Village Eight	349 Highland Avenue	On Campus Residential
Mara Village Commons Building	319 Highland Avenue	On Campus Residential *
Mart East	150 Main Street	On Campus

Mazzafero Center	291 Highland Avenue	On Campus
McKay Campus Complex	67 Rindge Road	On Campus
McKay "C" Rear Lot	89 Lenox Street	On Campus
McKay Front Lot	67 Rindge Road	On Campus
McKay Lower Lot	382 North Street	On Campus
McKay Upper Lot	380 North Street	On Campus
North Street Apartments	185 North Street	On Campus Residential
North Lot 1	186 North Street	On Campus
North Lot 2	187 North Street	On Campus
North Lot 2 - Upper Lot	54 Clinton Street	On Campus
North Lot 4 Upper	42 Clinton Street	On Campus
North Lot 4	129 North Street	On Campus
Parking Lot	55-59 Day Street	NonCampus
Percival Hall	254 Highland Avenue	On Campus
Police Community Outreach Center	150 Main Street	On Campus
President House	131 Highland Avenue	On Campus
Recreation Center	130 North Street	On Campus
Riccards Field	53 Pearl Hill Road	On Campus
Robert V Antonucci Science Complex	333 North Street	On Campus
Ross Street Lots (Upper and Lower)	150 Ross Street	On Campus
Russell Towers	260 North Street	On Campus
Sanders Administration	300 Highland Avenue	On Campus
Sanders Administration Lot	300 Highland Avenue	On Campus
Simonds Hall	45 North Street	On Campus Residential
South Cedar Lot	20 Cedar Street	On Campus
Townhouse 1 (Worcester House)	241-243 Highland Avenue	On Campus Residential
Townhouse 2 (Middlesex House)	261-263 Highland Avenue	On Campus Residential
Townhouse 3 (Essex House)	170 Cedar Street	On Campus Residential
Townhouse 4 (Norfolk House)	158 Cedar Street	On Campus Residential
Townhouse 5 (Hampden House)	152 Cedar Street	On Campus Residential
Townhouse 6 (Plymouth House)	150 Cedar Street	On Campus Residential
Townhouse 7 (Suffolk House)	140 Cedar Street	On Campus Residential
Townhouse South Lot	235 Highland Avenue	On Campus
Thompson Hall	240 Highland Avenue	On Campus
Theater Block	707-717 Main Street	Noncampus
Undeveloped Land	721-725 Main Street	Noncampus
Undeveloped Land	47-65 Fitch Hill Avenue	On Campus
Undeveloped Land	9 Clinton Street	On Campus
Undeveloped Land	189 Highland Avenue	On Campus
Undeveloped Land	79-105 Pearl Street	On Campus
Undeveloped Land	198 Pearl Street	On Campus
Undeveloped Land	127 Clinton Street	On Campus
Undeveloped Land	42-46 Snow Street	On Campus
Undeveloped Land	153-155 Snow Street	On Campus
Undeveloped Land	221 & 319 Pearl Hill Road	Noncampus
Undeveloped Land	151 Snow Street	On Campus

Undeveloped Land	68 Rindge Road	On Campus
Undeveloped Land	145 Rindge Road	On Campus
Undeveloped Land	254 Rindge Road	On Campus
Undeveloped Land	379 Rindge Road	On Campus
Undeveloped Land	1191 John Fitch Highway	Non Campus
University Police Department	32 Clinton Street	On Campus
University Faculty Apartments	132 Highland Ave	On Campus
Upper Cedar Street Lot	200 Cedar Street	On Campus
Vacant Building	66 Day Street	Non Campus
Vacant Building	172 Myrtle Ave	On Campus
Wallace Civic Center (Gatez Arena)	1000 John Fitch Highway	On Campus
Wallace Civic Lots	1000 John Fitch Highway	On Campus
Weston Auditorium	353 North Street	On Campus
Weston Lots (Upper and Lower)	350 North Street	On Campus

* Primarily employee/staff housing with student residential use on occasion.

