



# WORCESTER STATE UNIVERSITY

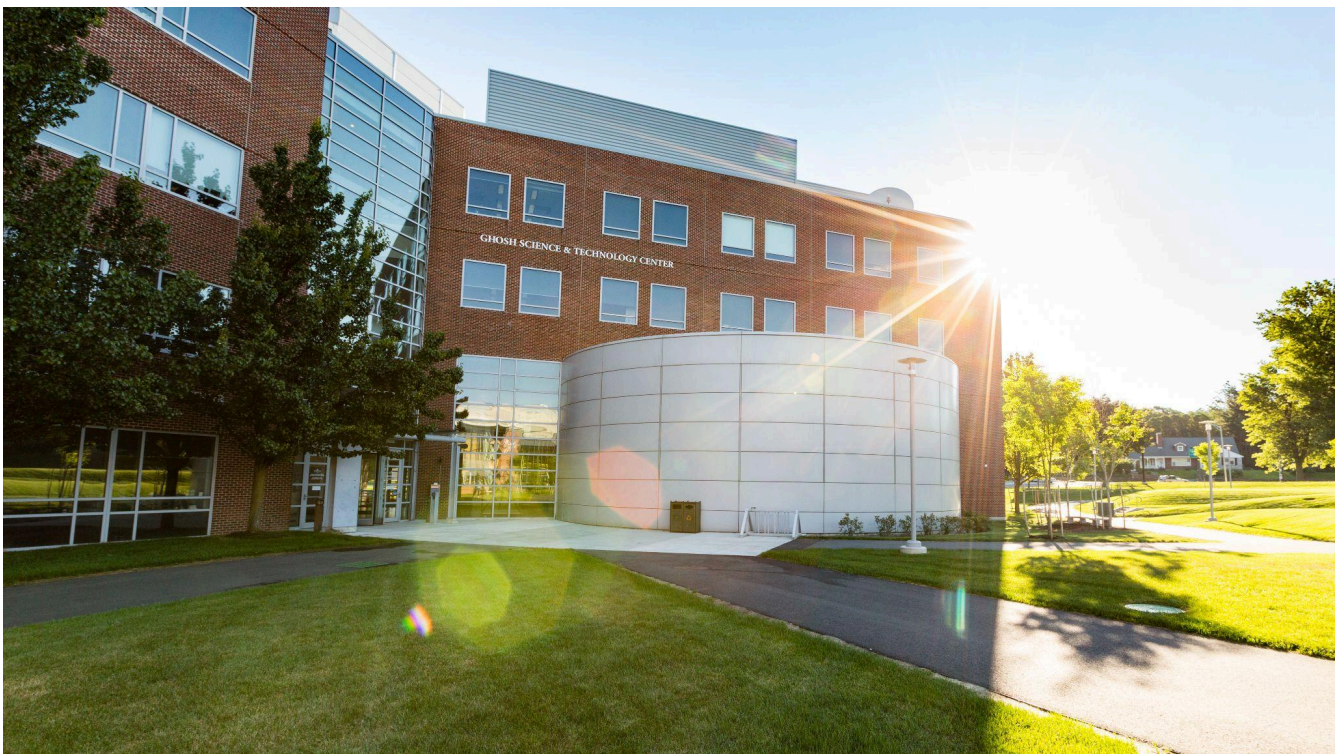
*Jeanne Clery Disclosure of Campus Security*

*Policy and Campus Crime Statistics Act*

# 2024

## Annual Security and Fire Safety Report

Published October 2024



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## **1. INTRODUCTION**

Worcester State University is committed to the safety of its students, staff, faculty, guests and visitors. We accept the responsibility to employ security measures and law enforcement practices to help provide the University community with a safe, secure environment in which to live and pursue academic goals.

This report is prepared in collaboration with local law enforcement agencies and Worcester State Division of Student Affairs (including the Office of Student Conduct and Community Standards, Residence Life, Title IX Coordinator and The Clery Compliance Committee. Each entity provides updated information on their educational efforts and programs in accordance with the Act. Worcester State University Clery Compliance Committee, prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off campus buildings or property owned or controlled by Worcester State University and on public property within, or immediately adjacent to and accessible from, the campus. This report also includes current institutional policies concerning campus security, such as alcohol and drug use, crime prevention, the reporting of crimes, sex-based discrimination, and other matters.

Annually, by October 1st an email notification is made to all enrolled students, faculty, and staff providing the web link and how to access this report. Copies may also be obtained at the Worcester State University Police Department in Wasylean Hall, 486 Chandler Street, Worcester, MA 01602. Prospective students and employees may also obtain a copy through Worcester State University Police Department or on the University's webpage.

### **1.1 - Statement of University Clery Geography**

Under the Clery Act, the on-campus category includes the following:

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). The first part of this definition states that, for Clery Act reporting purposes, your campus includes buildings and properties that meet all of the following criteria:

- Your institution owns or controls them;
- They are reasonably contiguous to one another; and
- They directly support or relate to the institution's educational purposes.

### **1.2 - Statement of Policy for Addressing Campus Law Enforcement Authority and Jurisdiction**

The Worcester State University Police Department (WSUPD) is dedicated to ensuring the safety and well-being of the university's students, staff, faculty, and visitors. The department provides direct law enforcement protection and emergency services to the Worcester State community. WSUPD's jurisdiction covers the Clery geography, which includes the main campus, residence halls, non-campus properties, adjacent public property, and any leased or controlled facilities.

WSUPD consists of 15-20 full-time sworn officers, supported by civilian personnel including security officers and dispatchers. The department also oversees Emergency Management and Parking & Transportation. Officers patrol the campus on foot and in vehicles, offering emergency response services to anyone in need.

All WSU officers are academy-trained and possess full police authority, including the power to make arrests. They enforce state laws, motor vehicle laws, and university regulations. In line with Massachusetts Police Reform, officers are certified through the Massachusetts Peace Officer Standards and Training Commission (POST-C).

Effective communication is vital to campus security. The department operates a communications center that handles emergency dispatch, monitors Rave Guardian and sends emergency alerts when necessary. The center also monitors smoke, fire, and carbon monoxide alarms and campus surveillance cameras to aid in deterring and investigating crimes.

### **1.3 - Law Enforcement and Arrest Authority**

WSUPD is recognized as a criminal justice agency by the Commonwealth of Massachusetts. Under state law (Chapter 15A, § 22 and Chapter 73, § 18), the university's Board of Trustees grants officers the same powers as state and municipal police, including making arrests, handling prisoners, and enforcing traffic laws on university-controlled properties.

WSUPD officers are also Special State Police Officers (SSPOs) under Chapter 22C, § 63, giving them the authority to detain, arrest, and search individuals for criminal offenses occurring on university-owned or controlled property. Their authority covers all felonies, misdemeanors, and motor vehicle offenses, allowing them to stop vehicles on reasonable suspicion of a crime.

### **1.4 - Officer Training and Certification**

The Massachusetts Peace Officer Standards and Training Commission and the Massachusetts Municipal Police Training Committee oversee the training of all police officers, including those at Worcester State. Officers must complete continuing education and annual training to maintain POST-C certification, which includes in-service training, CPR, First Responder courses, and firearms qualifications.

### **1.5 - Working Relationship with Other Law Enforcement Agencies**

The Worcester State University Police Department (WSUPD) maintains strong connections with several professional associations, including the Massachusetts Chiefs of Police Association, the International Association of Chiefs of Police, and the Massachusetts Association of College Law Enforcement Administrators. The department also collaborates closely with the Worcester Police Department, Massachusetts State Police, Worcester County District Attorney's Office, and the Massachusetts Alcoholic Beverages Control Commission (ABCC).

In addition, WSUPD has established partnerships with federal agencies such as the U.S. Secret Service, FBI, Department of Homeland Security, and U.S. Coast Guard Investigative Services, as well as other local law

enforcement throughout New England. A department representative attends monthly meetings of the University, College, and Hospital Law Enforcement Association, a group that fosters communication between area campuses and coordinates with the Worcester Police Department.

These relationships enhance the department's access to critical information and improve the quality of services provided to the Worcester State University community.

### **1.6 - Written Memoranda of Understanding**

The Worcester State University Police Department (WSUPD) has a formal Memorandum of Understanding (MOU) with the Worcester Police Department to define jurisdiction, collaboration and protocols for handling investigations related to sexual misconduct. WSUPD also has an MOU with the Worcester Police Department for the use of their holding facility for arrestees. Additionally, through the Higher Education Consortium of Central Massachusetts (HECCMA), Worcester State University collaborates with other institutions and local, state, and federal agencies to ensure a coordinated response to emergency situations.

## **2. STATEMENT OF POLICY FOR ADDRESSING GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY**

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

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

The Worcester State University Police Department (WSUPD) is the designated office for reporting campus crimes and emergencies. WSUPD encourages accurate and prompt crime reporting to enable timely evaluations, emergency notifications, updates to the Daily Crime Log, and proper documentation in the annual crime statistics.

Criminal incidents occurring off-campus can be reported to the Worcester Police Department or the appropriate local agency.

### **2.1 - Campus Security Authorities**

A Campus Security Authority (CSA) is a designated individual or group within the institution that is responsible for receiving and reporting crime information. CSAs are typically individuals who have a significant responsibility for student and campus activities, and they are required to report any information they receive



about crimes or suspicious activities to University Police. The role of a CSA is crucial in ensuring that all relevant crime information is collected and reported accurately, contributing to the overall safety and transparency of campus security operations. Those deemed to be Campus Security Authorities based on their position or role within the University, under the Clery Act reporting requirements, are identified, notified and provided training on their responsibilities as CSAs.