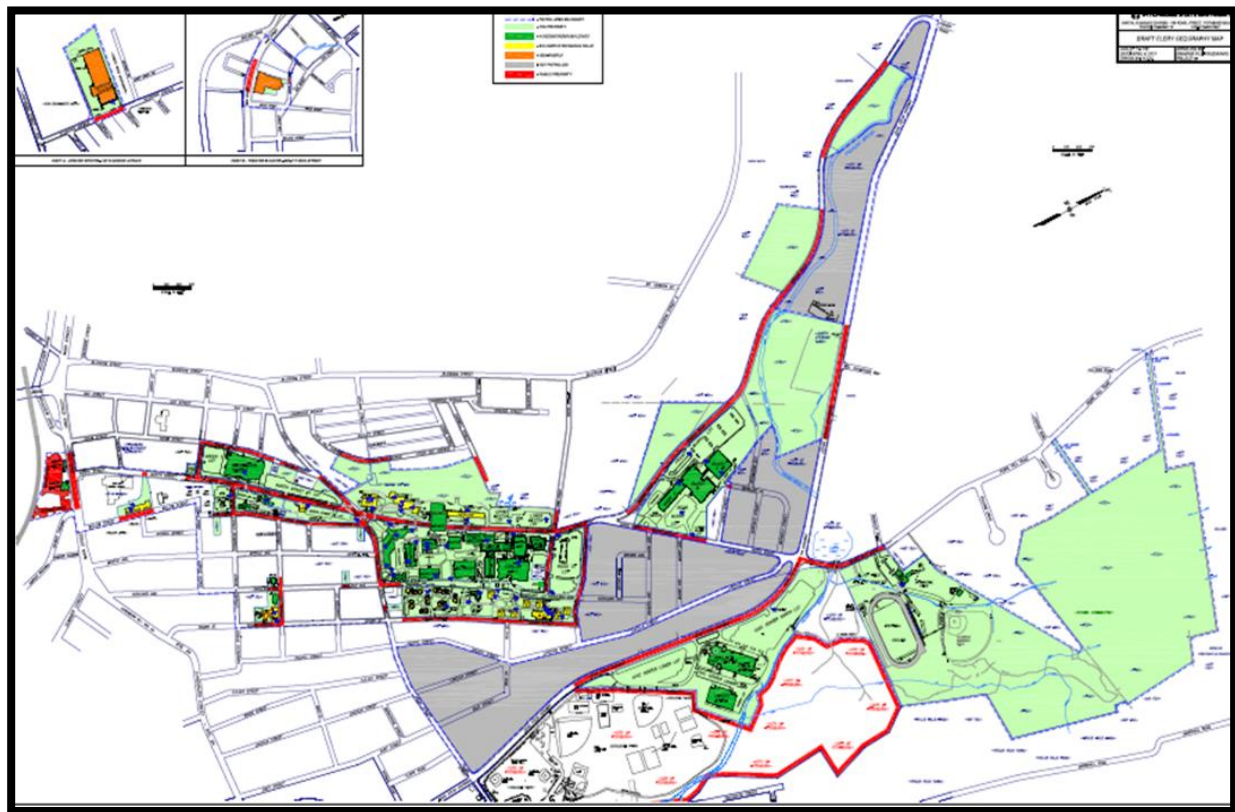


Figure 1 Fitchburg State University's Clery Map



Annual Fire Safety Report

Fitchburg State University has various departments that work collaboratively to ensure that the university is in compliance with all fire and life safety codes and standards. The department includes the Capital Planning and Maintenance, Housing and Residential Services as well as University police. All residence halls meet or exceed local and national fire safety codes and are equipped with modern fire alarm systems including smoke detectors and sprinkler systems. These systems are routinely inspected by the City's Fire Department as well as contractors who specialized in fire suppression and notification systems.

TO ENSURE A SAFE CAMPUS THE FOLLOWING RULES AND REGULATIONS HAVE BEEN ESTABLISHED.

Smoking

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

Fire Safety Equipment

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

Failure to Evacuate

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

Fire Department Access

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

Fire Detection and Suppression Equipment Tampering

Fire alarm systems and fire safety equipment are provided for the protection of the residents. The fire extinguishers, smoke detectors, fire alarm horns, pull stations, and emergency exit signs are critical safety equipment. Tampering with fire safety equipment can result in criminal

prosecution, disciplinary action and/or housing occupancy agreement termination. Where fire sprinklers exist, all sprinkler heads must remain free of obstructions to allow them to operate properly. Nothing may be attached or placed against any part of the sprinkler system, including piping.

False Alarms

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

Malicious Burning of Building Component(s) or a Building

Any person who knowingly sets fire to components of a building (i.e. doors, bulletin boards, and furniture) and/or the building itself will face disciplinary action, fines, or expulsion from University housing, and/or criminal prosecution.

Smoke Bombs and Bomb Threats

Any person who possesses and/or activates a smoke bomb in a building without the permission of the Fitchburg State University Police Department, or any person who initiates a bomb threat, will be subject to disciplinary action, fines, or expulsion from University housing and/or criminal prosecution.

Fire Hydrants and Fire Lanes

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

Fire Hazards

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

Explosives, Fireworks, and Flammables

The possession and/or storage of fireworks, explosives, gunpowder, ammunition, any flammables or material which may jeopardize the safety of others is strictly prohibited. Any person possessing and/or discharging these items on campus will face disciplinary action, fines, or expulsion from University housing, and/or criminal prosecution.

Exit Doors

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

Fire Drills

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

Inspections/Fire Drills

Most residence hall fires start in a student's room. The cause of the fire could be careless disposal of smoking material, cooking equipment, candles, or improper lights and wiring. Wastepaper baskets, sheets, futons, wall hangings, and furniture are fuel sources for a potential fire; if ignited, each will allow smoke and flame to spread throughout the room, floor, or building. If during a scheduled fire drill, fire alarm, or a scheduled health and safety inspection an Area Coordinator discovers any smoking material, cooking equipment, candles, or improper lights located in a student's suite, the items will be confiscated.

Room Entry

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

Rooms may be entered under the following conditions:

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

Portable Electrical Appliances

For health, safety and sanitation considerations, only the following appliances are authorized for use in the residence halls: small electrical appliances that have a completely enclosed heating element and are UL approved (i.e. coffeemakers and popcorn poppers); and, small microwaves and refrigerators that meet the residence hall specifications.

Refrigerators

- Maximum size, internal dimensions of less than 4.0 cubic feet.

- Maximum of 2 running amps. Refrigerators must be unplugged during semester break periods.

Microwaves

- Maximum wattage, less than 1000 watts.

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

Candles, Open Flames Devices, and Smoking

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

Holiday Decorations

In accordance with the Massachusetts Fire Prevention Regulations, the following decorative items shall not be permitted in the Fitchburg State University buildings and residence halls:

- | | |
|---|---------------------------|
| • Candles | • Corn stalks or shucks |
| • Christmas or other sawn trees
(except UL or FM approved artificial
Christmas or decorative trees) | • Cotton or confetti |
| • Christmas or other decorative
wreaths | • Dry moss or leaves |
| | • Paper streamers |
| | • Tree branches or leaves |

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

Electrical Extension Cords

Electrical Cords (primary and extension) must not pass through walls, floors, or above suspended ceilings. Electrical Cords (primary and extension) cannot be beneath carpets or across corridors or fire escapes. This type of placement could cause a fire or be responsible for a personal injury accident. If temporary wiring is required, the cord must be run along the wall, and not across an aisle or overhead.

It must be held up with a non-conductive material such as string or tape, and may not run above a concealed space such as a drop ceiling.

Electrical and mechanical closets and rooms are hazardous locations. They are not to be used for general storage and they must be kept clean at all times to reduce the risk of fire.

Electrical panels shall be properly maintained. In accordance with the Massachusetts Electrical Code, there must be at least three square feet of space around any and all electrical panels, boxes, disconnects, fuses, and other associated equipment. Students having questions about electrical closets, disconnects, panels, rooms, or service should contact the Capital Planning and Maintenance Department at (978) 665-3115 or (978) 665-3230.

Fire Doors, Escapes, and Exits

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

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

Fire Safety Education and Training Programs

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

The Fitchburg State University also utilizes a documentary, “After the Fire” which is mandatory for all incoming students. “After the Fire” discusses the January 19, 2000, Seton Hall University fire that claimed three lives and injured 56 others.