The function of a campus security authority is to report to University Police information on any crimes that they receive. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

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

- Call the Worcester State University Police by dialing (508) 929-8911 or on-campus extension 8911
- Report in person to the Worcester State University Police office located at 102 Wasylean Hall
- Sexual Misconduct reports and other incidents of sexual or relationship violence can also be reported to the University's Title IX Coordinator, by dialing (508) 929-8243 or on-campus extension 8243, or in person at the Student Center room C-344 or by email at: [wsu\\_titleix@worchester.edu](mailto:wsu_titleix@worchester.edu)
- Emergency Red Phones, located at select locations on campus can also be used to contact University Police to report a crime or emergency

## **2.2 - Exemption for Pastoral and Professional Counselors**

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not campus security authorities under the Clery Act. Under Massachusetts law, reports and information shared with Worcester State's professional licensed mental health counselors, and clergy members acting in their official capacity are considered legally protected or 'privileged.' As a result, these individuals will not disclose information learned from survivors to others within the institution, including the University's Title IX Coordinator, or to any third parties, except in cases of imminent danger to the victim or others, or to fulfill legal obligations such as reporting child abuse. Outside of these exceptions, they will only provide statistical information that does not identify the survivor, ensuring the incident is included in the University's crime statistics for the annual Clery reports and the Title IX trend report maintained by the University.

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

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

**2.3 - Anonymous Reporting**

The Worcester State University Police Department, unless otherwise prescribed by law or as set forth within this Annual Security and Fire Safety Report, does not take anonymous incident reports. The exceptions are outlined below:

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

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

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

**2.4 - Response to Reports**

Dispatchers are available 24 hours a day to answer campus community calls. In response to a call, WSUPD will take the required action by either dispatching an officer or asking the reporting party to go to the WSUPD Office to file an incident report in person. All reported crimes will be investigated by the University and may become a matter of public record. Incident reports may be forwarded to the Division of Student Affairs for review and referral to the Office of Student Conduct and Community Standards for potential action, as appropriate. Crime victims are given on and off campus resource information as necessary and appropriate. WSUPD procedures require an immediate response to emergency calls. WSUPD works closely with a full range of city and regional resources to assure a complete and timely response to all emergency calls. WSUPD responds to and investigates all reports of crimes and/or emergencies that occur within the University’s Clery geography.

**2.5 - Quick Reference Resources:**

<b>EMERGENCY</b>	<b>911 or 508 929-8911</b>
WSU Police (WSUPD) Non-Emergency Dispatch	508 929-8044
WSUPD Chief of Police	508 929-8044

WSU Student Health Services	508 929-8875
Pathways for Change Crisis Hotline	800-870-5905 Hotline, 888-877-7130
Title IX Coordinator	508 929-8243
WSU Counseling Services	508 929-8072
Resilient U-24 Hour Student Support Line	833-646-1526
Environmental Health and Safety (EH&S)	508 929-8208
Student Affairs/Dean of Students Office	508 929-8077
City of Worcester Police Department	508 799-8600

## **2.6 - Statistical Disclosure of Incidents**

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

While federal law requires the WSUPD to report certain types of criminal incidents in its annual campus crime statistics, incidents reported by the University Police Department are reported in a statistical manner that does not permit identification of survivors or other individuals who may have been involved in the incident.

Likewise, any timely warning notifications or crime bulletins the Department issues to the community will not include the names or identifying information of those involved in the incident.

Data is reported to the Worcester State University Police Department, to be included in the statistics generated by the University Police Department, as well as those collected from other agencies; to include but not limited to the Massachusetts State Police and Worcester Police Department. C.S.A.s may also file a report anytime directly to the University Police.

## **3. CAMPUS FACILITIES**

### **3.1 - STATEMENT OF POLICY FOR ADDRESSING SECURITY AND ACCESS:**

The majority of academic and administrative buildings on campus are open to the public during normal business hours (typically, Monday through Friday, 8:00 AM-5:00 PM, excluding holidays). Some buildings have established additional hours based on the needs of specific departments located within, to conduct evening classes, or facilitate events.

The Worcester State University Residence Life program comprises four on campus residential facilities. Within this program, undergraduate and graduate students are offered the opportunity to live in corridor style, suite,

or apartment style residence halls. Access to the residence halls is limited to students and their guests according to university regulations (see the Student Code of Conduct and Residence Hall Handbook). Each Residence Hall is supervised by either an area coordinator or a residence director. These are all full-time professional staff at the University with experience in Residence Life. The Residence Directors and Area Coordinator are assisted by and supervise resident assistants who are students. Individual floors or areas within a residence hall are supervised by a Resident Assistant (RA) at an approximate ratio of 1 RA to every 35 resident students. All residence life staff receive extensive training prior to the academic year as well as ongoing training throughout the year on topics such as, but not limited to, safety and security, policy enforcement, crisis intervention, conflict mediation, activity planning, and community development. Residence Life staff participate in a 24/7 on call rotation and are available to respond to resident concerns at all times the residence halls are open.

All residence halls are equipped with electronic security card access at the main entry to each building. All entry doors that lead to student living areas are secured 24 hours daily during the year while classes are in session. Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their access cards.

In addition, all outside vendors in the residence halls require a university staff member to remain at all times with a contractor who is performing service regardless of the location within the building where the service is to be performed.

The WSU Facilities Department has responsibility for the delivery of custodial services, maintenance and operation of the residence halls, the maintenance and operation of utility, heating, ventilating, and cooling distribution systems, and the upkeep of university grounds and roadways including snow removal.

University Police officers perform routine patrols of all residential and non-residential facilities 24 hours a day, 365 days a year. Individuals found on campus without a legitimate purpose may be issued trespass warnings and directed to leave campus; failure to comply may result in arrest.

The University Police Department has oversight for all locks and controlling/monitoring access to the academic buildings. All requests for the residence hall access are made through the Office of Residence Life and Housing. All other requests must be made through the University Police Department located in Wasylean Hall. The University reserves the right to make changes to these policies and procedures without notice, especially in the event of emergencies or other unusual situations.

### **3.2 - Maintenance of Campus Facilities**

The Facilities Department maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. The Facilities Department will promptly address physical conditions that, if left unattended, could affect campus security. Concepts of crime prevention through environmental design are incorporated into new construction planning, as well as renovations to existing campus physical assets.

Exterior roadway and walkway lighting surveys are conducted by University Police on a monthly basis. Results of those surveys are shared with Facilities staff who will perform any needed repairs in a timely manner. Campus grounds staff control vegetation around lighting fixtures and along campus walkways and roadways on

a regular schedule dependent upon seasonal requirements. The security of doors and windows are reviewed periodically and locks are replaced when needed.

The University has emergency call boxes at select locations on campus. These phones are identifiable by the blue light affixed to the top of each one. Campus community members are encouraged to report any safety hazard on campus such as malfunctioning lights, icy sidewalks, and broken windows to either University Police.

### **3.3 - Off-Campus Housing**

Worcester State University does not have officially recognized student organizations that own or control housing facilities inside or outside of the university's core campus. However, the City of Worcester Police Department responds to and keeps a record of criminal activity within the city. The City of Worcester Police Department works closely with the University Police Department, to refer students who may violate the university's code of conduct. All crime statistics, and reports of crimes that occur adjacent to the campus, are collected from the local police (City of Worcester). Students who choose to live off-campus may do so; however, rental properties are not controlled, maintained, or monitored by the university. Worcester 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 before signing any lease agreement.

## **4. STATEMENT OF POLICIES REGARDING EMERGENCY NOTIFICATIONS, TIMELY WARNINGS AND EVACUATION**

### **4.1 - Emergency Notifications**

An Emergency Notification is sent upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty and staff occurring on the campus, or when there is an event that requires closing the campus or limiting access (e.g., severe weather). The emergency notification system will NOT be used to send messages about criminal activity in the area unless the crime presents an immediate threat to safety on campus.

Notice of any significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students or employees on campus.

Emergency Notifications are issued upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff on campus. Some examples of situations that would be considered for Emergency Notifications include, but are not limited to the following:

1. Outbreak of meningitis, norovirus or other serious illness
2. Approaching extreme weather condition
3. Gas leak
4. Terrorist incident
5. Armed intruder

6. Bomb threat
7. Civil unrest or rioting
8. Explosion or nearby chemical or hazardous waste spill
9. Environmental emergency

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

- A legitimate emergency or dangerous situation exists in on-campus geography

AND

- The emergency or dangerous situation poses an immediate or imminent threat to members of the campus community

Emergency Notifications may also serve as a Timely Warning if the reported incident is also defined as a Clery crime. The following individuals may be contacted for coordination and collaboration about the emergency warning notifications:

- President, or designee, includes members of the Executive Cabinet
- Vice President of Student Affairs or designee
- Associate Vice President for Communications and Marketing or Public Information Officer (PIO) designee

#### **4.2 - Content of an Emergency Notification:**

Worcester State University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the WSU Rave Mobile Safety/WSU Alert notification system, unless issuing a notification will in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Some key information required in the warnings include:

- Hazard at issue prompting the warning
- Location, timing, suspect information and direction of travel (if applicable)
- Actions to take for safety
- Where to seek additional information as applicable, i.e., local media, WSU Home Page, University phone lines, email, texts, etc.
- Any other information to address safety

### **4.3 - Method of Notification**

Worcester State University utilizes Rave Mobile Safety/WSU Alert (“Rave Alert”), a multicontact communication service which allows Worcester State University leaders and police personnel to deliver time sensitive notifications to students, faculty and staff during unforeseen events or emergencies. A Rave Alert will be used when it is determined that there is a significant emergency or dangerous situation involving immediate threat to the health or safety of students or staff occurring on or immediately adjacent to the University. In addition to the Rave Alert, Worcester State University Police and the Office of Communications and Marketing may rely on other communication systems to provide information regarding an emergency situation, including:

- Social Media
- Desktop PC notification (Alertus)
- WSU website
- Media outlets including local radio and television
- Fire alarms within buildings
- Outdoor sound system at Coughlin Field
- WSUPD Police sirens
- Handheld megaphones

RAVE Alert is operated by the University Police and Information Technology Services (ITS), in conjunction with the Office of Communications and Marketing (MARCOM). This system may be used to send messages to the University community utilizing the following electronic WSU communication resources: Email, Text Messaging, Social Media, and RAVE Guardian (if enrolled).

All members of the Worcester State community are automatically “opted in” or enrolled in the RAVE Alert system. The Rave Alert system primarily works through mobile communication devices (text and voice) and is the most efficient method to disseminate messages to large groups, followed by email and traditional land-line communication. While users have the option to “opt out” of text messaging, they do so, acknowledging forfeiture to receive timely communication in the event of an emergency, including inclement weather. Email and voicemail through Rave Alert are not “opt out” optional. Members of the community are advised to download the RAVE Guardian App or directly on the campus website to update their contact information.