In addition, copies of their book, "After the Fire," are available in the library. Members of the Fitchburg Fire Department and Fitchburg State University Police Department are also on hand to answer questions.

Fire Reporting Procedure

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

Smoke is the greatest danger in a fire. As you evacuate, or if you are trapped, always stay near the floor where the air is less toxic. **STAY LOW!** In advance, familiarize yourself with fire extinguisher locations, exits, and alarm pull stations.

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

If trapped during a fire:

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

Emergency Fire Procedures

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

Evacuation Procedure

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

Evacuation Plan for Persons with Disabilities

- If the occupant, resident, or visitor is located on the ground floor of the building, exit through the closest appropriate means of egress.
- If the occupant, resident, or visitor is located above the ground floor, **DO NOT USE THE ELEVATOR**. Stay in your office or room, or see specific examples below.
- Call the Fitchburg State University Police Department at (978) 665-3111 and give the dispatcher your name, exact location, room number, and telephone number. Remain by the phone until contacted by the Fitchburg State University Police Department. Firefighters will assist persons who are unable to evacuate.
- Persons with hearing impairments can be assisted out of the building, providing that they are made aware of the activation of the fire alarm.
- Persons with visual impairments can be safely helped out of the building, provided that a person is there to assist them, and that most of the other building occupants have already left the building. The evacuation of persons with disabilities at the same time as everyone else might increase the risk of accident or otherwise endanger all persons trying to vacate the building.
- Persons with mobility impairments should most often remain in their rooms until assisted by the Fire Department. Untrained occupants should not attempt to carry people from the building. This could cause stairway restriction for other evacuees and may also result in serious injury to the parties involved as well as others.

Fire Definitions

The following definitions are applicable to this section:

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

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

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

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

Fire-Related Death: Any instance in which a person:

- (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- (2) Dies within one year of injuries sustained as a result of a fire.



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

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

Reporting That a Fire Occurred

Per federal law, the Fitchburg State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These numbers should only be used for fires for which you are unsure whether the Fitchburg State University Police Department may already be aware of. If you find evidence of such a fire or if you hear about such a fire, please contact one of the Fitchburg State University Police Department (978) 665-3111. **For an active fire, call 911 and (978) 665-3111**

Fire Safety Systems

Fire Safety Measures								
 		Fire Alarm Monitoring: Fitchburg State University Police Department	Fire Alarm Monitoring: Fitchburg Fire Dept.	Sprinkler System: Full Building	Sprinkler System: Partial Building	Smoke Detection	Heat Detection	Fire Extinguishers
Aubuchon Hall 234 North St		X	X	X		X	X	X
Cedar St House 30 Cedar St		X	X	X		X	X	X
Herlihy Hall 320 North St		X	X	X		X	X	X
Mara Village #1 299 Highland Ave		X	X	X		X	X	X
Mara Village #2 210 Cedar St		X	X	X		X	X	X
Mara Village #3 220 Cedar St		X	X	X		X	X	X
Mara Village #4 329 Highland Ave		X	X	X		X	X	X
Mara Village #5 339 Highland Ave		X	X	X		X	X	X
Mara Village #6 250 Cedar St		X	X	X		X	X	X
Mara Village #7 260 Cedar St		X	X	X		X	X	X
Mara Village #8 349 Highland Ave		X	X	X		X	X	X
Mara Village Common 319 Highland Ave		X	X	X		X	X	X
North St Apartments 185 North St		X	X		X	X	X	X
Russell Towers 260 North St		X	X	X		X	X	X
Simonds Hall 45 North St		X	X	X		X	X	X
Townhouse #1 241-243 Highland Ave		X	X		X	X	X	X
Townhouse #2 261-263 Highland Ave		X	X		X	X	X	X
Townhouse #3 170 Cedar St		X	X		X	X	X	X
Townhouse #4 158 Cedar St		X	X		X	X	X	X
Townhouse #5 152 Cedar St		X	X		X	X	X	X
Townhouse #6 150 Cedar St		X	X		X	X	X	X
Townhouse #7 140 Cedar St		X	X		X	X	X	X

Fire Safety and monitoring are currently to code, and no further improvement within the residence halls are scheduled for calendar year 2020.

Fire Statistics for On Campus Residential Facilities

Statistics and Related Information Regarding Fires in Residential Facilities for 2018						
Building	Fire Drills that occurred per Year	Total Number of Fires	Cause of Fire	Number of Injuries that requiring medical treatment	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
Aubuchon Hall 234 North Street	2	0	N/A	0	0	\$0
Cedar Street House 30 Cedar Street	2	0	N/A	0	0	\$0
Herlihy Hall 320 North Street	2	0	N/A	0	0	\$0
Mara Village #1 299 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #2 210 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #3 220 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #4 329 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #5 339 Highland Ave	2	0	N/A	0	0	\$0
Mara Village #6 250 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #7 260 Cedar Street	2	0	N/A	0	0	\$0
Mara Village #8 349 Highland Ave	2	0	N/A	0	0	\$0
Mara Village Common 319 Highland Ave	2	0	N/A	0	0	\$0
North Street Apartments 185 North Street	2	0	N/A	0	0	\$0
Russell Towers 260 North Street	2	0	N/A	0	0	\$0
Simonds Hall 45 North St	2	0	N/A	0	0	\$0
Townhouse #1 241-243 Highland Ave	2	0	N/A	0	0	\$0
Townhouse #2 261-263 Highland Ave	2	0	N/A	0	0	\$0
Townhouse #3 170 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #4 158 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #5 152 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #6 150 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #7 140 Cedar Street	2	0	N/A	0	0	\$0

Statistics and Related Information Regarding Fires in Residential Facilities for 2017

Building	Fire Drills that occurred per Year	Total Number of Fires	Cause of Fire	Number of Injuries that requiring medical treatment	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
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Mara Village #5 339 Highland Ave	2	0	N/A	0	0	\$0
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Townhouse #2 261-263 Highland Ave	2	0	N/A	0	0	\$0
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Townhouse #4 158 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #5 152 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #6 150 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #7 140 Cedar Street	2	0	N/A	0	0	\$0

Statistics and Related Information Regarding Fires in Residential Facilities for 2016

Building	Fire Drills that occurred per Year	Total Number of Fires	Cause of Fire	Number of Injuries that requiring medical treatment	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire
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Townhouse #5 152 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #6 150 Cedar Street	2	0	N/A	0	0	\$0
Townhouse #7 140 Cedar Street	2	0	N/A	0	0	\$0

On-Campus Resources

University Police

32 Clinton Street
978-665-3111

<https://www.fitchburgstate.edu/offices-services-directory/campus-police/>

Counseling Services

Hammond Building, Room 317
978-665-3152

<https://www.fitchburgstate.edu/offices-services-directory/counseling-services/>

Health Services

Russell Towers
978-665-3643

<https://www.fitchburgstate.edu/offices-services-directory/health-services/>

Title IX Office

Sanders Administration Building, Room
202G

978-665-4141

<https://www.fitchburgstate.edu/about/equal-opportunity-diversity-and-affirmative-action-title-ix/>

Employee Assistance Program

800-451-1834

<https://www.fitchburgstate.edu/offices-services-directory/human-resources-payroll/employee-assistance-program/>

Off-Campus Resources

Pathways for Change (Rape Crisis Center of Central Massachusetts)

(Hotline) 800-870-5905

<https://www.pathwaysforchange.help/pfc/>

Massachusetts Rape Crisis Centers

<https://www.mass.gov/service-details/rape-crisis-centers>

National Sexual Assault Hotline (RAINN)

1-800-656-4673

<https://www.rainn.org>

YWCA Central Massachusetts Domestic Violence Services

(Hotline) 508-755-9030

<https://ywcacm.org/domestic-violence>

National Domestic Violence Hotline

800-799-7233

<https://www.thehotline.org>

Jane Doe Inc.