Emergency Communication methods include activating WSU ALERT, the WSU Emergency Notification System utilizing email, text messaging, social media platforms and/or; messages displayed on electronic message boards on campus; or messages on the home page of WSU website.

### **4.4 - Statement on Procedures for Issuance of Rave Alert**

When an emergency occurs, the Worcester State University Police Department (WSUPD) is responsible for the initial Rave Alerts about the unfolding emergency. If an incident continues to escalate, WSUPD’s Dispatch Center may become inundated with calls to continue issuing Rave Alerts. The responsibility for Rave Alerts then passes to the Communications Lead/Personnel.

Criteria for Rave Alert handoff to Communications Lead/Personnel:

Any of these criteria or a combination of them warrant a handoff of responsibility for Rave Alerts.

- Incident is escalating in seriousness.
- Dispatch lines are being inundated with emergency calls.
- Outside law enforcement is called in to support WSUPD.

The decision to hand off Rave Alerts rests jointly with the lead PIO and with the incident commander or the chief of police. The incident commander / police chief will alert communications lead by phone or text that a handoff is needed. The communications lead will confirm they are prepared to issue Rave Alerts. If this handoff does not occur, WSUPD retains responsibility for continuing to issue Rave Alerts.

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

- Social Media (i.e., Facebook, X)
- Desktop PC notification (Alertus)
- WSU website
- Local radio and television media
- Fire alarms within buildings
- Outdoor loudspeaker at Coughlin Field
- WSUPD Police sirens
- Handheld megaphones

#### **4.5 - Procedure to Test Emergency Notification Systems**

The Worcester State University Police Department in collaboration with MARCOM and ITS will test the RAVE/WSU Alert system on an annual basis. These notifications may be announced and/or unannounced. Tests are designed to test the notification system, scheduled drills, exercises and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. The following modalities will be tested during on an annual basis:

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

This system is tested monthly within the Worcester State University Police Department to ensure department members are familiar with how to send an alert during an emergency.

#### **4.6 - Timely Warnings**

Timely warnings are correspondence provided to notify students, faculty, and staff of Clery Act crimes, or Non-Clery Act crimes that may represent a serious or ongoing threat to the campus community and to heighten safety awareness. A timely warning also seeks information that may lead to the arrest and conviction of the offender when violent crimes against persons or substantial crimes against property have been reported. Timely warnings are triggered by crimes that have already occurred, but represent an ongoing threat. Decisions to issue a timely warning are made on a case by case basis, for any Clery Act crime committed on your Clery Act geography that is reported to your campus security authorities, University Police or a local law enforcement agency, and that is considered by the institution to represent a serious or continuing threat to students and employees. Timely warnings are disseminated as soon pertinent information is available.



Additional information may be provided as it becomes available. The Timely Warning will include all information that will promote safety and will aid in the prevention of similar crimes. A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

1. Date and time or timeframe of the incident
2. A brief description of the incident
3. Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips)
4. Suspect description(s) when deemed appropriate and if there is sufficient detail. The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual.
5. University Police Department contact information
6. Other information as deemed appropriate by the Chief of Police, or designee

The timely warning notice will not include any information that would identify the reporting party.

Whether to disseminate a timely warning will be decided by the Chief of Police or their designee and in consultation with others, when time permits, on a case-by-case basis in light of all the facts surrounding the crime and the continuing danger to the campus community. The following individuals may be contacted for coordination and collaboration about the timely warning:

- President, or designee, includes members of the Executive Cabinet
- Vice President of Student Affairs or designee
- Associate Vice President for Communications and Marketing or PIO designee

Timely Warning Notifications are written and distributed by staff in the University Police, or the Office of Communications and Marketing (MARCUM).

A *Timely Warning Decision Matrix*, must be completed by staff in University Police or the Office of Communications and Marketing prior to any communication to the campus community. This form will assist in determining to notify or not notify segments of the campus community and aid in creating an outline of information to address in the communication.

Timely Warning Notices are distributed via the RAVE system to the Worcester State University community via campus-wide email, phone calls and posted on the homepage of the website.

#### **4.7 - Emergency Updates and Final Notifications**

The University will communicate updates and revised health and safety guidance, as necessary, throughout the duration of an emergency warranting a timely warning or emergency notification. The University will distribute a final notification confirming that emergency conditions have subsided and issue an all clear notice when the campus is safe to return to normal operations. If necessary, additional health or safety instructions will accompany any final notification.

#### **4.8 - Emergency Management Team**

The Emergency Management Team (EMT) is the lead emergency response team for Worcester State University. This team uses the Incident Command System and assigns Command and Section Leaders to lead the campus emergency response effort. These members work together to gather incident information, create emergency actions plans and respond to incidents. Training for this group may include: Incident Command System (ICS) and the National Incident Management System (NIMS) courses, periodic exercises and other training as appropriate. Duties of EMT during an emergency may include:

- Activation of the Emergency Operations Center
- Notification and activation of response team members
- Verification and release of incident information
- Update WSU community regarding emergency or incident
- Activation of Emergency Plans (e.g. Shelter-in-Place, Evacuate)
- Coordination of additional resources needed for incident

#### **4.9 - Evacuation Procedures**

Students and employees should make themselves aware of and learn the locations of the emergency exits in the residence halls as well as other campus buildings. University staff will communicate information to students regarding the developing situation or any evacuation status changes.

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

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

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

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

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

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

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

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

- All building occupants are required to evacuate when the fire alarm sounds or upon the order of an authorized University official, such as a WSU Police Officer.
- If time permits, stabilize lab procedures, turn off stoves and ovens, and unplug or disable any device that could make a dangerous situation even worse.
- Move to the closest exit and proceed down the EXIT stairwell in a safe and orderly manner. Take personal belongings with you. Do NOT use elevators.
- Remain at least three hundred (300) feet outside of the building and await further instructions.
- Keep roadways open, and beware of approaching emergency vehicles. Notify emergency responders of anyone trapped, especially anyone with a physical disability.
- If evacuation of part or all of the campus is necessary, monitor text message/voice alert system, email, and the University's website for additional information.
- Those in need of transportation will be directed to areas to await transport to an off-campus site.

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

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

#### **4.10 - Sheltering in Place/Lockdown during an Emergency**

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

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

**4.10.2 - How You Will Know When to "Shelter in Place?":** A shelter in place notification can come from several sources, including the Worcester State University Police Department, the WSU Emergency Management Team, the City of Worcester Fire Department, or the City of Worcester Police Department. In addition, notification of a need to shelter in place may come over the radio or television or by any of the communication methods mentioned above.

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

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

## **5. STATEMENT OF SECURITY AND PERSONAL SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS**

Worcester State University believes that through crime prevention and safety awareness education, community members are better prepared to prevent and to respond if crime does occur. During orientation, incoming students receive information on personal safety and campus awareness programs and support offered by the Worcester State University Police Department, Office of Title IX, Counseling Services, Office of Community Standards, and Health Services.

Prevention Programs related to Sexual Assault, Domestic Violence, Dating Violence, Stalking, and other crimes are offered throughout the academic year. A common theme of all awareness and crime prevention programs is to encourage students to be aware of their responsibility for their own security, the security of others, and to be an active bystander. In addition, representatives from University Police, Counseling Services, Title IX and other offices within Student Affairs offer presentations and facilitate passive programs.

### **5.1 - CAMPUS SAFETY WORKSHOPS AND CRIME (INCLUDING SEXUAL VIOLENCE) PREVENTION AND AWARENESS PROGRAMS.**

Worcester State University Division of Student Affairs works collectively across campus to offer students, faculty and staff workshops and programming on a wide variety of safety and security related subjects including, but not limited to alcohol and drug awareness and bystander intervention. Worcester State Police Officers, when invited, take part as guest lecturers in classes or assist student leaders with programming needs upon request.

#### **5.1.1 - Active Threat Seminars**

The Worcester State University Police Department offers sessions to increase employee and student situational awareness and alertness in the event they find themselves in harm's way. This seminar focuses on the principles of "Run, Hide, Fight".

#### **5.1.2 - Community Liaison**

The Worcester State University Police Department works to provide groups and clubs on campus the opportunity to have an officer take part in a meeting(s). This allows officers to address areas of concern

for specific groups, provide familiarity with officers, and the opportunity to collaborate towards an educational goal.

### **5.1.3 - Rape Aggression Defense (R.A.D.) Program**

Worcester State's Police Department has offered R.A.D. course (Rape Aggression Defense) trainings designed to teach basic self-defense techniques. R.A.D. training is an opportunity to learn more about how to reduce risks of harm for themselves and the community. Participants are trained to be alert for aggressive behavior, to recognize how this behavior negatively impacts lives, to take steps to avoid aggressive behavior, and to look at how everyone can be part of reducing aggression and violence. This is offered each semester; however, it can also be requested by a group or team. Additional classes, within the R.A.D. program, are also offered as requested, including: RAD Keychain Defense, Advanced Self Defense, and Weapons Defense. Contact Captain Donald Brickman at [dbrickman@worchester.edu](mailto:dbrickman@worchester.edu).

### **5.1.4 - Online Sexual Assault prevention modules (Vector Solutions)**

Currently four programs are required for all incoming first year students: Alcohol Edu, Sexual Violence Prevention, Diversity, Equity and Inclusions, and Mental Wellbeing. These programs offer educational information and personalized feedback for students. The first part of the program is typically completed in the summer before first year students arrive on campus, with the second part being completed during the fall. Students must complete the knowledge-based quizzes in order to complete the course. These courses are also required for transfer students, graduate students, and athletes.

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

An evidence-based intervention program that helps students examine their own alcohol use. Students may self-refer or be referred through the student-conduct process as needed, throughout the year.

### **5.1.6 - Behind Closed Doors:**

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

### **5.1.7- Clothesline Project:**

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

### **5.1.8 - Can I Kiss You?:**

Consent presentation by the Center for Respect hosted annually in New Student Orientation.

### **5.1.9 - Consent and F.R.I.E.S:**

(Freely Given, Reversible, Informed, Enthusiastic, and Specific) tabling at Wellness Expo and a social media/awareness campaign held in the spring.

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

### **5.1.11. Empty Place at the Table:**

memorial display by YWCA Central MA honoring those who have lost their lives to domestic violence in MA over the past year.

**5.1.12 - Fresh Check Day/Rise Up One Love booth:**

is a yearly event to boost awareness about healthy relationships at the annual mental health event.

**5.1.13 - NCAA Life Skills:**

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

**5.1.14 - One Love, Behind the Post:**

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

**5.1.15 - Pathways for Change:**

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

**5.1.16 - Red Flag Campaign:**

Flags to represent signs of unhealthy relationships are displayed on campus in October each year.

**5.1.17 - Sexual Violence Education and Prevention:**

Class presentation/workshop on sexual violence and prevention provided six times throughout the year with a primary audience of first year students.

**5.1.18 - Title IX and Trauma Informed Approach:**

training to faculty, staff, student leaders, and first year students offered multiple times throughout the year.

**5.1.19 - We Speak Up:**

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

**5.2 - Sexual Assault Violence Education (SAVE) Task Force**

The Sexual Assault and Violence Education (SAVE) Task Force is a collaborative effort of individuals across academic and student affairs, working together to coordinate sexual and relational violence education and prevention efforts campus wide. The Task Force is composed of administrators, staff, faculty and students representing various campus divisions, departments and disciplines, who are

committed to “cultivating a vibrant campus life in which all members of the WSU community feel welcomed, included, respected, empowered and valued” (Worcester State University, Strategic Plan). Through campus wide programming, training and resources, the task force will help to provide a safe, healthy and supportive campus climate, free of sexual and relational violence.

### **5.3 - Sexual Misconduct Response Team**

The Sexual Misconduct Response Team (SMRT) is a collaborative multi-disciplinary team focused on a comprehensive approach to evaluating and improving the campus response, policies and protocols of sexual and gender based misconduct and discrimination. The SMRT model has become the standard for responding to victims of sexual assault on college campuses and in communities. There is significant research on the effectiveness of such teams on improving prevention and response of sexual violence on college campuses.

In 2022 the SMRT launched a collaboration with NASPA’s Culture of Respect Collective. The SMRT completed the CORE Blueprint Program which supports institutions of higher education in implementing a coordinated, comprehensive, multistakeholder approach that aims to shift campus culture toward one that is free from sexual violence. The program was designed to build participants’ capacity to make meaningful changes to campus policies and services, while engaging campus stakeholders in an ongoing process of feedback and reflection.

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

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

### **5.5 - Behavioral Intervention Team**

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

### **5.6 - CARE Team**

The Worcester State University Collaboration, Assessment, Response, and Education (CARE) Team is a collaborative group that promotes student well-being through proactive, compassionate, and



transparent assistance. The team is composed of personnel with expertise in academic affairs, enrollment management, and student affairs, and its mission is to provide intervention services for students who may require one-time or ongoing support.

The CARE Team is **not** a threat assessment team or responsible for responding to emergencies. If a referral/report is deemed a threat, it will be referred to the University Police and/or the Behavioral Intervention Team (BIT).

### **5.7 - Working Together for Campus Safety - Tips for Community Members:**

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

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

## **6. STATEMENT OF POLICY FOR ADDRESSING ALCOHOL POLICIES AND PREVENTION PROGRAMS**

All policies and regulations regarding the consumption and/or sale of alcoholic beverages on the Worcester State University premises or off-campus where Worcester State University jurisdiction applies shall be in strict conformity to the appropriate Massachusetts General Laws, the regulations of the License Commission of the City of Worcester and in compliance with the Drug-Free Schools and Communities Act (DFSCA), and the Drug-Free Schools and Campuses Regulations<sup>1</sup>.

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<sup>1</sup> References: Mass. General Law, Chap. 138, Sec. 34: Alcoholic Beverages (Procuring for persons under 21); Mass. General Law, Chap. 138, Sec 34A: Alcoholic Beverages (Procuring by false pretenses); Mass. General Law, Chap. 138, Sec. 3413: Alcoholic Beverages (Liquor Purchase Identification Cards); Mass. General Law, Chap. 138, Sec. 34C: Alcoholic Beverages (Transportation by those under 21 years of age); Worcester City Ordinances Chap. 9 re: Open Alcoholic Beverage Containers.

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

- Worcester State University prohibits the possession, consumption, storage or service of alcohol by students with the exception of prior approval from the Vice President of Student Affairs Office or designee, and 21+ apartments designated by the Office of Residence Life and Housing.
- Students are not allowed in the presence of or in possession of empty or full containers of alcohol, including decorative containers.
- Public intoxication is prohibited.
- Operating a vehicle under the influence of alcohol is prohibited.
- The manufacturing of any alcoholic beverage is prohibited.
- Students are responsible for informing their guests of Worcester State University's Alcohol Policy prior to any campus visit. The student will be held strictly accountable for an alcohol violation when their guest violates the alcohol policy. Guests are defined as any person visiting the student whether or not the guest has signed-in to the residence halls through official procedures. Guests, regardless of their age are not permitted to bring alcohol onto the Worcester State University campus.
- Providing alcoholic beverages to a person under age twenty-one (21), whether gratuitously or for sale, is prohibited.
- The possession or use of alcoholic container(s) which indicates the probability of common source drinking (e.g. kegs, punch bowls, or the functional equivalent) is prohibited and shall result in a more severe sanction(s).
- Drinking devices that encourage the rapid consumption of alcoholic beverages and/or endangering behavior is prohibited.
- Drinking games that encourage the rapid consumption of alcoholic beverages and/or endangering behavior is prohibited.
- Open alcoholic beverage containers (including cups containing alcohol) are prohibited.

### **6.1 - Drug Policy**

All policies and regulations regarding illegal consumption/use, possession, sale/ traffic and/or manufacture of narcotics, controlled substances, prescription drugs, counterfeit substances, drug paraphernalia and substances releasing toxic vapor on the Worcester State University campus and its properties shall be in strict conformity to the appropriate Massachusetts General Laws and in compliance with the Drug-Free Schools and Community Act (DFSCA) and the Drug-Free Schools and Campuses Regulations. Detailed descriptions of infractions and penalties can be found in the Massachusetts General Laws, sections 94C and 270. Federal Drug Statute Title 21, USC 841 may also apply. Listed is a summation of these laws. *These laws are subject to change.*

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

#### **Class A**

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

#### **Class B**

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

#### **Class C**

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

#### **Class D**

Marijuana, Barbitol, Phenobarbital

#### **Class E**

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

#### **Smelling Substance Releasing Toxic Vapor**

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

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

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

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

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

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

## **6.2 - Medical/Recreational Marijuana**

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

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

## **6.3 - Drug and Alcohol Abuse Programs and Resources**

### **Resources**

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

### **Online Prevention Programs**

At the foundation of every positive student experience is a safe and healthy learning environment.

Educational programs assigned from the Division of Student Affairs are designed to increase an intercultural community that engages in civility, promotes personal growth and engagement, and embraces responsibility for the health and safety of our community.

The required Vector online prevention courses are comprehensive, research-based, online training programs assigned from a designated office in Student Affairs that provide essential information that empower students to make thoughtful and healthy choices. It is important that students take this training to help contribute to a respectful and healthy campus community.

Failure to complete/comply with these educational and prevention programs may result in a disciplinary/student affairs hold being placed on a student's account until the original required prevention education has been completed

## **6.4 - Alcohol and Drug Emergency Transport/Amnesty Policy**

Worcester State University considers the safety and personal well being of the student body a priority. Worcester State University recognizes that there may be alcohol or other drug-related medical or safety emergencies in which the potential for disciplinary action could act as a deterrent to students who want to seek assistance for themselves or others.

Students who are evaluated for a substance abuse wellness check that may or may not result in being transported to a local hospital will be required to contact WSU's Counseling Center within twenty four (24) hours of receipt of letter. Failure to schedule and attend the sessions may result in conduct action.

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

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

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

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

The Drug Free Schools Campuses Regulations (34 CFR Part 86) of the Drug Free Schools and Communities Act (DFSCA) requires an institution of higher education (IHE) such as Worcester State University, to certify that it has implemented programs to prevent the abuse of alcohol and use and/or distribution of illicit drugs both by Worcester State University students and employees both on its premises and as a part of any of its activities. The Drug and Alcohol Abuse Prevention Program (DAAPP) is provided to the Worcester State University community each semester as required.

## **7. SUMMARY STATEMENT REGARDING UNIVERSITY'S POLICY CONCERNING SEX-BASED DISCRIMINATION**

*Adopted from Massachusetts State Universities' Equal Opportunity, Nondiscrimination, and Title IX Plan (Aug. 2024). The entire plan can be found on the [WSU Title IX Webpage](#).*

Worcester State University is committed to maintaining safe and healthy learning, living, and working environments that are free from all forms of discrimination and harassment.

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

### **7.1 - STATEMENT OF POLICY ON SEX-BASED DISCRIMINATION**

Sex-based discrimination is any discrimination that depends in part on consideration of a person's sex and can be due to sex characteristics, sex stereotypes, sexual orientation, gender identity, gender expression, and pregnancy, childbirth, and related medical conditions.

Sex Characteristics - Physiological characteristics, such as anatomy, hormones, chromosomes, and other

traits, associated with male, female, or intersex bodies.

Sex Stereotypes - Fixed or generalized expectations regarding a person's aptitudes, behavior, self-presentation, or other attributes based on sex.

Gender Identity - A person's internal view of their gender. "Gender identity" covers a multitude of identities including, but not limited to, male, female, transgender, nonbinary, or gender-nonconforming individuals, and includes any person whose gender identity or gender presentation falls outside of stereotypical gender norms.

Gender Expression - Refers to the ways in which individuals manifest or express masculinity or femininity. It refers to all of the external characteristics and behaviors that are socially defined as either masculine or feminine, such as dress, grooming, mannerisms, speech patterns and social interactions.

Sexual Orientation - Actual or perceived heterosexuality, homosexuality, bisexuality, pansexuality, asexuality, or other sexual identity either by orientation or by practice.

Pregnancy, Childbirth, or Related Medical Conditions - Issues such as pregnancy; childbirth; lactation; using or not using contraception; or deciding to have, or not to have, an abortion.

Under Title IX, the University must not carry out different treatment or separation on the basis of sex by subjecting a person to more than de minimis harm except where permitted under the law in limited circumstances. Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with their gender identity causes more than de minimis harm on the basis of sex.