1-877-785-2020

<http://www.janedoe.org>

National Suicide Prevention Lifeline

800-273-8255

<https://suicidepreventionlifeline.org>



FITCHBURG STATE UNIVERSITY




CAPITAL PLANNING DIVISION
160 PEARL STREET, FITCHBURG MA 01420
PHONE: 978-665-3115 FAX: 978-665-3682

CLERY PLAN - NORTH CAMPUS

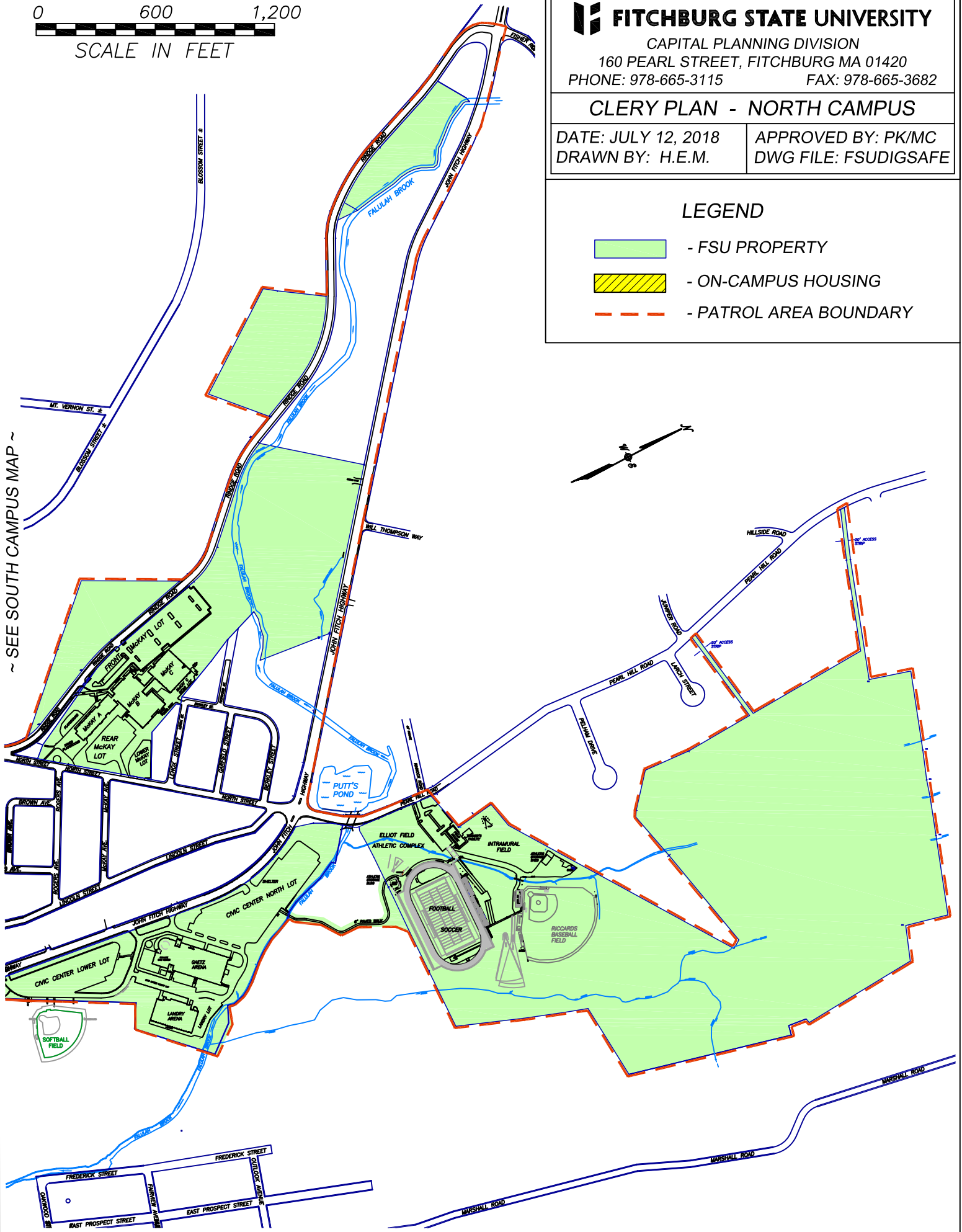
DATE: JULY 12, 2018
DRAWN BY: H.E.M.

APPROVED BY: PK/MC
DWG FILE: FSUDIGSAFE

LEGEND

-  - FSU PROPERTY
-  - ON-CAMPUS HOUSING
-  - PATROL AREA BOUNDARY

~ SEE SOUTH CAMPUS MAP ~





FITCHBURG STATE
UNIVERSITY