## **7.2 - Sex-Based Harassment or Harassing Conduct Otherwise Based on Sex**

A form of sex discrimination that includes sexual harassment and harassment based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity; that is quid pro quo harassment, hostile environment harassment based on sex and/or of a sexualized nature; or one of four specific offenses:

1. sexual assault
2. domestic violence
3. dating violence
4. stalking

Some examples of conduct that may be considered sex-based harassment, all of which are prohibited when they are part of conduct that meets the standard for discriminatory harassment set forth in 4.1.3.1 (Hostile Environment Harassment) and 4.1.3.2 (Quid Pro Quo Harassment), include, but are not limited to:

## **7.3 - Specific Offenses**

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

For the purposes of this section, the following considerations apply:

Consent: An understandable exchange of affirmative words or actions, which indicates a willingness by all parties to participate in mutually agreed upon sexual activity. Consent must be informed and freely and

actively given and may not be obtained through coercion. It is the responsibility of the initiator to obtain clear and affirmative responses at each stage of sexual involvement. Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly. Whether an individual has taken advantage of a position of influence over a complainant may be a factor in determining consent. A position of influence could include supervisory or disciplinary authority. Silence, previous sexual relationships or experiences, and/or a current relationship may not, in themselves, be taken to imply consent. While nonverbal consent is possible (through active participation), it is best to obtain verbal consent. Similarly, consent to one form of sexual activity does not imply consent to other forms of sexual activity.

**Coercion:** Unreasonable pressure or emotional manipulation to persuade another to engage in sexual activity. When someone makes it clear that they do not want to engage in sexual behavior, or they do not want to go beyond a certain point of sexual activity, continued pressure beyond that point can be considered coercive. Being coerced into sexual activity is not consent to that activity.

**Force:** The use of physical strength or action (no matter how slight), violence, threats of violence, or intimidation (implied threats of violence) as a means to engage in sexual activity. A person who is the object of actual or threatened force is not required to physically, verbally or otherwise resist the aggressor, and lack of such resistance cannot be relied upon as the sole indicator of consent.

**Incapacitation:** An individual who is incapacitated by alcohol and/or drugs, whether voluntarily or involuntarily consumed, may not give consent. Alcohol or drug related incapacitation is more severe than impairment, being under the influence, or intoxication. Persons unable to consent due to incapacitation also include, but are not limited to: persons under age sixteen (16); persons who are intellectually incapable of understanding the implications and consequences of the act or actions in question; and persons who are physically helpless.

**Sexual Assault – Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim (or attempts to commit the same). This includes any gender of victim or respondent.

**Sexual Assault – Fondling:** Fondling is the touching of body parts commonly thought private of another person for the purpose of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of age and/or because of temporary or permanent mental incapacity. This includes forcing another person to touch one's own body parts commonly thought private.

**Domestic Violence:** Felony or misdemeanor crimes committed by a person who:

- A. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the University, or a person similarly situated to a spouse of the victim;
- B. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- C. Shares a child in common with the victim; or
- D. Commits acts against a youth or adult victim who is protected from those acts under the family or

domestic violence laws of the jurisdiction.

Dating Violence: Dating violence is violence committed by a person:

- A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. The length of the relationship;
  - b. The type of relationship; and
  - c. The frequency of interaction between the persons involved in the relationship;

Stalking: Engaging in a course of conduct based on sex and directed at a specific person that would cause a reasonable person to:

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

#### **7.4- VAWA Crime Definitions**

In addition to the Sex-Based Discrimination Policy/Title IX Policy and for the purposes of complying with the requirements of §668.41, any incident meeting these definitions are considered a crime for the purposes of Clery Act reporting.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim

- The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

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

Domestic Violence: A Felony or misdemeanor crime of violence committed:

- A. By a current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D. 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; or
- E. 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.



**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.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

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

For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts 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.

## **8. JURISDICTION - UNIVERSITY PROGRAMS AND ACTIVITIES**

The University's prohibitions against discrimination, harassment, and retaliation applies to all conduct occurring under the University's programs or activities. It applies to all members of the campus communities, including, but not limited to, students, faculty, librarians, staff, visitors, contractors, and applicants for employment or admission. Conduct that occurs under the University's program or activity includes, but is not limited to:

- Athletics;
- Instruction;
- Grading;
- Housing;
- Extracurricular activities;

- Employment;
- Conduct that occurs in any building owned or controlled by a student organization that is officially recognized by a postsecondary institution; and
- Conduct that is subject to the University's disciplinary authority.

### **8.1 - Conduct Outside of the University's Programs and Activities**

Discrimination, harassment, or retaliation that occurs outside of the University's programs and activities may be actionable if there is a sufficient link with the employment or student relationship or both or where such conduct contributes to a hostile environment within the University's programs or activities. To determine whether conduct outside of the University's programs and activities constitutes prohibited discrimination or harassment, the University may consider the following nonexhaustive list of factors:

- Whether the conduct adversely affected the terms and conditions of the complainant's employment or education or impacted the complainant's work or learning environment;
- Whether the conduct occurred during a workplace event or educational activity, such as a University-sponsored function or outing;
- Whether the conduct occurred during work hours or scheduled class time;
- The relationship between the complainant and alleged harasser, such as harassment between a supervisor and supervisee or faculty member and student; or
- The nature and severity of the alleged conduct.

### **8.2 - Online Conduct**

Prohibited discriminatory harassment and retaliation may also occur via social media and other virtual platforms. Offensive conduct occurring online may be considered in determining both quid pro quo harassment claims and hostile environment harassment claims, such as a person making sexual requests through private online messages or a member of the campus community posting derogatory information about another member of the campus community online, provided the conduct meets the standard of discriminatory harassment set forth in 4.1.3.1 (Hostile Environment) and/or 4.1.3.2 (Quid Pro Quo). To determine whether conduct occurring online constitutes prohibited harassment covered by this Plan, the University will consider the nature and severity of the conduct, and may consider a range of nonexhaustive factors:

The nature or severity of the conduct;

- The virtual platform within which such conduct took place, and whether it is connected to the workplace or educational environment;
- The device or account used to access social media or the platform, such as use of a University account or device;
- Whether the conduct occurred during work hours;
- How the respondent obtained access to the complainant's social media accounts;
- Whether the harassment was on publicly available social media or private;
- The relationship between the complainant and respondent, such as harassment between a supervisor and employee or between a faculty member and student; or

- Whether the conduct adversely affected the terms and conditions of the complainant’s employment or education or has an effect on the complainant’s work or educational environment.

## **9. COMPLAINT INVESTIGATION AND RESOLUTION PROCEDURES**

The University has adopted complaint investigation and resolution procedures (“Procedures”) that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its program or activity, or by the Title IX Coordinator or Equal Opportunity Officer. These Procedures provide a mechanism for investigation and resolution of any alleged conduct prohibited by the EO Plan and are available to all students, faculty, librarians, staff, visitors, contractors, applicants for employment or admission, and others having dealings with the University. 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 their rights or responsibilities under the EO Plan. Specific elements of these Procedures are applicable only to complaints and reports of sex-based harassment and are explicitly designated as such.

## **10. SUPPORTIVE MEASURES**

Supportive measures are individualized measures offered as appropriate and as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

A. Restore or preserve that party’s access to the University’s program or activity, including measures that are designed to protect the safety of the parties or the University’s environment;

or

B. Provide support during the University’s complaint investigation and resolution procedures or during an informal resolution process.

Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment, or deter prohibited harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules or dining arrangements, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, restrictions from areas of campus, leaves of absence, increased security and monitoring of certain areas of the campus, statutorily provided leave to employees, and other similar measures. A formal complaint is not required to request or access supportive measures. Supportive measures may be appealed under the same grounds as outlined in section 5.5.18 of this Plan. Appeals may be submitted to the Title IX Coordinator or EO Officer.

## **11. AMNESTY**

Students may be hesitant to report sex-based harassment, sexual assault, domestic or dating violence, stalking, or retaliation, out of concern that they, or witnesses, might be charged with violations of the University’s drug/alcohol policies. While the University does not condone such behavior, it places a priority on the need to address sex-based harassment prohibited by this Plan. Accordingly, the University will not pursue discipline

against a student who, in good faith, reports, witnesses, or participates in an investigation of sex-based harassment, sexual assault, domestic or dating violence, stalking, or retaliation.

## **12. COMPLAINTS**

A complaint is one action that may be pursued based on a report of prohibited behavior under this Plan. The formal complaint process includes an investigation process, determination of responsibility by a decisionmaker, and an appeal opportunity.

### Right to Make a Formal Complaint

The following people have a right to make a complaint of prohibited discrimination, requesting that the University investigate and make a determination about alleged discrimination. A “complainant,” which includes:

- A student or employee of the University who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination; or
- A person other than a student or employee of the University who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination at a time when that individual was participating or attempting to participate in the University’s program or activity.

Where a complaint is filed by the University’s Title IX Coordinator or EO Officer, or a person authorized to act on behalf of the complainant, the complainant is still such person who is alleged to have been subjected to conduct that could constitute discrimination under the Policy of Nondiscrimination. In such cases, neither the Title IX Coordinator, the Equal Opportunity Officer, nor the University, are the complainant.

### **12.1 - Submission of Complaint**

Individuals are encouraged to file complaints directly with the EO Officer or Title IX Coordinator, but complaints may also be filed with other offices, such as Student Conduct, Human Resources, Residence Life, or Campus Police. Any complaint that is initially filed with other offices will be reported to the EO Officer or Title IX Coordinator. The complaint must be in the words of the complainant or the University official who received the complaint. 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. Reports may be made in person, in writing, by mail, by telephone, or by electronic mail, using the contact information listed for the EO Officer or Title IX Coordinator, electronic form (if available), or by any other means that results in the EO Officer or Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non business hours) by using the reporting options available at the time of the report.

### **12.2 - Requirements of the Formal Complaint Process**

Advisor of Choice: The University will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

- The University will not limit the choice or presence of the advisor for the complainant or respondent in any meeting or proceeding.
- The University may establish restrictions regarding the extent to which the advisor may participate in these resolution procedures, as long as the restrictions apply equally to the parties.

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.

**12.3 - Equitable Treatment**

The University will treat complainants and respondents equitably. Furthermore, the University presumes that the respondent is not responsible for the alleged prohibited conduct until a determination is made at the conclusion of these Procedures.

**12.4 - Presentation of Witnesses and Evidence**

The University will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible during the investigation process.

**12.5 - Standard of Proof**

The determination of responsibility for alleged violations of this Plan will be made based on a preponderance of evidence. Under this standard of proof, conclusions by the decisionmaker must be based on what “more likely than not” occurred, based on available information and evidence. Accordingly, the decisionmaker must determine whether it is more likely than not that the respondent violated the Policy of Nondiscrimination.

**12.6 - Written Notice**

The University will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate.

**12.7 - Timeframes for Formal Complaints**

The University has established the following timeframes for the major stages of the formal complaint process. A “day” for the purposes of these procedures is a business day, that is, Monday through Friday, excluding University-recognized holidays.

Formal Complaint Process Steps and Milestones	Timeframe, where practicable
Complaint Received	n/a
Notification of Allegations sent to all Parties Simultaneously	Promptly after formal complaint received

Respondent's Initial Written Response to Allegations	Due 5 days after delivery of notice of allegations
Investigation to Gather Evidence and Conduct Interviews	To be concluded, where practicable, within 60 days of notice of allegations
Draft Investigation Report	Issued to parties simultaneously at the conclusion of the investigation process
Party Review and Response to Draft Investigation Report	Parties have 10 days to view the draft report and submit written response to the investigator
Final Investigation Report to Administrative Reviewer	Delivered to Administrative Reviewer within 10 days of response due date
Decision-Making Body Conducts Questioning, if required or applicable	To be completed within 15 days of receipt of written responses to Final Investigation Report
Written Determination of Responsibility sent to Parties Simultaneously	Within 7 days of the Decision-Making Body reaching a determination
Appeal Submittal	Due within 5 days of delivery of written determination
Appeal Response	To be concluded, where practicable, within 30 days of receipt of written appeal

If, for good cause, any stage of these Procedures is temporarily delayed, the University will provide the parties written status updates at reasonable intervals until the investigation is completed that explains the reason for the delay or extension. Good cause for limited delays may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the complexity or severity of a complaint; and breaks in the academic calendar or exam periods. While the University will make reasonable efforts to accommodate the availability of parties, their advisors, and witnesses, a party, their advisor, or a witness may not delay the process unreasonably by refusing to attend or otherwise participate in the process.

### **12.8 - Written Notice of Allegations to Parties (Step 1)**

Upon receipt of a formal complaint and initiation of the formal complaint process, the University will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- The University's complaint investigation and resolution procedures and any informal resolution process, if determined appropriate;

- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute prohibited discrimination, and the date(s) and location(s) of the alleged incident(s), if known;
- Retaliation is prohibited;
- The respondent is presumed not responsible for the alleged discrimination until a determination is made at the conclusion of the resolution procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decision maker;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.
- The University prohibits knowingly making false statements or knowingly submitting false information during the complaint resolution and resolution procedures.

If, in the course of an investigation, the University decides to investigate additional allegations of discrimination by the respondent toward the complainant that are not included in the written notice or that are included in a consolidated or patterned complaint, it will provide written notice of the additional allegations to the parties. The respondent may provide an initial written response to the allegations within five (5) days of delivery of the Notice of Allegations.

### **12.9 - Investigation (Step 2)**

The investigation is a process by which the investigator assigned to a formal complaint gathers evidence and interviews parties and witnesses to make findings of fact regarding the allegations in the complaint. Through the investigation interviews, the investigator provides parties with opportunities to present evidence and fact witnesses.

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

The investigator will objectively evaluate all evidence that is deemed relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence.

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by the University to determine whether one of the exceptions listed below applies, will not be disclosed, and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the University obtains that party's or witness's voluntary, written consent for use in its resolution procedures; and
- In regards to complaints of sex-based harassment, evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

### **12.10 - Investigation Report (Step 3)**

Following the gathering and review of evidence and conclusion of investigative interviews, a Draft Investigation Report will be produced which shall include:

- Summaries of the investigation interviews;
- All evidence, or descriptions and summaries thereof, that is relevant to the allegations of discrimination and not otherwise impermissible;
- The investigator's findings of fact based on the preponderance of the evidence; and
- The investigator's analysis of allegations, defenses, and evidence presented in order to make the factual findings.

The investigator will provide each party and the party's advisor, if any, with 10 days to view and respond in writing to the Draft Investigation Report. The investigator will consider the responses to the Draft Investigation Report, make any changes deemed appropriate by the investigator, and provide a Final Investigation Report to the administrative reviewer, along with any evidence that was deemed not relevant or otherwise impermissible.

Should material changes be made to the Investigation Report due to the responses received to the Draft Investigation Report, the parties will be provided an additional opportunity to view the revised report and provide additional response to new substantive evidence. Each party will have 5 days to view and respond to the revised Investigation Report. The Investigation Report does not include a determination. The determination and any applicable sanctions are communicated through the Notice of Outcome.



### **12.11 Administrative Review (Step 4)**

Assessment that Investigation is Complete: For all complaints, upon receipt of the Final Investigation Report, the administrative reviewer will review the Investigative Report to assess if the investigation process was equitable, impartial, and thorough, and therefore, complete. The administrative reviewer will review all available evidence to confirm that any evidence deemed irrelevant or impermissible has been appropriately excluded from consideration. The administrative reviewer may consult directly with the investigator to make such determinations. If deficiencies are found, the administrative reviewer may remand the matter to the investigator for additional investigation.

The University provides the parties with an equal opportunity to be heard and to access the relevant and not otherwise impermissible evidence during the investigation process and through the Draft Investigation Report. If additional evidence is determined to be relevant and permissible during the Administrative Review process, the parties will be provided with an equal opportunity to access this evidence. Parties may also access relevant and permissible evidence upon the request of the party.

Credibility Assessment: If the administrative reviewer is satisfied that the investigation process was equitable, impartial, and thorough, the administrative reviewer and investigator, comprising the decision-making body, will make a credibility determination for each party. To the extent credibility is both in dispute and relevant to evaluating one or more allegations of discrimination, the decision-making body may direct follow-up questions to parties and witnesses to adequately assess a party's or witness's credibility. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. Such a credibility determination will be addressed in the final Investigation Report.

Follow-Up Questions: The investigator and administrative reviewer, as the decision-making body, further reserve the right to collaborate in conducting additional individual meetings with any parties and witnesses to ask follow-up questions.

### **12.12 - Special Considerations Applicable Only to Complaints of Sex-Based Harassment (Step 5)**

In complaints alleging sex-based harassment, parties may propose to the decision-making body relevant and not otherwise impermissible questions and follow-up questions to ask of other parties and witnesses, including questions challenging credibility.

Such questioning will take place following the administrative review process and through one of two mechanisms: (1) a live hearing, or (2) shuttle-questioning in individual follow-up meetings.

The decision-making body, in consultation with the Title IX Coordinator, except where the Title IX Coordinator conducted the investigation or administrative review, will determine if such questioning will take place through a live hearing or individual follow-up meetings. The Title IX Coordinator may consider the following principles in making such determination:

- Severity of alleged allegations;
- Severity of alleged harm resulting from alleged conduct;
- Imbalances of power between parties;
- Care, concern, and risk factors for the parties; or

- Whether all parties demonstrate capacity.

Procedures for a Live Hearing, if offered: In matters involving sex-based harassment and where the decision-making body, in consultation with the Title IX Coordinator, has deemed that a live hearing will be conducted for the purpose of questioning parties and witnesses, the University will conduct the live hearing with the parties and their advisors, if any, physically present in separate locations with technology enabling the decisionmaker and parties to simultaneously see and hear the party or witness while that person is speaking. At the University's discretion, the University may conduct the live hearing with the parties physically present in the same geographic location. The University will create an audio or audiovisual recording or transcript of any live hearing and make it available to the parties for inspection and review but not for additional response.

Procedures for Shuttle-Questioning through Individual Follow-Up Meetings: In matters involving sex-based harassment and where the decision-making body, in consultation with the Title IX Coordinator, has deemed shuttle-questioning will take place through individual follow-up meetings for the purpose of questioning parties and witnesses, the decision-making body will solicit follow-up questions from parties following review of the investigation report. The decision-making body will conduct follow-up meetings with each party and any witnesses, as appropriate. The decision-making body will then provide each party with an audio or audiovisual recording or transcript of the questioning with enough time for the party to have a reasonable opportunity to propose additional follow-up questions. The decision-making body will again conduct follow-up meetings with each party and any witnesses, as appropriate, after which the questioning process is considered complete.

Procedures for the Decisionmaker to Evaluate the Questions and Limitations on Questions: Regardless of the format for follow-up questioning, the decision-making body is the only process participant who may ask direct questions of the parties and witnesses during the follow-up question process. Direct cross examination by the parties or their advisors is prohibited. Parties will present their questions to the decision-making body for pre screening. The decision-making body will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The decision-making body will give a party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked by the decision-making body.

Refusal to Respond to Questions: The decision-making body may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The decision-making body will not draw an inference about whether discrimination occurred based solely on a party's or witness's refusal to respond to such questions.

### **12.13 - Determination of Whether Prohibited Discrimination Occurred (Step 6)**

Following an investigation of a formal complaint, evaluation of all relevant and not otherwise impermissible evidence, and assessment of credibility, the decision-making body will:

- Use the preponderance of evidence standard of proof to determine whether prohibited conduct occurred. If the decision-making body is not persuaded under the preponderance of evidence standard that prohibited conduct occurred, whatever the quantity of the evidence is, the decision-making body will not determine that prohibited conduct occurred.
- Not impose discipline on a respondent for conduct prohibited by this Plan unless there is a determination at the conclusion of the complaint and resolution procedures that the respondent engaged in prohibited conduct.

If there is a determination that prohibited conduct occurred, as appropriate, the EO Officer or Title IX Coordinator will:

- Coordinate the provision and implementation of remedies to a complainant and other people the University identifies as having had equal access to the University's program or activity limited or denied by the prohibited conduct;
- Coordinate the imposition of any disciplinary sanctions on a respondent, including, when appropriate, notification to the complainant of any such disciplinary sanctions;
- Take other appropriate prompt and effective steps to ensure that the prohibited conduct does not continue or recur within the University's program or activity;
- Comply with the complaint and resolution procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the complaint and resolution procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether prohibited conduct occurred.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

#### **12.14 - Notice of Outcome, Disciplinary Sanctions, and Remedies (Step 7)**

A written Notice of Outcome will be issued to all parties simultaneously promptly and not more than seven (7) days following the determination by the decision-making body. The Notice of Outcome shall include the following:

- A description of the alleged prohibited conduct;
- Information about the policies and procedures that the University used to evaluate the allegations;
- The factual findings of the investigation based on the decision-making body's evaluation of the relevant and not otherwise impermissible evidence;
- The determination as to whether prohibited conduct occurred and the rationale for the determination;
- When the decision-making body finds that prohibited sex-based harassment occurred, any disciplinary sanctions the University will impose on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the University to the complainant, and, to the extent appropriate, others identified by the University to be experiencing the effects of the prohibited conduct;

- The sanctions that directly relate to the complaining party that arise from an allegation of any other form of prohibited discrimination; and
- The University's procedures and permissible bases for the complainant and respondent to appeal. For the purpose of recordkeeping, the Notice of Outcome shall be affixed to the Final Investigation Report. Parties may request a copy of the Final Investigation Report by contacting the Equal Opportunity Officer and/or Title IX Coordinator.

### **12.15 - Sanctions**

Following a determination that prohibited conduct occurred, the University will notify a 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 decision-making body, the party poses a continued threat to the safety of one or more members of the campus community, the sanctions may take effect immediately, and while an appeal is pending.

For employee respondents, disciplinary action taken against an employee shall be regarded as an administrative action, up to and including termination. Additional disciplinary action shall also be taken against an employee who violates a sanction or sanctions imposed pursuant to this Plan.

Where removal of tenure is recommended by the decision making body, the procedures set forth in Article IX of the collective bargaining agreement between the MSCA and the BHE will be followed. In the event that tenure is not removed, the matter will be remanded to the decision making body to assign appropriate sanctions.

For student respondents, a student who has been found to have violated the EO Plan may be subject to sanctions including, but not limited to:

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

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

Additional disciplinary action shall also be taken against a student who violates a sanction(s) 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.

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

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

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

#### **12.17 - Appeals (Step 8)**

Appeals must be submitted to the EO Officer or, for complaints of sex-based discrimination, to the Title IX Coordinator, and be received by the fifth day following delivery of the Notice of Outcome or Notice of Complaint Dismissal. The University will offer an appeal from a dismissal or determination whether prohibited conduct occurred on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The EO Officer, Title IX Coordinator, investigator, or decisionmaker involved in the process had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If a party appeals a dismissal or determination whether prohibited conduct occurred, the University will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;

- Ensure that the decisionmaker for the appeal has been trained consistent with the policy and, for sex-based discrimination complaints, with Title IX regulations;
- Communicate to the parties in writing that the University will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

### **13. RESOURCES FOR SEX-BASED HARASSMENT**

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

#### **13.1 Immediate Needs**

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

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

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

Confidential Medical Resources on Campus: Students may access the services of the Student Health Center on a confidential basis. Employees may seek confidential counseling and referral services from the Employee Assistance Program (“EAP”).

Confidential Community Medical Resources: Sexual Assault Nurse Examiners (SANEs) are specially trained, certified professionals skilled in performing quality forensic medical-legal exams. In order to find out more information about SANE services, please visit [mass.gov/ma-sexual-assault-nurse-examiner-sane-program.com](https://mass.gov/ma-sexual-assault-nurse-examiner-sane-program.com)

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

Confidential Counseling and Support Resources on Campus: Students may access Counseling Services on a confidential basis. Employees may seek the confidential services of the EAP. All community members may access the confidential services of religious/pastoral counselors on campus, if any.

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.

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

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

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

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

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

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

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

#### **Northeastern Massachusetts**

- *YWCA North Shore Rape Crisis Center, Lynn/Lawrence/Haverhill: 877-509-YWCA (9922), Spanish: 800-223-5001*
- *Center for Hope and Healing, Lowell: 800-542-5212 Hotline, 978-452-8723 TTY*

#### **Central Massachusetts**

- *Pathways for Change, Inc., Worcester: 800-870-5905 Hotline, 888-877-7130*
- *Pathways for Change, Inc., Fitchburg: 800-870-5905*
- *Wayside Trauma Intervention Services, Milford: 800-511-5070 Hotline, 508-478-4205 TTY*
- *Voices Against Violence, Framingham: 800-593-1125 Support line, 508-626-8686 TTY*

#### **Southeastern Massachusetts**

- *A Safe Place, Nantucket: 508-228-2111 Hotline, 508-228-7095 TTY*
- *Cape Cod Shelter & Domestic Violence Services (508) 564-7233*
- *Independence House, Hyannis: (508) 771-6702 or Hotline 800-439-6507*
- *Independence House, Falmouth: (508) 548-0533 or Hotline 800-439-6507*
- *Martha's Vineyard Community Services, Oak Bluffs: (508) 693-0032 Hotline or (774) 549-9659 TTY*
- *The Women's Center, Greater New Bedford: Hotline (508)999-6636 or (508) 996-1177 TTY*
- *The Women's Center, Fall River: Hotline (508) 996-3343 or (508) 996-1177 TTY*
- *New Hope, Attleboro: 800-323-4673 Hotline/TTY*
- *The Women's Center, Fall River: 508-672-1222 Hotline, 508-999-6636; TTY 508-996-1177*
- *A New Day, Brockton: 508-588-8255 Hotline, 508-588-8255 or toll free at 888-293-7273*



## Western Massachusetts

- Elizabeth Freeman Center, Pittsfield: 866-401-2425 Hotline, 413-499-2425 TTY Center for Women and Community, Amherst: 413-545-0800 Hotline, 413-577-0940 TTY
- NELCWIT, Greenfield: 413-772-0806 Hotline; 413-772-0815 TTY
- YWCA of Western Mass, Springfield: 800-796-8711 (24/7) Hotline and TTY; 800-223-5001 Spanish
- YWCA of Western Mass, Westfield: 800-796-8711 (24/7) Hotline and TTY

### 13.4 Domestic Violence Services

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

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

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

- Title IX Coordinator (and any Deputies)
- EO Officer
- University Police
- Employee Services
- Residence Life and Housing
- Student Affairs
- Community Standards and Student Conduct
- Student Accessibility Services

### 13.5 Written Notification of Rights for Complainants and Respondents of Sex-Based Harassment

Parties, that is, complainants or respondents, to claims of sex-based harassment are notified of the following rights to:

- a prompt, thorough, and equitable investigation and resolution of a complaint;
- the confidentiality of the investigation process to the extent possible (reference to confidentiality section);
- referrals to confidential assistance and support services from both on- and off-campus resources, including 24-hour services;
- know, in advance, the names of all persons known to be involved;

- request that the University impose no contact/no communication orders or other supportive measures;
- an advisor of their choice who can be present at any time during the complaint resolution proceedings. 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, who will serve as the advisor of choice;
- reasonable accommodations for a documented disability during the process;
- be present at certain meetings and inspect, review, and respond to evidence;
- present relevant and not otherwise impermissible evidence;
- provide witnesses;
- submit questions to be asked of parties and witnesses;
- not have irrelevant sexual history discussed;
- know the status of the case at any point during the investigation and resolution process;
- receive a determination of responsibility at the conclusion of the investigation and resolution process;
- be informed of the outcome of the process in a timely manner;
- an appeal from the outcome of the process (if proper grounds for appeal exist);
- be free from any behavior that may be construed by the University to be intimidating, harassing, or retaliatory; and
- have the matter handled in accordance with University policy.

Furthermore, complainants are advised of the following rights to:

- an explanation of the options available;
- choose whether or not to make a formal complaint, which would initiate a formal investigation, unless the University deems it necessary to investigate to protect the safety of the community or in compliance with applicable law;
- file a police report and/or take legal action separate from and/or in addition to the University discipline process;
- not file a complaint or seek assistance from local law enforcement, but receive supportive measures from the University;
- be assisted by the University in seeking assistance from or filing a complaint with local law enforcement;
- a change in on-campus residence and/or an adjustment to their academic schedule if such changes are reasonably available;
- seek and enforce a harassment prevention order, restraining, or similar protective court order; and
- inform the University that a protective order has been issued under federal or state law and be informed of the University's responsibilities upon receipt of such notice.

And respondents are advised of the following rights to:

- receive a copy of the complaint filed against them;
- an explanation of the allegation(s) against them; and

- be presumed not in violation of University Policy until such time a determination is made at the conclusion of the investigation and resolution process.

## **14. DESCRIPTION OF SAFE AND POSITIVE OUTCOMES FOR BYSTANDER EDUCATION**

### **14.1 - How to Be an Active Bystander**

Bystander intervention refers to safe and constructive actions that individuals can take to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It involves recognizing potentially harmful situations, understanding the institutional and cultural factors that enable violence, overcoming obstacles to intervention, identifying effective and safe ways to intervene, and taking action. Risk reduction, in this context, includes strategies aimed at reducing perpetration, encouraging bystander action, and empowering victims, all with the goal of enhancing safety and addressing the conditions that contribute to violence within individuals and communities.

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

Worcester State offers several Bystander (We Speak Up) training and programs throughout every academic school year to educate our students on how to be a prosocial bystander.

## **15. STATEMENT OF POLICY ADDRESSING 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, volunteers service, or is a student.

At Worcester State University, all publicly available information received from state Sex Offender Registry offices will be maintained by the Worcester State University Police Department. Any member of the public who is at least 18 years of age or older may request sex offender information. The information will be provided to any person who is seeking the information for their own protection, for the protection of a child under the age of 18, or for the protection of another person for whom the requesting person has responsibility, care, or custody.

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

## **16. MISSING STUDENT POLICY FOR STUDENTS WHO RESIDE ON-CAMPUS**

In 2003 President George W. Bush signed into law “Suzanne’s Law,” requiring police to notify the National Crime Information Center (NCIC) when someone between 18 and 21 is reported missing, as part of the national “Amber Alert” bill Amber Alert website.

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify WSUPD at (508) 929-8650. WSUPD will generate a missing person report and initiate an investigation.

After investigating the missing person report, should WSUPD determine that the student is missing and has been missing for more than 24 hours, WSUPD will notify local law enforcement and the student’s missing person contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the University will notify the student’s parent or legal guardian immediately after WSUPD has determined that the student has been missing for more than 24 hours.

In addition to registering an emergency contact with the university, students residing in on-campus housing have the option to confidentially identify an individual to be contacted by a WSU Official in the event the student is determined to be missing for more than 24 hours. This information will be accessible only to authorized campus officials, and may not be disclosed, except to law enforcement personnel in the furtherance of a missing person investigation. If a student has identified such an individual, the university will notify that individual no later than 24 hours after the student is determined to be missing.

Students who wish to identify a confidential contact can do so with the Office of Residence Life and Housing. The designation will remain in effect until changed or revoked by the student. All emergency contact forms will be stored electronically. To designate an alternative emergency contact to be notified (in cases of missing persons) please complete the form at the following website: <https://forms.gle/4MaSyUh4yCmDVJgM6>

## **17. CRIME STATISTICS**

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

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

### **17.1 - CLERY CRIME DEFINITIONS**

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

## Criminal Homicide

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

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

- **Rape:** the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.

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

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

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

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

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

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

Drug Abuse Violations<sup>2</sup>: the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

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<sup>2</sup> The Commonwealth of Massachusetts has changed its laws concerning marijuana use. Worcester State University does not permit use on campus. Though referrals that occur for this conduct are not counted for *Clery* reporting purposes, students who violate this policy will still face judicial consequences as outlined in the Student Handbook.

Liquor Law Violations: the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or alcoholic beverages, not including driving under the influence and drunkenness.

Domestic Violence: a felony or misdemeanor crime of violence committed

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

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

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

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

Stalking:

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

*Stalking may occur in a range of formats including, but not limited to, in-person, written letters or notes, voice mail, email, texting, following someone utilizing global position system (GPS), video and audio recording, and social networking.*

Hate Crime: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For purposes of the Clery Act, hate crimes are those that manifest evidence the victim was intentionally selected because of his or her actual or perceived race, gender, religion,

sexual orientation, ethnicity, disability, national origin or gender identity. In accordance with the Clery Act, “Before an incident can be classified as a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by bias.”

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

## **17.2 - Clery Geography Definitions**

On Campus is defined as:

- Student Housing indicated in dormitories or other residential facilities for students on campus. This is a subset of on-campus. The term “on campus” means:
  - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and
  - Any building or property that is within or reasonably contiguous to the area identified in paragraph 1 of this definition, that is owned by the University, but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non-Campus Building or Property is defined as:

- Any building or property owned or controlled by a student organization that is officially recognized by the institution. (Worcester State University does not have any recognized student organizations which have off-campus locations or housing facilities.)
- Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property is defined as:

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

## **17.3 - STATEMENT FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS**

As required by federal law, Worcester State University Police Departments yearly crime statistics for this report are compiled on a calendar year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus and were reported to University Police, Worcester City Police and Campus Security Authorities.

In addition, these statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor and drug law violations, and illegal weapons possession. Statistical information for certain off-campus locations or property owned or controlled by Worcester State University as well as public property within or immediately adjacent to and accessible from the campus are requested and collected from Worcester City Police

Department, and Campus Security Authorities. For statistical purposes, crimes reported to any of these sources are recorded in the calendar year during which the crime was reported.

All statistics are gathered, compiled, and reported to the Worcester State University community via this report, entitled “Annual Security Report” which is published by the Worcester State Clery Compliance Committee. Worcester State submits the annual crime statistics published in this brochure to the Dept. of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

By Oct. 1, Worcester State sends an email to every enrolled student and current employee on an annual basis. The email includes a brief summary of the contents of this report. The email also includes the address of the WSUPD website where the Annual Security Report can be found. Copies of this report may also be obtained at the University Police Department and the Vice President of Students Office.

#### 17.4 - CRIME REPORT STATISTICS FOR 2021, 2022, and 2023

2021-2023 REPORTED CRIMINAL OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY*	STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2021	0	0	0	0
	2022	0	0	0	0
	2023	1	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
RAPE	2021	4	4	0	0
	2022	6	6	0	0
	2023	6	6	0	0
FONDLING	2021	9	8	0	0
	2022	6	4	0	0
	2023	5	5	0	0
INCEST	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
STATUATORY RAPE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ROBBERY	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0



AGGRAVATED ASSAULT	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
BURGLARY	2021	1	1	1	0
	2022	1	1	0	0
	2023	1	1	0	0
MOTOR VEHICLE THEFT	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ARSON	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0

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

2021-2023 VAWA REPORTED OFFENSES					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY*	STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2021	0	0	0	0
	2022	1	1	0	0
	2023	0	0	0	0
DATING VIOLENCE	2021	0	0	0	0
	2022	1	0	0	0
	2023	1	1	0	0
STALKING	2021	3	2	0	0
	2022	3	2	0	0
	2023	2	0	0	0
2021-2023 ARRESTS AND DISCIPLINARY REFERRALS					
OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		ON-CAMPUS PROPERTY*	STUDENT HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY

<b>ARRESTS:</b> WEAPONS: CARRYING, POSSESSION, ETC.	2021	0	0	0	0
	2022	0	0	0	0
	2023	1	1	0	0
<b>DISCIPLINARY REFERRALS:</b> WEAPONS: CARRYING, POSSESSION, ETC.	2021	2	2	0	0
	2022	1	1	0	0
	2023	0	0	0	0
<b>ARRESTS:</b> DRUG ABUSE VIOLATIONS	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> DRUG ABUSE VIOLATIONS **	2021	44	44	0	0
	2022	35	35	0	0
	2023	26	26	0	0
<b>ARRESTS:</b> LIQUOR LAW VIOLATIONS	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
<b>DISCIPLINARY REFERRALS:</b> LIQUOR LAW VIOLATIONS	2021	100	100	0	0
	2022	75	75	0	0
	2023	82	82	0	0

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

## 17.5 - HATE CRIMES

There were no reported Hate Crimes for the years 2021, 2022, or 2023.

## 18. 2023 CAMPUS FIRE SAFETY ANNUAL REPORT

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

### 18.1 - Fire Alarm and Suppression Systems

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

## **18.2 - Policies on Rules for Electrical Appliances, Smoking and Open Flames**

All electrical appliances must be UL approved. Cooking appliances such as hot pots, hot plates, coil water-heaters and any other appliances with open heating elements may be fire hazards and are prohibited. See the Residence Hall Occupancy License and Residence Hall Handbook for more information.

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

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

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

Open-air fires are prohibited in the residence halls and surrounding areas. This includes but is not limited to candles, incense, and space heaters. The only exceptions to this rule are the barbecue grills (charcoal only) placed in several areas throughout Chandler Village. These are the only areas to be used for barbecues and outdoor cooking. All privately owned gas or charcoal grills, hibachis, etc. are strictly prohibited. Wood fires are not allowed anywhere on campus. Violators are subject to all penalties associated with relevant fire codes, including but not limited to a \$100.00 fine and judicial action. Chapter 143 of the Massachusetts General Laws prohibits smoking in schools, colleges, universities, public buildings and institutions.

## **18.3 - Fire Safety Training and Evacuation Plans for Residence Hall Staff and Residents**

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

## **16.4 - Fire Drills**

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

- Residents' reaction to the fire alarm signal;

- Residents' knowledge of building emergency evacuation plans; and
- Systems functionality

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

### **16.5 - Specific Fire Related Policies**

Worcester State University students, staff, and faculty are instructed to report all fire-related emergencies to the University Police Department at 8911 from any campus phone, or 508-929-8911 or 911 from a cell phone or outside line. All calls to WSUPD go through the department's recorded emergency line. WSUPD will in turn notify the Worcester Fire Department.

Residence Hall Handbook Policies: All policies can be located in the Residence Hall Handbook. <https://webcdn.worcester.edu/campus-life/wp-content/uploads/sites/56/2024/09/Res-Hall-handbook-2024-25.docx.pdf>

Emergency Exits: Numerous emergency exit doors are located in Dowden Hall, Sheehan Hall, and Wasylean Hall on the first floor and in several stairways. Additionally, each apartment in Chandler Village has one or more emergency/fire exit doors. All of these doors are alarmed, are clearly marked, and are intended for emergency use only. Inappropriate and/ or unauthorized use of these emergency exits by students may result in fines of up to \$100 and/or judicial action.

Fire Alarms: Do not pull the fire alarm unless there is a fire. Students will be charged for false fire alarms that have to be reset by the Fire Department. Any fire alarm may result in some level of panic or falling during evacuation, which may lead to students being injured. False alarms may also contribute to student complacency and, should there be a real fire, students may not respond. Any student who causes a fire, tampers with fire extinguishers, or falsely pulls a fire alarm may be removed from housing immediately and will face judicial action.

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

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

**Chandler Village Fire Escapes and Fire Deck Doors:** The use of all fire escapes and roof decks is strictly prohibited except in the event of an emergency. Students found using them during non-emergency situations may face judicial action and/or fines. Many third-floor apartments have fire decks adjacent to the upper levels. These areas are prohibited and cannot be used except in the case of an emergency. The fire doors are alarmed, and any unauthorized openings may result in fines of up to \$100.00 and/or additional judicial action.

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

**16.6 - Fire Safety Systems:**

The table below outlines the fire safety systems currently in use in the Worcester State Residence Halls:

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

**16.7 - Fire Statistics for On-Campus Residential Facilities**

The following are 2021-2023 fire statistics as reported to the Worcester State University Police Department. The statistics are current as of publication of this report.

**2021-2023 FIRE LOG**

Location	Total Fires in Each Building	Fire Number	Cause of Fire	Injuries Requiring Treatment	Number of Deaths	Value
Chandler Village16	1	1	Unintentional-Cooking	0	0	\$0-\$99

## REFERENCES

Worcester State University 2024-2025 Student Handbook and Student Code of Conduct

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

Worcester State University 2024-2025 Residence Hall Handbook

<https://webcdn.worcester.edu/campus-life/wp-content/uploads/sites/56/2024/09/Res-Hall-handbook-2024-25.docx.pdf>

Worcester State University Employee Handbook

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

[Equal Opportunity, Nondiscrimination and Title IX Plan](#)